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**THE BELGRADE FOLLOWUP MEETING TO THE
CONFERENCE ON SECURITY AND COOPERATION
IN EUROPE: A REPORT AND APPRAISAL**

TRANSMITTED TO THE
COMMITTEE ON
INTERNATIONAL RELATIONS
U.S. HOUSE OF REPRESENTATIVES

BY THE
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE



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FOREWORD

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, D.C., May 17, 1978.

This report was transmitted to the Committee on International Relations by Hon. Dante B. Fascell, Chairman of the Commission on Security and Cooperation in Europe. It describes and analyzes the Belgrade review meeting of the Conference on Security and Cooperation in Europe.

The findings and analysis contained in the report are those of the Commission and do not necessarily reflect the views of the members of the Committee on International Relations.

CLEMENT J. ZABLOCKI, *Chairman.*

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LETTER OF TRANSMITTAL

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
CONGRESS OF THE UNITED STATES,
Washington, D.C., May 17, 1978.

Hon. CLEMENT J. ZABLOCKI,
Chairman, Committee on International Relations, House of Representatives, Rayburn Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The first review meeting of the Conference on Security and Cooperation in Europe was held in Belgrade, Yugoslavia, from October 4, 1977, to March 9, 1978. Based on their participation as U.S. delegation members, the Commissioners and Commission staff have prepared a detailed report and analysis of the Belgrade meeting which I am pleased to transmit to you.

The Commission is satisfied that, in the main, the purposes of the Belgrade meeting as laid down in the Helsinki Final Act—review of the implementation record of the 35 participating states and discussion of additional measures to fulfill the Final Act provisions—were achieved. In addition, the Commission is gratified that the continuation of the CSCE process is assured by the agreement to hold another meeting in Madrid in 1980.

I feel sure that this report will be found useful by Members of Congress who have shown great and continuing interest in the CSCE process.

Kindest regards,
Sincerely,

DANTE B. FASCELL, *Chairman.*

LETTER OF SUBMITTAL

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
CONGRESS OF THE UNITED STATES,
Washington, D.C., May 17, 1978.

HON. THOMAS P. O'NEILL, Jr.
Speaker, U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to Public Law 94-304, I have the pleasure to submit to you the report and appraisal of the Commission on Security and Cooperation in Europe on the Belgrade CSCE followup meeting.

This report covers the course of events at the first review meeting of the Conference on Security and Cooperation in Europe, held at Belgrade, Yugoslavia, October 4, 1977 to March 9, 1978, as well as the preparatory meeting which preceded it, June 15 to August 5, 1977. In accordance with the CSCE Final Act, the purpose of the Belgrade meeting was to continue the process initiated at Helsinki on August 1, 1975, by conducting a thorough exchange of views on the implementation of the provisions of the Final Act by the 35 participating states as well as by deepening mutual relations, improving security and developing cooperation and détente. The Commission is gratified that, in the main, these high purposes were achieved and that the continuation of the Helsinki process is assured by the agreement to hold another review meeting in Madrid, in November 1980.

Apart from its significance for security and cooperation in Europe, the Belgrade meeting was notable, from the standpoint of U.S. participation, for at least two other reasons. First, to underscore the importance which the United States attached to the meeting, the President chose a distinguished jurist and statesman, Arthur J. Goldberg, to head the American delegation. Second, in a move unprecedented in modern times, the U.S. delegation was organized as a totally integrated team consisting of Commission members and staff as well as State Department and other executive branch personnel in addition to distinguished public members from diverse areas of American life.

In view of the high interest in the Congress in the CSCE process, especially the human rights component, I am confident that this report will be of unusual interest to Members of both the House and Senate.

Sincerely,

DANTE B. FASCELL, *Chairman.*

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THE BELGRADE MEETING IN BRIEF

For some 5 months—between October 4, 1977, and March 9, 1978—delegates of the 35 nations that signed the 1975 Helsinki accord met in Belgrade to determine how well the commitments set out in the Final Act of the Conference on Security and Cooperation in Europe had been kept. From their work, a new ingredient in East-West diplomacy emerged: The recognition of human rights as an integral aspect of détente. This is an important step on the road toward making Europe a place where human rights are universally respected in all countries, even though it carries no guarantees of speedy remedies for existing abuses.

BACKGROUND

Although the Belgrade meeting examined new proposals, drafted a concluding document and scheduled the next review meeting, the main work of the Belgrade meeting was a line-by-line review of the Final Act. This complex document contained provisions for regulating the political relations between the states of Europe, for easing military tensions among them, and for improving trade, commerce and the flow of people and ideas between East and West. But the elements that caught the imaginations and enthusiasm of ordinary citizens were those guaranteeing human rights and fundamental freedoms and promoting policies among governments which would enhance their consistent observance.

To understand the advance made at Belgrade and the limits on it, it is necessary to remember that CSCE decisions of the 35 countries can only be arrived at unanimously; each nation can reject any proposal or document by merely denying consensus. Moreover, the discussions at Belgrade were closed to the public and not transcribed, except for 2 weeks of formal, on-the-record speeches at the start and end of the meeting. Given these circumstances, Belgrade was more what therapists would call an "encounter session" than what jurists would regard as a tribunal. It was better suited for exchanges of views and arguments than for the issuance of formal findings or decrees.

OBJECTIVES AND RESULTS

The United States and its allies—along with many of the neutral and nonaligned countries—sought to make the review of Final Act implementation the touchstone of the Belgrade meeting. For the United States, the most urgent and important matters centered on questions of human rights, for it was here that performance was most glaringly deficient. The working sessions at Belgrade demonstrated the determination of Western and neutral signatories to record specific criticisms of Eastern implementation of the Helsinki Final Act.

In reviewing past actions (and inaction) and in presenting suggestions for new commitments to improve implementation of the Final Act, the Western delegations voiced concern over a number of Helsinki provisions, not just those directly related to human rights. Communist states' barriers to the flow of economic information, impediments to contact between businessmen and potential customers, obstacles to the conduct of fruitful scholarly research or scientific collaboration and censorship even of cultural imports all came under critical scrutiny. While such topics are unusual diplomatic fare, they are not as sensitive aspects of Helsinki compliance as repression of dissent, persecution of religion, restriction of emigration and interference with journalists.

When those questions were raised—the U.S. delegation cited the specific treatment of Yuri Orlov, Aleksandr Ginzburg, Anatoly Shcharansky, Mykola Rudenko, Oleksiy Tykhy, and Iosif Begun—Soviet delegates and their allies objected even to the mention of such matters. To discuss their domestic conduct in the field of human rights, they alleged, was to interfere (in violation of the Final Act) in their internal affairs.

But soon the Soviets and some of the East European states moved to a counterattack on alleged Western shortcomings such as racism and economic injustice. In so doing they ceded, in effect, to the solid Western thesis that no matter covered by the Final Act—as human rights are by the terms of Principle VII—can be purely a matter of domestic jurisdiction. Tacitly then, the East has recognized the legitimacy of human rights as an issue of Helsinki compliance; moreover, the Czechoslovaks and Soviets in particular were made to feel the pressure of international censure of their conduct.

Given the rule of consensus, it was clear at the outset that censure would not be expressed specifically in the concluding document of the Belgrade meeting. Similarly, Western proposals aimed at reinforcing the protection of individuals—Soviet Helsinki Monitoring Group members or Czechoslovak Charter '77 signers, for example—had virtually no chance for acceptance. By the same token, Eastern proposals to transform the focus of CSCE to arms reduction, to ban neo-Nazi propaganda, or to expand trade advantages with the West, had little chance of adoption.

The formal result of the Belgrade meeting, therefore, was a brief concluding document which noted that the exchanges on implementation had taken place and that the participating states disagreed in important respects. More positively, it acknowledged the important role of the CSCE process and set Madrid in 1980 as the place and time for the next review meeting.

CONCLUSION AND OUTLOOK

Some who have looked only at this formal result have been inclined to dismiss the Belgrade meeting as futile. No new measures were produced to advance the cause of human rights—or even freer East-West trade for that matter. Moreover, even the review portion of the meeting left no permanent record condemning violations in the East.

But, although so pessimistic an assessment is understandable, it is clearly premature. Aside from the procedural limitations on what

could be done at Belgrade, there is no easy way to be sure what *will* come of the meeting in the months ahead before its successor convenes. Based on the pre-Belgrade record, there is every reason to expect the Soviet Union and its allies to remain sensitive and sporadically accommodating to Helsinki-related Western pressure—public and diplomatic—on human rights issues. The fact is that such pressure was a permanent feature of the Belgrade proceedings. It became an extremely uncomfortable element for the Eastern states and, in East-West diplomacy, an unprecedented advance over years of diplomatic silence. The precedent for discussion of human rights as an essential attribute of *détente* has been set. The talk may have brought no instant remedy, but if such exchanges are dismissed as worthless, then the Belgrade precedent will lose the potential meaning for gradual progress it now holds.

PREFACE

The first review meeting envisioned by the Final Act of the Conference on Security and Cooperation in Europe—a meeting widely anticipated to become a milestone in the so-called Helsinki process—ended in Belgrade on March 9, 1978.

Except for a 3-week Christmas recess, the meeting occupied the full-time attention of some 400 representatives of 33 European countries, Canada, and the United States continuously from October 4, 1977, to its closing date. During these 5 months, and in the 8 weeks of the preparatory meeting from June 15 to August 5, 1977, which laid the ground rules for the main conference, delegates made hundreds of largely off-the-record speeches, examined scores of proposals, produced thousands of pages of documents, and conferred unceasingly in the corridors and meeting rooms of Yugoslavia's new Sava Conference Center.

This massive diplomatic effort was undertaken to comply with a mandate provided in the Final Act signed in Helsinki on August 1, 1975, by national leaders of 35 countries. The Belgrade meeting was: “* * * to continue the multilateral process initiated by the (Helsinki) conference * * * by proceeding to a thorough exchange of views both on the implementation of the provisions of the Final Act and of the tasks defined by the Conference, as well as, in the context of the questions dealt with by the latter, on the deepening of their mutual relations, the improvement of security and the development of cooperation in Europe and the development of the process of détente in the future.”

In other words, it was to review implementation to date and agree on any new initiatives which fit the Helsinki objectives and could achieve consensus. This report looks at how well the Belgrade meeting accomplished this task from the U.S. viewpoint. It briefly examines the developments before, during and after Helsinki which came to form the background for Belgrade. It presents some of the specific hopes and hazards that major actors, especially the United States, foresaw in the meeting itself. It then describes the major features of both the preparatory meeting and the main meeting both in terms of the actions of the participants at the meetings and in terms of the ideas, perspectives, and goals that formed the underlying substance of the proceedings. Finally, it attempts to draw up a balance sheet of the accomplishments and disappointments of Belgrade as seen by the Commission.

CHAPTER I—BACKGROUND TO BELGRADE

THE CSCE BALANCE

The development of the "Helsinki process" in which the Belgrade meeting was to play a major role can be traced as far back as 1954—to initial Soviet proposals for a European peace treaty. Its Helsinki beginnings, however, are tied to a mid-1973 meeting of foreign ministers in Finland's capital. There the stage was set for nearly 2 years of negotiations in Geneva which produced the Final Act of the Conference on Security and Cooperation in Europe, signed by 35 nations at the summit level in Helsinki on August 1, 1975.¹

From the outset, the process became a complicated pattern of trade-offs which accommodated not just the interests of the major states of East and West, but also those of the smaller, often neutral and non-aligned countries which sought, through the CSCE rule of consensus, an equal voice in significant European political decisions.²

Even before the Geneva talks began, for example, and the German-Polish treaty, the Quadripartite Agreement on Berlin and the start of MBFR (Mutual Balanced Force Reduction) negotiations struck new balances in East-West relations. Similarly, the inclusion of the U.S. and Canada within the CSCE framework amounted to recognition by the East that European security is a transatlantic concern, a recognition in part balanced by Western willingness to take part in negotiating a document that the East chose to regard as a surrogate World War II peace treaty.

The détente spirit that underlay these agreements and negotiations did not, however, imply that there was to be full harmony, and this was especially true about the interpretation of the Helsinki Final Act. Even in the course of the Geneva negotiations leading to the Helsinki summit, the guiding Declaration of Principles was made to incorporate two potentially conflicting concepts: Principle VI on nonintervention in internal affairs (heavily weighted as a pledge against military coercion) and Principle VII on respect for human

¹ The Helsinki Final Act is a complex document, about twice as long as the U.S. Constitution. Its three main sections came to be known as "Baskets" during the intensive CSCE negotiations between July 3, 1973 and August 1, 1975. Basket I contains two quite distinct parts; a list of 10 principles defining the norms of state behavior and a section having to do with notification of military maneuvers, exchange of observers and other so-called confidence building measures, as well as a long-term commitment to disarmament. Among the principles, number seven, which commits the Final Act signatories to respect and promote human rights in their own countries, has been the object of great attention both in the East and West. Other principles concern the sovereign equality of states, prohibitions against the use or threat of force, the inviolability of frontiers, the territorial integrity of states, the peaceful settlement of disputes, non-intervention in the internal affairs of other states, equal rights and self determination of peoples, cooperation among states and fulfillment of obligations under international law. Basket II concerns cooperation in economics, science and technology, and the environment. Basket III covers certain humanitarian matters such as family reunification, together with the freer flow of information between East and West and educational and cultural exchange. A brief section between Basket II and Basket III concerns security and cooperation in the Mediterranean area and a final section of the Final Act authorizes follow-up to Helsinki, including the Belgrade meeting.

² Under the rule of consensus each one of the 35 participating states has effective veto power over all decisions—even procedural ones. That is, no decision can be taken within the CSCE framework if any state voices an objection to that decision.

rights (enshrining the idea that a nation's domestic conduct can be the concern of other nations).

The interpretation of those concepts became a central theme—and an acrimonious one—at Belgrade. Its presence as a sensitive issue was apparent at the Helsinki summit. There, Leonid Brezhnev made specific reference to the Final Act's guarantee against any nation "dictating" the domestic affairs of another. On the other hand, many Western speakers—including President Ford and Swedish Premier Palme—gave strong emphasis to human rights as an essential element in détente.

The Final Act set in diplomatic equilibrium a great many other diverse contributions to the content of détente. Small nations in the heart of Europe won recognition of their fears of surprise military action in the Basket I section on Confidence-Building Measures (CBM's). The Eastern states obtained in Basket II expression of the importance they attributed to improved economic and commercial ties. Malta and Yugoslavia managed to get Final Act acknowledgement of the problems of Mediterranean security in a separate subbasket. The West put into the Human Contacts and Information sections of Basket III the specific provisions on easing the flow of people and ideas which it had long sought to tie into the political and military aspects of détente.

HELSINKI AND HUMAN RIGHTS

The interweaving of these disparate emphases and interests makes the Final Act lengthy, occasionally vague and open to a variety of readings. At the Helsinki summit, in the following 2 years and then at Belgrade, each speaker purposefully put the heaviest accents on the portions most attractive to him. But—for a number of reasons unforeseen at Geneva and Helsinki—the accord became closely identified for Western public opinion with the concept and cause of human rights.

While that identification is oversimplified, it is nonetheless real. Its existence colored both Western expectations and policies at Belgrade. The strength of the conception lies not, however, with Western diplomats or strategists—though they are the ones who conceived the language in the Final Act which subsequently gained the widest attention. Rather, Western attitudes toward the Final Act grew largely in response to pressure and appeals from dissidents in the East, especially in the Soviet Union, Poland, Czechoslovakia, and East Germany.

The origin of the U.S. Commission on Security and Cooperation in Europe, for example, is due at least in part to conversations Representative Millicent Fenwick (R-N.J.) had in Moscow, 2 weeks after the Helsinki summit, with dissenters and Jewish activists who urged Americans to press strongly for Final Act implementation. Their hopeful interpretation of the accord was new to U.S. politicians, many of whom had tended to dismiss it as a marginal bargain in the overall scheme of détente.

A week before the June 1976 establishment of the Commission, Soviet activist Yuri Orlov and 10 others announced the formation in Moscow of the Soviet Helsinki Watch (the Public Group to Promote Observance of the Helsinki Agreements in the U.S.S.R.). The Moscow Group was soon followed by companion bodies in Ukraine, Lithuania, Georgia, and Armenia. Their impact—in providing informa-

tion about violations of the Final Act—has been such that at present 17 of the 55 Public Group members are now in confinement, while many others have been sent into foreign exile.

Elsewhere, the impact of the Final Act brought other unexpected embarrassments to Communist authorities. In 1976, a reported 100,000 East Germans applied under the terms of Basket III to emigrate to West Germany to join relatives there. The emergence of the Workers' Defense Committee (KOR) in Poland in 1976 owed more to police treatment of striking workers in Ursus and Radom than to Helsinki, but the Committee effectively translated the strikers' cause into a human rights issue in Helsinki terms. Finally, the publication of Charter '77 in Prague in January 1977, and the 900-plus signatories it attracted extended the human rights arena to Czechoslovakia.

The actions in the East assumed added importance when President Carter renewed the U.S. commitment to the cause of international human rights and made it a high-visibility, high-priority element of his foreign policy. The Helsinki accord—actually an omnibus of détente cargo—began to be perceived in Western media as an express train on the track of civil, political, and religious liberty. Similarly, the Belgrade meeting—even in its preparatory stage—was sometimes portrayed as a major way station at which the human rights flyer would be either derailed or given a fresh load of high-powered fuel.

That such vivid imagery could attach itself to the Belgrade meeting was unfortunate because it was misleading. First, it tended to obscure the extraordinarily complex set of perspectives, motivations, hopes, and fears that had led 35 countries to engage themselves in the CSCE process. Second, the aura of dramatic confrontation that grew as Belgrade approached obscured the long-term nature of the struggle for a more humane order in Europe, a struggle in which there are no easy victories and no quick fixes. Finally, it distracted attention from the many positive, if undramatic, steps that were taken in the East in anticipation of the Belgrade meeting.

Certainly, the record of government compliance in the East with the human rights, human contacts and information provisions of the Final Act had been far from satisfactory between Helsinki and the eve of the Belgrade meeting. Recurrent actions by some Eastern states against prominent human rights activists indicated a disheartening unwillingness to tolerate freedom of expression perceived as threatening state authority. The trials of the signers of Charter '77 and the numerous arrests of Soviet Helsinki monitors were glaring and deplorable examples. The plight of many Soviet Jews who sought without success to emigrate continued unresolved. Free access to information that is a commonplace in the West remained the exception in many Eastern states. But Western governments had never harbored any illusions that the Helsinki agreements would work profound changes in the East overnight. And there were solid indications that Helsinki—and especially the prospect of the Belgrade review meeting—had prompted many small, and sometimes not so small, steps toward liberalization.

In the *Soviet Union* itself the emigration of Jews increased dramatically just before the Belgrade meeting. While the average monthly figure for 1976 was about 1,150, it rose during the meeting to approximately 1,800 monthly. At the Belgrade meeting itself, the Soviets

indicated a further reduction in the costs of exit visas to 200 rubles from 300 rubles (down from 400 at the end of 1975) although emigrants to Israel are still required to pay 500 rubles for involuntary renunciation of citizenship.

Some prominent refuseniks and human rights activists were given permission to emigrate during the Conference, including Valentin Turchin, Tatiana Khodorovich, Dina Kaminskaya, Konstantin Simis, Dina Beilina, Vladimir Lazaris, and Ilya Glezer, although plans for the postponed trials of Yuri Orlov, Aleksandr Ginzburg, and Anatoly Shcharansky continued to loom.

During the Moscow Book Fair in September 1977, there was censorship of some titles. But, contrary to past practice, the Soviets placed substantial orders for Western books rather than just buying the title rights. And in early 1978, the Soviets announced an increase of imports of Western non-Communist newspapers. Reportedly, in Kiev, hotel kiosks soon after had on sale limited quantities of some 32 new titles of Western non-Communist papers.

Bulgarian authorities, in the months prior to Belgrade, softened their policies regarding longstanding family reunification cases. By February 1977, 24 divided family cases involving 27 individuals had been favorably resolved, in comparison to 1974 when only 2 such cases were resolved. In June 1977, several particularly difficult family reunification cases were resolved with unusual speed. In November 1977, the United States and Bulgaria reached agreement to eliminate special travel restrictions affecting the diplomats of the two countries.

Early in March 1977, Bulgaria allowed the public sale of limited quantities of a few Western journals and newspapers in central locations of major cities. Plans were also announced to publish novels by authors Kurt Vonnegut and Joseph Heller. In June 1977, a number of American authors attended the International Writers' Conference in Sofia at Bulgarian invitation.

On June 1, 1977, the *Czechoslovak* government proclaimed an amnesty for those people who left the country after August 1968. Apparently timed for Belgrade, this amnesty seems to indicate that the authorities were aware of the international implications of their treatment of the problems of emigration. The basic aim of the amnesty is to divide these "illegal" emigres (people who left Czechoslovakia without the permission of the authorities) into three categories defined by varying relationships to the authorities. The amnesty appeared to be largely cosmetic—but only future experience will test its effectiveness.

Before the Belgrade meeting, the Czechoslovak Government resolved 13 of the 20 outstanding U.S. cases involving children and, since then, there has been continued improvement. While the Belgrade meeting was underway a significant improvement in the resolution of binational marriage cases between citizens of the United States and Czechoslovakia occurred—from nine cases down to three.

As in Bulgaria, Czechoslovakia permitted public sale of limited quantities of some previously unavailable Western newspapers and journals a few months prior to the beginning of the Belgrade meeting.

Just before Belgrade, the *German Democratic Republic* decided to allow prominent intellectuals to emigrate to the West, rather than to provoke an international outcry as it had in its handling of folk singer Wolf Biermann's case. Biermann had suddenly been stripped of his citizenship while performing in West Germany. In late August more

than a dozen East German dissidents left the GDR, including five released from prison for that purpose.

In early 1978, the East German Government announced a series of promises to the Lutheran Church (to which 60 percent of the population belongs) which would, when implemented, significantly improve its situation. Announced improvements in the status of the East German Lutheran Church would include permission to build new churches, wider pastoral rights, access to radio and television broadcasts, state pensions for clergymen, and distribution of some 150 Christian publications.

In July, 1977 *Polish* authorities announced a general amnesty of 10,000 individuals, including 5 workers still imprisoned following the June 1976 civil disturbances as well as the 11 members of the Workers' Defense Committee who had supported them.

Overall, Polish policy in reuniting divided families has been restrictive, in part owing to the large number of potential cases, particularly involving the United States. During the Belgrade meeting, however, the Polish Government showed considerably greater willingness to resolve outstanding family reunification cases presented by the U.S. Embassy.

Hungarian family reunification practices continued in the "positive and humanitarian spirit" called for by the Final Act. While there were only seven cases pending on the American Government's representation list with Hungary as of January 1977, all those cases were resolved by the end of the year.

Emigration and travel procedures remain relatively simple and flexible, and Hungarians are generally free to travel or emigrate without the burdensome restrictions and delays which characterize procedures in other Warsaw Pact countries.

Before the Belgrade meeting, there was a marked improvement in the area of religious contacts. In a move which surprised many observers, the head of the Hungarian Association of Protestants invited the American evangelical preacher, Billy Graham, to visit Hungary for a week in the beginning of September. Calling the invitation "a projection of the Helsinki spirit to the religious field," Hungarian authorities permitted Graham to address several groups throughout the country and to confer with both secular and religious officials. Later, the President of the National Council of Catholic Bishops was also invited for a 6-day visit as a guest of the Hungarian Roman Catholic Primate.

Religious freedom is also tolerated to some extent. In December 1977, the only rabbinical seminary in Eastern Europe, located in Hungary, celebrated its hundredth year by inviting Jewish leaders from all over the world to witness the religious freedom Jews are allowed in that country.

The approach of the Belgrade review meeting was no doubt a factor to the more restrained manner in which the *Romanian* Government dealt with the various dissenting groups which suddenly emerged in Romania in 1977. The so-called "Goma movement" began around a letter signed by 200 Romanians, which writer Paul Goma addressed to the participants of the Belgrade meeting. Goma, and other supporters of his actions, were arrested and held for a few weeks in April, released in May, and allowed to leave the country on tourist passports

in November 1977. In attempting to silence the voices of dissent, the Romanian Government finally chose to do so in a way that would cause the least public outcry when the Belgrade meeting was in session. Six Baptists who signed a lengthy statement read over Radio-Free Europe in February 1977 were interrogated by the police, but, according to various sources, were never arrested.

Romania also announced two general amnesties in May and December in which 30,000 criminals and some political prisoners were released.

Emigration of Romanians to the United States has increased by about 21 percent in the period of April 1977–March 1978 as compared to the year before. Emigration of ethnic Germans almost tripled. There has, however, been a notable decline in emigration to Israel (1,470 fewer Jews left in April 1977–March 1978, compared to the year before), although there was a considerable increase during the months of September, October, and November 1977.

Pending marriage cases involving fiancés in the United States have declined somewhat—54 cases in November 1977 as compared to 71 in May—but the number still remained the largest in Eastern Europe.

From this brief review it is clear that even before it began, the Belgrade meeting had stimulated efforts by Eastern governments to comply with Final Act provisions. But it is also clear how uneven and variable between countries compliance in human rights and human contacts had been. Thus, aware of the realities of Belgrade, the United States and its Western allies approached the meeting with realistic hopes and precise priorities. They made it their goal to obtain at Belgrade an *accounting* of implementation, to use the flawed record of the past as a tool with which to *improve* future performance, and to assure that the *process*—of implementation and of its periodic re-examination—would become a standard part of détente. To a large extent, these goals were successfully met.

CHAPTER II—THE BELGRADE PREPARATORY MEETING

AIMS AND GROUND RULES

When the Belgrade preparatory meeting opened—as specified in the Final Act—on June 15, 1977, the clash between Western objectives (in which many neutral states largely concurred) and those of the Warsaw Pact nations quickly became apparent. The task of the preparatory gathering was only to set the dates, agenda and procedures for the main meeting, but that task required 8 weeks of often heated bargaining.

The U.S. delegation to the preparatory meeting was headed by Ambassador Albert W. Sherer, a State Department career officer who had worked on the Conference on Security and Cooperation in Europe since its beginning phases. Like Sherer, other delegates had long experience in CSCE negotiations. Members of the delegation also included staff members from the Helsinki Commission led by Commission Staff Director R. Spencer Oliver. Cooperation between the Department and Commission had deepened considerably with the change of administration and Commission experts and State Department officers began to work smoothly together.

U.S. objectives at the preparatory meeting had crystalized in the months preceding its opening; procedures had to be established for the main meeting that would provide every opportunity for a thorough review and frank evaluation of the performance of the Final Act signatories.

The United States did not stand alone in seeking this review. Consultations among NATO allies, which had been one of the touchstones of the U.S. approach to negotiating the Final Act, had continued throughout the period between Helsinki and Belgrade. There was unanimity as to the kind of formal organization and procedure which should be sought.

For many of the neutral and nonaligned states, the most important objective of the Belgrade meeting was to move the CSCE process forward. Yugoslavia, for example, had seen CSCE as a valued instrument in protecting its sovereignty. Since the signing of the Final Act, Yugoslav spokesmen had expressed disappointment at the bloc-to-bloc character the Helsinki process had assumed. They had stressed the lack of progress since Helsinki in the military field and had given top priority at Belgrade to expansion of political-military CBM's. That Yugoslavia had been eager to become the site of the first review conference was an indication of the importance it attached to the first followup meeting. Romania, unlike Yugoslavia, a Warsaw Pact member and therefore not technically nonaligned, also sought to serve its security interests at the Belgrade meeting and hoped for substantial results from it. Other NNA states—for example Malta with its emphasis on Mediterranean cooperation—brought diverse and often particularist perspectives to bear on the meeting.

It had become clear by the beginning of the preparatory conference that the kind of meeting the West would press for was not the kind the Soviets had in mind. An indication that the earlier Soviet enthusiasm for CSCE had diminished was the reduced media attention it received in the U.S.S.R. in the months following Helsinki. The tone of what media comment emerged was often defensive, downplaying the Basket III elements of the Final Act and blaming the West for its "unbalanced" attention to human rights questions. The creation by Congress of the Helsinki Commission was especially deplored as an open attempt to interfere in the internal policies of sovereign countries.

Nevertheless, the bulk of Soviet media comment on CSCE was positive in the sense that it still maintained Helsinki had been a success and that the process begun there was furthering détente.

As in the West, Soviet commentators had seen room for implementation improvement, but in areas far different from those seen by the West. By summer 1976, Soviet media began charging that NATO military budget increases were "not in conformity" with Helsinki. Another serious area of Western shortcoming for the Soviets lay in the economic provisions of Basket II. Discriminatory trade legislation, and especially U.S. refusal to grant the U.S.S.R. most-favored-nation status and U.S. Export-Import Bank credits were cited as contrary to the Final Act.

Developments between Helsinki and Belgrade also indicated that the Soviets had some new, or at least retreaded, ideas that they probably hoped to present at the main review meeting. Among these were to be a proposed treaty on non-first-use of nuclear weapons among CSCE participants, an idea already rejected by NATO. Another was a proposal to freeze the membership of European military alliances. This would, if accepted, cost the East nothing, for there was no prospective Warsaw Pact member in sight. But Spain's eventual accession to NATO was a distinct possibility. Still other prospective proposals included plans for all-European conferences on energy, transport and the environment which had already been presented to the U.N. Economic Commission for Europe. The Soviet emphasis at Belgrade, in any event, focused on discussing the future, not on accounting for the past.

Though its mission was a narrow, largely technical one, the preparatory meeting opened with considerable fanfare. Some 350 journalists, about 50 of them representing American media, were present in Belgrade. Before the first week was out, however, press interest waned considerably. It soon became clear to the press that, as forecast by the governments, whatever contest might emerge would involve technical issues whose significance, though important to the Belgrade outcome, would hardly be apparent to the nonexpert. There were a few flurries of excitement in the media, as when some wire services incorrectly reported on June 23 that the Soviets had threatened to break up the conference if their draft agenda was not accepted. There was another similar spate of stories from a Soviet press conference at which the U.S.S.R. accused "some Western" countries of attempting to "torpedo" the meeting. Western, neutral and some East bloc delegations held frequent press briefings, but there was little for the media to fix on.

THE FRAMEWORK ESTABLISHED

The main technical issues were, from the Western point of view, to provide a firm agenda commitment to an adequate review of implementation, an organizational framework for carrying out this review, and a sufficiently flexible time schedule to make filibustering or procedural delays an unprofitable tactic. What emerged from the preparatory meeting after the weeks of tough bargaining in effect gave the West what it had sought:

First, the main meeting would review implementation of the Final Act in its first phase, consider new proposals for developing détente in its second, and draft a concluding document in its third—but there could well be overlap between the phases, with the record of the past always subject to discussion;

Second, it would do most of its work in three committees—under the direction of a plenary body—divided according to the main baskets, with separate committees on Mediterranean issues and on the question of arranging further CSCE meetings (followup);

Finally, the main meeting would begin October 4, try to conclude by December 22, but could resume in mid-January until about mid-February. In no event would it adjourn until adoption (by consensus) of a concluding document and the setting of the time and place for another similar meeting.

Those results of the negotiations were contained in nine pages of text and published in each of six official languages in a book whose formal title was "Decisions of the Preparatory Meeting to Organize the Belgrade Meeting * * *." The full title ran 45 words in English. It became known to delegates as "The Yellow Book" (for its cover, not its contents). In effect, it provided for all that the West, and especially the United States, felt was required not only for Belgrade, but for future CSCE reviews. It had thus established procedures of broad significance for the whole CSCE process.

When the preparatory meeting closed, the West had in hand not only the agenda and organization it wanted, but also some insights into what the Soviet approach to the main meeting would be. First, it was apparent that the East was on the defensive and that its main aim was to get Belgrade over as quickly and as painlessly as possible. Second, the Soviets were prepared to move quickly to try to exploit any indication of a split between the United States and its allies. Third, the Soviets and their allies seemed to be prepared to mirror-image the Western approach. Should the West raise embarrassing points, the Soviets were ready to hit back or, alternatively, simply to stonewall. But if the West did not press too hard, the East would be willing to oblige by helping provide the atmosphere, if not the substance, of cooperation and progress.

CHAPTER III—THE COURSE OF THE MAIN MEETING

INTRODUCTION

Perhaps the clearest indication of the importance the United States attached to the main Belgrade meeting was the appointment of Justice Arthur J. Goldberg to head the U.S. delegation. Justice Goldberg, a senior American statesman, had been a member of the Kennedy Cabinet as Secretary of Labor, an Associate Justice of the Supreme Court, and U.S. Representative to the United Nations in the Johnson administration.

The American delegation at Belgrade was notable too for its inclusion of all the members of the Helsinki Commission and members of the Commission staff who worked alongside State Department and other executive branch personnel as an integral part of the U.S. team. In addition, six distinguished "public members"—drawn from business, labor, academia, and other areas of American life—rounded out the delegation. Their participation reflected the interest of the American public at large in the Helsinki process.

Other delegations, both from East and West, were also large and impressive. The 35-man Soviet delegation was led by Yuli M. Vorontsov, a member of the Collegium of the Soviet Ministry of Foreign Affairs who, during the course of the Belgrade meeting, was named to become his country's ambassador to India.

As at the preparatory meeting, press interest was high when the main meeting began. Of the hundreds of journalists present for the opening sessions, most came from North American and West European organizations, but representatives from other areas, including the Far East, were also present. Later, coverage of the meeting even in the West European press was to slacken considerably, in part because of the intricate character of much of the meeting's business—trade and commercial matters, for example—and partly because all but the opening and concluding plenary sessions were closed. The United States and other Western delegations tried to fill the gap with frequent, extensive press briefings. But as the weeks of meetings grew into months, coverage dwindled to only a trickle, especially in the U.S. press.

It was not so in the East, however. There, government-controlled media continued not so much to report as to retail commentary intended to reinforce points made at the conference table. Early on, the common line stressed that all at Belgrade should work hard to make the review meeting "forward looking" and "constructive" and "positive." But as it became clear that the United States and its allies would not let the human rights and humanitarian clauses of the Final Act pass without thorough review, the tone of Eastern media output altered sharply. "Aggressive," "unrestrained" "fanatical" were typical of the adjectives used to describe American speeches on human rights matters. Justice Goldberg was frequently singled out for personal attack.

WORKING PATTERNS

For all the press, the task of covering the main meeting and making it intelligible to readers was complicated by the complex organization of the meeting as well as the complexities inherent in the Final Act itself. The "Yellow Book" agreed upon at the preparatory meeting included a nine-item agenda. In brief, these were:

(1) Formal opening of the meeting with addresses by Yugoslav Foreign Minister Milos Minic and a representative of the U.N. Secretary-General.

(2) Opening speeches by the chiefs of the delegations of each of the 35 CSCE countries.

(3) Statements by representatives of the U.N. Economic Commission for Europe and UNESCO. (The work of both these organizations interacted with initiatives undertaken within the CSCE framework.)

(4) A thorough examination of the implementation of the Helsinki Final Act since its signing and a thorough discussion of new proposals for deepening cooperation in Europe.

(5) Definition of the ground rules for further followup meetings, including setting the date and place for the next Belgrade-style review meeting.

(6) Drafting of a concluding document which would represent the meeting's agreed-upon views on the content of the meeting together with a description of new proposals which might be accepted by consensus.

(7) Formal adoption of the agreed-upon concluding document.

(8) Closing speeches by delegation chiefs.

(9) Formal closure of the meeting.

Within this framework, the bulk of the conference's work was obviously to be undertaken under agenda items 4, 5, and 6, and primarily under items 4 and 6. One of the main thrusts of the Western positions at the preparatory meeting had been a work program which would permit a detailed review of implementation. Therefore, at Western insistence, item 4 work was to be carried out not only in plenary meetings, but also in committees roughly corresponding to the main sections of the Final Act. In the technical jargon that became characteristic of the Belgrade proceedings, these committees were known as "subsidiary working bodies"—SWB's for short—and a separate one was devoted to each of the following topics:

—Questions relating to security in Europe. This included all the Basket I provisions including both the principles and confidence-building measures sections.

—Cooperation in the fields of economics, science and technology and the environment (Basket II).

—Questions relating to Mediterranean security and cooperation.

—Cooperation in human contacts, information, and educational and cultural exchange (Basket III).

—Post-Belgrade followup meetings.

Later, when the meeting had moved from the review of implementation and discussion of new proposals to work on drafting a concluding document, corresponding committees, known as "drafting groups" or DG's were set up.

Throughout the 5-odd months of the Belgrade meeting, the specific schedules for the meetings of these committees and of the plenary were, like all CSCE decisions, adopted by consensus.

If each of the 35 countries attending the CSCE review had come into plenary or committee meetings with separate positions that would have had to be thrashed out in working sessions, the meeting would have been even more complex. In fact, however, from the very start of the CSCE process, multicountry caucusing was used to coordinate positions beforehand. Certainly from the U.S. point of view, the most important of these was the 15-member NATO caucus which met regularly and sometimes daily or more often. Here, common positions at all levels of conference work were generally agreed upon. The nine European Community countries also met regularly and sometimes produced common positions which were later introduced in the NATO caucuses. Similarly, the Warsaw Pact countries, dominated by the Soviet Union, carefully coordinated their positions, although Romania frequently moved off on its own. Finally, the neutral and nonaligned countries, the NNA's of CSCE usage, represented a distinct grouping which also coordinated positions to a considerable extent. Often, too, this group served as go-between on issues that divided NATO and Warsaw Pact delegations.

A striking feature of the "Yellow Book" was the ambiguity with which it addressed the question of timing. It had been agreed at the preparatory meeting that the main meeting would aim to complete its work by December 22. If this proved impossible, the meeting would reconvene in mid-January 1978 and work until mid-February. But the door was left open for what could have amounted to indefinite prolongation of the Belgrade meeting. This was embodied in the provision that the meeting could only end with the adoption of a concluding document agreed to by consensus. At a minimum, the document had to set the time and date for the next CSCE followup meeting.

THE MEETING'S MAIN PHASES

However ambiguous about timing the "Yellow Book" may have been, Belgrade in fact developed in three well defined phases: a line-by-line review of Final Act implementation that extended from roughly the opening of the meeting October 4 until mid-November; the introduction and detailed discussion of new proposals that stretched from mid-November until the holiday recess beginning December 22, and the protracted effort to reach an agreed-on concluding document between the resumption of the meeting January 17 and its conclusion March 9.

Throughout all three phases, as the detailed discussion that forms the body of this chapter makes clear, fundamental differences in approach divided East and West.

A main element in the approach of the United States and its allies—and, indeed, among many of the NNA countries—had been to establish a serious and constructive dialog on all aspects of Final Act implementation, especially human rights, where performance appeared most doubtful. Shortcomings, deficiencies, and disappointments were to be raised not for the sake of making propaganda points, but to isolate problems as the first step toward resolving them. As Justice Goldberg

and other U.S. delegates repeatedly pointed out, we were prepared to admit that our own record was far from perfect.

The Soviet and Eastern conception of the meeting, however, was fundamentally different. For them, the Belgrade meeting ideally would be a kind of international "show and tell" in which each participating state would offer its own record of compliance and describe the positive steps it had taken to implement the Final Act. Criticism of Eastern performance was to be rejected as interference in internal affairs. The consistency of this position, however, was considerably diluted in both the review and later phases of the meeting when Eastern delegations attempted to fend off criticism of their performance in human rights with allegations of human rights violations by others. Thus, U.S. objections to the persecution of Helsinki Monitoring Groups in the East were met by Soviet denunciations of such alleged human rights violations in the United States as joblessness and racial discrimination.

This was a development of considerable significance for, as detailed below, it represented a tacit acknowledgement by the East that criticism of human rights performance within the Helsinki framework was legitimate and that states could require an accounting from each other.

Throughout the review phase of the meeting which the East found so uncomfortable, the Soviet Union and its allies pressed for the consideration of new proposals. The West also had an interest in the consideration of new proposals, not as an evasion, but as a method of advancing limited, concrete measures which would further compliance with the Final Act. Among these was a U.S. proposal simply reaffirming the participating states' commitment to respect and promote human rights. Jointly, most of the NATO countries had worked out a comprehensive set of promisingly feasible steps—improved telex communications, better facilities for small- and medium-sized businesses, agreed timetables for cooperative projects—that could materially better Basket II implementation. The allies had also brought together a number of Basket III proposals aimed at instituting speedier and less expensive visa procedures in family reunification cases, improved working conditions for journalists and scholars, and similar measures.

Early in the proposal phase—in mid-November—some delegates hoped that the Warsaw Pact states would be willing to consider at least some of these ideas seriously, for the Soviets obviously desired adoption of such favored ideas as "all-European" conferences on energy, transport, and the environment as well as a rather hazy initiative for "special joint consultations" on military détente.

But the notion—in retrospect somewhat naive—that serious, expeditious negotiations on the various proposals were possible was soon dispelled by the presentation of a flood of Eastern proposals, few of which could have been offered except as propaganda positions. For example, among them was one which would oblige states to outlaw the activities of neo-Fascist organizations, without, however, defining what such an organization might be. Another, offered by Czechoslovakia, would oblige governments to encourage journalists and the mass media to behave "with due responsibility."

In all, some 90-odd proposals were offered. Each, whether serious or frivolous, had to be examined in the working groups, a process which carried the meeting right up to the first "Yellow Book" termination.

date—December 22—with no agreements registered on the issues, much less the text, of the concluding document. The delegates, therefore, recessed until January 17, 1978, with the West largely satisfied with the work of the first 11 weeks, but still faced with the need to translate that work into an agreed document.

Just how formidable this task would be became clear January 17, at the very first plenary meeting of the winter session, when the Soviet delegate Vorontsov almost casually offered a terse, 3-page paper for the concluding document. Though short, the draft contained some of the main political slogans the Soviets had urged in their public propaganda as well as their statements in the Belgrade sessions.

Ambassador Vorontsov said that it had become clear to his delegation over the Christmas recess that the Belgrade meeting could agree on little else. He stressed that the Soviet draft, which also provided for a meeting in Madrid, was “realistic” due to the need for consensus. In spite of the Vorontsov statement, most delegations insisted that a more substantial concluding document was still possible.

In the face of Soviet intransigence, the month of February was given over to repeated efforts to produce a balanced document of at least some substance. By the beginning of March, after 4 weeks of intense, fruitless probing, even the most hopeful delegations had become resigned that little would emerge in the Belgrade concluding document save an agreement providing for another similar meeting in Madrid in 1980 and for certain other followup measures already envisaged in the Final Act. Accordingly, the United States and its allies developed a brief document, which, with the eventual assent of all delegations, formed the basis of the document accepted by consensus on March 8.

For a few in the West, the brevity of the concluding document and the lack of progress it seemed to imply represented a serious disappointment. But many informed observers in the West, including the bulk of the United States and West European press, acknowledged that the Belgrade meeting’s solid accomplishments lay in the comprehensive, probing review of implementation that it produced, the exchanges that examination of new proposals evoked and the continuation of the CSCE process by setting the date and place for the next similar meeting approximately 2 years hence.

What follows is the detailed, basket-by-basket record of the proceedings at Belgrade. It focuses less on the day-to-day interplay of delegations than on the issues and ideas that represent the substance of the meeting and its accomplishments. Material for the remainder of this chapter was a product of the joint efforts of all members of the U.S. delegation, including State Department and other executive branch officials, as well as staff members of the Commission. But, as with all sections of this report, the perspectives and opinions expressed are those of the Commission, which bears the full responsibility for them.

BASKET I: QUESTIONS RELATING TO SECURITY IN EUROPE

DECLARATION OF PRINCIPLES

Overview

The review of implementation of Basket I, “Questions Relating to Security in Europe,” was divided between its two main components,

The Declaration of Principles Guiding Relations Between Participating States and Confidence Building Measures. During the review phase, equal time was to be devoted to each of the 10 principles in the declarations. But in practice the varying degree of implementation of each principle and the urgency attaching to certain of them meant that some principles received more attention than others.

The Declaration of Principles, especially the first four (Sovereign Equality, Refraining from the Threat or Use of Force, Inviolability of Frontiers, Territorial Integrity of States), had been considered by the Soviets as the focal point of the Final Act, amounting in their view to a quasi-peace treaty which ratified post-World War II borders in Europe. It was not surprising therefore that during the discussion of these principles at Belgrade, Soviet negotiators stressed repeatedly the inviolability of current borders in Europe. Western delegates pledged to uphold all the principles including those relating to sovereignty and the inviolability of frontiers. But they stressed that the Declaration of Principles was not a surrogate peace treaty nor were these two principles more significant in the context of the Final Act than any of its other provisions.

Events between the signing of the Final Act and Belgrade however—particularly in the Soviet Union and Eastern Europe—made it certain that discussion would center on Principles VI and VII, Non-interference in Internal Affairs and Respect for Human Rights and Fundamental Freedoms. With respect to Principle VII, the record of implementation was clearly unsatisfactory, but Principle VI could be used as a means of attempting to reject criticism.

The formation of Helsinki Monitoring Groups in various parts of the Soviet Union and of Charter '77 in Czechoslovakia in addition to a series of human rights-related problems in Eastern Europe in the time between Helsinki and Belgrade gave added importance to the discussion of human rights and fundamental freedoms. The Western nations saw progress in implementation of all aspects of the Final Act, particularly its human rights provisions, as essential for the continuation of the détente process and the establishment of security and cooperation among nations. They came to Belgrade convinced that the success of the CSCE process would ultimately have to be measured by how well all the participating states, including the Soviet Union and its Warsaw Pact allies, fulfilled their human rights and humanitarian obligations stemming from the Final Act.

Ambassador Goldberg made this clear in his opening statement to the meeting on October 6, 1977. He declared that:

The issue of human rights represents the widest gap between the ideals and practices of East and West. It is a sensitive subject on the international agenda, but one which can be dealt with in an understanding manner, and which must be discussed in order to facilitate further progress under the Final Act.

Ambassador Goldberg emphasized that the United States would not hesitate to direct its constructive criticism to individual countries and to deal with individual violations of human rights. In an unmistakable initial reference to the fate of the Helsinki Monitoring Groups in the Soviet Union and to the signers of the Charter '77 document in Czechoslovakia, he asserted that:

All the more, then, we are obliged to register vigorous disapproval of repressive measures taken in any country against individuals and private groups whose ac-

tivities relate solely to promoting the Final Act's goals and promises. Any such repression is contrary to the spirit and letter of our common pledge. Rather, at this meeting, we should all reaffirm the valuable role to be played by individuals and organizations, in their own countries and in international associations, to help make that pledge a reality.

Throughout the detailed discussions of the 10 principles, which lasted through much of October and November, the U.S. delegation emphasized not only the well-known cases of the monitoring groups in Czechoslovakia and the Soviet Union, but the problems faced by religious minorities in the Soviet Union, the difficult situation of Ukrainian and other ethnic dissidents, and the misuses of psychiatry in that country. While the U.S. delegation was the most consistently outspoken, other Western countries and many of the neutral delegations followed in expressing dissatisfaction with the human rights records of the Soviet Union and several of its allies.

The first five principles

The first five principles of the declaration are straightforward reaffirmations of what had long been accepted norms of international relations. Principle I, however, was of particular significance for Western negotiators because it clearly established that each of the participating states "must respect each other's right freely to choose and develop its political, social, economic and cultural systems as well as its right to determine its laws and regulations."

The basic view of the U.S. delegation was that implementation of the 10 principles had not been uniform. Some, including the first five principles, had come to characterize the normal course of bilateral and multilateral relations between the CSCE states. Implementation of other principles—notably Principle VII, Principle VIII, Equal Rights and Self-Determination of Peoples and Principle IX, Cooperation among States—since they required affirmative action, left something to be desired. The United States also fully shared the essential point expressed in the Final Act that "all the principles * * * are of primary significance and, accordingly, they will be equally and unreservedly applied, each of them being interpreted taking into account the others." U.S. delegates emphasized, however, that they would give particular attention to those subjects of most immediate interest and those which in our judgment required the most attention, given the present state of implementation.

Ambassador Sherer in his discussion of the first five principles on October 19 set forth the fundamental American approach to the Declaration of Principles:

We regard the Declaration of Principles as our common charter of political behavior. Taken together, these principles represent a codification of interstate relations and commitments that is grounded in long-established principles of international law and in such basic documents as the U.N. Charter.

United States and other Western delegates recalled the section of the preamble to the Declaration of Principles in the Final Act, stressing that the 10 principles guiding relations between participating states applied to relations with all other participating states, irrespective of their political, economic or social systems as well as of their size, geographical location or level of economic development. The Soviets, having in mind their close relationship with the nations of Eastern Europe, as well as the so-called Brezhnev doctrine, sometimes

took the position that the Declaration of Principles in effect is meant to apply between East and West, but not necessarily between the Soviet Union and other Socialist states. Western representatives showed that the Soviet contention conflicted with the explicit language in the Final Act and they rejected any claim to a special order of international behavior applicable within Eastern Europe—as was claimed by the Soviet Union at the time of the invasion of Czechoslovakia in 1968. Nevertheless, the Soviets persisted in their efforts at Belgrade, particularly in their interventions on the first five principles, to portray the declaration as having only or primarily an East-West character. Accordingly, Ambassador Sherer emphasized the U.S. position in his statement on October 19:

In other words, these are not the principles of coexistence for application between East and West, between states with differing political, economic or social systems. The Declaration of Principles itself mandates that these principles are to be applied by *each state* in its relations to *each other state*, regardless of political or military alliance. The United States delegation considers that all the governments represented here recognize that too often this bloc-free aspect of the Declaration of Principles has been ignored. The Europe envisaged by the Declaration of Principles is one in which each state feels secure in its basic interests without the need to assert special hegemonic rights or intra-alliance reservations. We have not yet reached that day. We must continue to work toward it.

The U.S. delegation built upon this theme in several subsequent statements, both in the SWB discussion of Principle VIII, "Equal Rights and Self-Determination of Peoples," and in plenary.

Principles VI and VII

The classical statement of human rights is contained in Principle VII, "Respect for Human Rights and Fundamental Freedoms including the Freedom of Thought, Conscience, Religion or Belief." The well-documented violations of human rights in the Soviet Union and certain of its East European allies, after signing of the Final Act, had the effect of moving human rights and humanitarian concerns into the center of a major political controversy. Principle VII specifically and explicitly bound the signatory states to "promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development." It is also acknowledged that the participating states "recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and cooperation among themselves as among all States."

The U.S. delegation was prepared to engage in a candid discussion of Principle VII-related issues in our own country as well as elsewhere. We would have welcomed a discussion, for example, about the relative weight which different societies assign to classical civil human rights and to economic-social human rights. In his opening plenary statement, Ambassador Goldberg said that the United States realizes that "human rights encompass economic and social rights as well as political and civil liberties." He said that the United States sought to discuss human rights from the point of view that no nation had yet achieved their full implementation and that, "We have much to learn from that exchange of views."

During the debate on Principle VII, perhaps the most acrimonious of the meeting, U.S. delegates sought to emphasize that government respect for human rights is a fundamental precondition for true, meaningful détente, since only through such respect could real trust and cooperation be established between nations. Ambassador Goldberg stressed this point in his initial statement on Principle VII, on November 1, 1977:

Principle VII likewise established an interrelationship between the "unusual significance of human rights" and the prospects for international peace, justice and well-being. Principle VII thus mirrors the view, which we support, that government respect for human rights is an "essential factor" of détente. Having in the Final Act made the question of a government's treatment of its own citizens a matter of international concern, the participating states in particular agreed to the proposition that government action to assure individual freedoms is not exclusively an internal matter for each state to consider by itself.

While acknowledging that progress towards higher human rights standards can be difficult and therefore may move slowly, U.S. negotiators warned that there must nevertheless be discernible progress to correct systematic abuses of human rights. During the Principle VII discussions, Ambassador Goldberg and other U.S. delegates pointed to certain positive attitudes and developments in many CSCE states, noting among others, the amnesty of July 22 in Poland for imprisoned members of the Workers' Defense Committee. But they declared that forward movement on human rights was needed if the Final Act was to remain credible among the people of both East and West.

Actions taken against individuals, who in the name of the Helsinki Final Act had taken up the struggle for human rights in their respective countries, were vigorously condemned. Ambassador Goldberg in his November 1 statement on Principle VII observed that:

In the Soviet Union and Czechoslovakia, for example, authorities this year have brought criminal charges against men and women whose principal offense, in the view of the U.S., has been their public effort to promote the aims of the Final Act * * *. Such actions against Public Groups to Promote Observance of the Helsinki Agreements are not consistent with "the effective exercise of civil, political and other rights" to cite the language of Principle VII. The activities of these people and their groups are evidence of the involvement of citizens in the realization of Final Act goals. We have discussed those specific cases in the appropriate working body and they are the subject of vigorous discussion which is the meaningful way this Conference, in our view should be conducted.

This issue was also addressed by Commission Staff Director Spencer Oliver, who stated in his speech of December 12:

We have expressed our specific concern for the members of the Helsinki Monitoring Groups because we feel that the treatment they have received should be of direct concern to this Belgrade meeting. We have spoken forthrightly of our concern for the fate of those who sit today in prisons without contact with their families or lawyers, without charges formally against them, in violation not only of the Helsinki Final Act, and the Declaration and Covenants on Human Rights and Civil and Political Rights, but also in violation of rights supposedly guaranteed by their own laws.

While upholding the Principle I precept that the participating states will respect each others' right freely to choose and develop their own political, economic and social systems, the United States and Western negotiators emphasized that each signatory state could be held accountable, under Principle VII, by other members of the in-

ternational community for failing to conform that development to certain minimum international standards of individual justice in the field of human rights. Senator Claiborne Pell (D-R.I.), Co-chairman of the U.S. delegation, while addressing the plenary on Principle VII on November 23, also stressed the need to respect the fundamental rights of the individual, stating :

In the final analysis, the true measure, the real measure of detente will be the degree to which it redounds to the benefit of the individual citizen * * * if the individual does not benefit from our endeavors, by what yard-stick will he measure our work here?

The dialog on human rights that the U.S. delegation desired was never achieved. Soviet and other Eastern speakers adopted the line that any discussion of the implementation deficiencies of another state was barred by the sixth of the declaration's principles, that of Non-intervention in Internal Affairs, which called upon the signatory states to "refrain from any intervention, direct or indirect, individual or collective in the internal or external affairs, falling within the domestic jurisdiction of another participating state," and specified that they will "refrain from any form of armed intervention or threat of such intervention against another participating state." Since this debate continued throughout the conference, U.S. representatives addressed both the legal and political aspects of this problem on a number of occasions. In a detailed statement on the sixth principle in committee October 20, for example, Ambassador Goldberg explained that :

* * * The language of Principle VI is explicit, and the reasons underlying it are abundantly clear. Principle VI embodies a commitment by all participating states to abjure from military action, use of force and coercion in order that peace, security and cooperation in Europe may be assured.

Ambassador Goldberg explained in that statement, and again in more detail on later occasions, that the raising of a subject in normal diplomatic discourse, such as the United States was doing at the Belgrade meeting, could not be regarded as coercion. He also showed that the commitment to respect human rights and fundamental freedoms embodied in the seventh principle is a legitimate subject for diplomatic discourse, either bilaterally or, as at Belgrade, multilaterally. This is because human rights, as embodied in such documents as the United Nations Charter, the Universal Declaration of Human Rights, the U.N. Human Rights Covenants and the Final Act are an accepted topic of international concern and, more specifically, because a state has a general right to raise questions about the fulfillment by another state of commitments which both have undertaken.

The Soviets' tactic of citing Principle VI in defense of criticism of their internal affairs made it logically difficult for them to engage in criticism of the U.S. human rights record and for the first few weeks of the implementation review, they refrained from any specific criticism of internal U.S. problems. They chose instead to warn of the negative effects criticism of internal affairs of sovereign countries had for both the process of détente in general and the outcome of the Belgrade meeting in particular. In fact, the Soviets pointedly refused to comment on specific conditions in the West until November 9, when in a statement to the plenary on the status of the implementation review, Ambassador Goldberg mentioned specifically the cases of Yuri Orlov, Anatoly Shcharansky, and Aleksandr Ginzburg in the Soviet Union.

After that date, any mention of specific cases in the Soviet Union and Eastern Europe such as those of members of the Ukrainian Monitoring Group, Oleksiy Tykhy and Mykola Rudenko, by Commission Staff Director Oliver on December 12, were met with a barrage of familiar Soviet arguments on the deplorable state of social and economic rights in the United States as well as mention of various civil rights problems, including even the Sacco-Vanzetti case. The U.S. response to such criticism of its own human rights record was to welcome this implicit recognition that human rights implementation was a legitimate topic for Belgrade review, to accept that our society is not perfect and to encourage the Eastern speakers to pursue the subject in further detail but with equal candor regarding their own countries' records.

Principles VIII, IX, and X

Discussion of Principle VIII, "Equal Rights and Self-Determination of Peoples," led U.S. representatives to call attention to the unequal relationship between the Soviet Union and its Warsaw Pact allies. Under Principle VIII, "all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference and to pursue as they wish their political, economic, social and cultural development." U.S. delegation member Robert Frowick delivered a statement on November 14 which referred indirectly, but clearly, to the invasion of Czechoslovakia and to Soviet claims to a hegemonic role in Eastern Europe:

In a most unfortunate case, within the American understanding of self-determination, we see a small nation of unusually gifted people, historically victimized by the power politics of numerically much stronger neighbors, seemingly unable to achieve self-determination in either internal or external matters. One must sympathize with peoples whose inherited geo-political situation places them in an almost permanent vise between powerful, conflicting political systems * * *.

But Mr. Chairman, Americans cannot sympathize with, or understand, the necessity apparently still felt by some to impose their internal and/or external system on others * * * as a matter of principle Americans categorically reject such a denial of self-determination.

On November 25, 1977, Senator Robert Dole, (R-Kan.) while expressing the concern of many in the United States for the right of self-determination of all peoples in Europe, called attention to the fact that the United States had never recognized Soviet incorporation of Lithuania, Latvia, and Estonia.

Western delegates, notably Congressman John Buchanan (R-Ala.) on November 16, used Principle IX, "Cooperation among States" (which confirmed that "governments, institutions, organizations and persons have a relevant and positive role to play" in contributing to the implementation of the Final Act) as a means for underlining support for Helsinki Monitoring Groups in the U.S.S.R., Charter '77 in Czechoslovakia and other similar groups in Eastern Europe. Principles IX and X (Fulfillment in Good Faith of Obligations under International Law) taken together were used by U.S. delegate Sol Chaikin to criticize the Soviet Union for apparent failure to deliver an invitation from George Meany to Nobel Prize laureate Andrei Sakharov and for refusal to allow Mr. Sakharov to attend an AFL-CIO convention. They were also invoked by delegation public member Prof. Joyce Hughes on October 11 in criticizing the improper handling and non-

delivery of ordinary and registered mail in certain Warsaw Pact countries.

New proposals

Following the review of the implementation of the Declaration of Principles, the subsidiary working body considered 14 new proposals put forward by one or more delegations and intended, under the mandate of the meeting, to strengthen implementation of the Final Act.

One U.S. proposal, cosponsored by the 14 other NATO countries plus Ireland, was introduced in plenary November 4 by Ambassador Goldberg. This proposal called for the participating states to "re-affirm the relevant and positive role which institutions, organizations and persons as well as governments have to play in the process of developing cooperation between governments and peoples and in the process of securing the implementation of the provisions of the Final Act." In a clear reference to the situation of the Helsinki Monitoring Groups in the Soviet Union and to the signers of Charter '77 in Czechoslovakia, it would also have recognized "that the right of institutions, organizations and persons to assist governments in the task of ensuring the full implementation of the provisions of the Final Act, including where necessary to point out instances of non-implementation, should be universally respected."

Another major proposal on human rights was introduced by Ambassador Goldberg in plenary on December 2. This was intended to affirm the resolve of the participating states "to implement the principle of respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, unilaterally, bilaterally and multilaterally, and to fulfill their international obligations in the human rights field including those arising under the U.N. Charter, the Universal Declaration of Human Rights, and the International Covenants on Human Rights."

Throughout the debate and negotiation on these proposals, the U.S. delegation explained the practical reasons for their introduction, including our concern that specific cases of nonimplementation in the Soviet Union and certain other countries demonstrated the importance of obtaining specific human rights-related commitments in the Belgrade concluding document. The immediate Eastern tactical reaction was to introduce three further human rights proposals on December 2:

- A Hungarian proposal on the right to work;
- A proposal on the rights of women, sponsored by Bulgaria and the German Democratic Republic; and
- A proposal sponsored by Bulgaria and the German Democratic Republic calling on all participating states to accede to the International Covenants on Human Rights.

The U.S. delegation welcomed these proposals as an admission that human rights could legitimately figure in a substantial concluding document. The United States indicated a willingness to consider the proposals in a positive spirit and suggested either that a way might be found to merge them into our more general proposals, or, if it was preferred, to detail individual aspects of human rights that further specific proposals dealing with, for example, civil and political rights, might be advanced. It quickly became apparent, however, that these Eastern proposals were advanced for the tactical purpose of demon-

strating that the Eastern delegations were also interested in human rights, especially economic and social rights, but that there was no intention to negotiate seriously on texts. The Eastern proposals were not included in the draft concluding document introduced by the Soviet Union on January 17, 1978, and nothing more was heard of them.

CONFIDENCE BUILDING MEASURES

The second half of Basket I of the Helsinki Final Act deals with the military aspects of security under the title "Document on Confidence-Building Measures and Certain Aspects of Security and Disarmament." Basically, this section consists of two parts—one labeled "confidence-building measures" which commits CSCE states to certain specific, military-related actions and the other a general pledge to further disarmament goals.

As the review phase of the Belgrade meeting made clear, the Western countries, including the United States, and many neutral and non-aligned states, believe that precise, if limited, confidence-building measures—for example, advance notification of major maneuvers, exchanges of military observers—are the heart of the security section of the Final Act and hold the greatest promise for genuine progress in the military field. Consequently, during the review, the United States and others focused primarily on confidence-building measures. They stressed that, while all CSCE states had lived up to their minimal commitments, NATO countries had volunteered to take the discretionary steps which the Final Act promotes.

The Soviet Union and its Warsaw Pact allies (minus independent-minded Romania) generally dismissed "confidence-building measures" as insignificant and concentrated instead on broad disarmament themes which they claimed were of fundamental importance for the future of détente and the entire CSCE process. As they put it, rather than waste time on the minutiae of marginal military matters embodied in the confidence-building measures, discussion should be focused on such broad, complicated subjects as non-first-use of nuclear weapons, prohibition against the expansion of political and military alliances and the dangers of the U.S. neutron bomb—all long-term Eastern propaganda themes.

During the meeting, four comprehensive new proposals (including one from the Soviet Union) were advanced. The NATO and neutral and nonaligned proposals contained abundant common ground on which to base a compromise agreement to expand the framework of confidence-building measures laid down in the Final Act. A Romanian proposal, while containing some ideas acceptable to the Western allies, concentrated more on restricting military activities rather than on reducing the secrecy which surrounds them. The Soviet proposal, as expected, emphasized the themes which had been stressed during the review.

Potentially fruitful discussion of these matters was abruptly undercut by a subsequent Soviet proposition to defer all proposals put forward at Belgrade to a special meeting (joint consultations) to be held in late 1979. Arguing that security matters were too complex to be decided at the Belgrade meeting, the Soviets in effect declared that it would be their proposal or nothing. Western delegates immediately

branded the Soviet move as an ultimatum which they firmly rejected. In fact, this Soviet proposal initially found no support outside the Warsaw Pact and, as one neutral delegate noted, it bore the stamp of a propaganda platform rather than a forum for serious discussions. Later, however, as the meeting wound down, the neutral and nonaligned countries attempted to salvage a compromise which would sustain the momentum in the military security area. Their first proposal—acceptance of several new CBM obligations in Belgrade, plus agreement to consider other issues in a post-Belgrade experts working group—was rejected by the Soviets who stubbornly insisted that only their own proposal was acceptable.

During the final week of the meeting, several countries—especially Romania, Sweden, Yugoslavia—with a high interest in confidence-building measures made a last ditch effort by again proposing a post-Belgrade experts group, this time without agreement on any measures at Belgrade. The United States and other NATO allies rejected this proposal arguing that, in the absence of progress on human rights and other areas, such an approach would result in an unbalanced treatment of the Final Act. Further, the Western allies contended that the establishment of special consultations on military security issues would weaken the CSCE framework (i.e., the Belgrade and similar followup meetings) designed for consideration of these issues.

Thus, the discussion of security issues at Belgrade ended at an inconclusive point with the review portion generally considered a positive accomplishment and the failure to adopt new measures a disappointment to many, particularly the neutral and nonaligned states. Nevertheless, the fact that we, with our allies, had developed a set of constructive, practicable proposals that we were prepared to negotiate seriously demonstrated the responsible approach that we were taking to those provisions of the Final Act calling for measures to further develop and strengthen CBM's.

BASKET II: COOPERATION IN ECONOMICS, SCIENCE AND TECHNOLOGY AND THE ENVIRONMENT

THE REVIEW

Basket II was the longest and least controversial section of the Final Act during the Geneva negotiations. Both East and West focused their attention heavily on the Commercial Exchanges section which dealt, often in very specific language, with the problems and prospects of East-West trade.

In essence, this section of Basket II set down a charter of accepted business practices for the conduct of trade between states of basically differing economic systems and was largely oriented toward the needs of Western businessmen in dealing with state-run enterprises. That the East could accept many of the ideas that appeared in Basket II was clear from the rapid expansion of East-West trade that was, by 1975, a reality. In effect, a thorough review of Basket II provisions on commercial exchanges held the promise of presenting not only a picture of the implementation record of the Final Act, but also a picture of the current state of commercial relations between East and West.

Although at Belgrade a dialog on Basket II did not prove as far-reaching or constructive as Western countries would have wished, cer-

tain common themes emerged and reflected consensus on the general state of implementation. Participants agreed that some progress had been achieved but that much more remained to be done to implement the Final Act fully. There was also agreement that a high potential for growth in East-West trade remained and that further efforts should be made to expand and strengthen commercial relations between participating states. Because of the persistent stalemate on the broader issues of the meeting, many new proposals were examined, but no consensus on the adoption of any emerged.

The general tone and scope of the United States position on review of Basket II implementation were outlined in the October 12 plenary address by Ambassador Sherer. He reaffirmed U.S. dedication to the principles of free trade and emphasized the mutual benefit which can derive from trade between Eastern and Western countries. He also noted that economic and commercial relations can, with their development, smooth contacts and understanding in other East-West endeavors. Ambassador Sherer made clear, however, that persistent obstacles to the expansion of economic relations, such as the inadequate provision by Eastern countries of information vital to Western businesses interested in commercial agreements, were a major U.S. concern at Belgrade. As he stated:

It must be remembered that Western business interests, in their negotiations regarding trade, joint ventures and cooperative agreements with the East, must get answers to their questions and have other requisite information. If they are frustrated in their endeavors, they will lose interest—to the detriment of the principles and policies enunciated in the Final Act. Successful implementation of section two requires that old habits and traditions should be changed. Improvements in this area will pay substantial dividends to both sides.

The United States also raised the inadequacies of Eastern economic and commercial information in the subsidiary working body on Basket II. U.S. representatives emphasized that even the simplest form of trade, the buying and selling of products between two countries, cannot take place without some basis of understanding, and information alone can provide such a basis. Because full information is particularly crucial for expansion of trade between countries with differing economic systems, the United States regretted that Eastern implementation of the economic and commercial information sections of Basket II had been less than satisfactory. Although small improvements were discernible in the practices of some countries, in other cases there had been retrogression. U.S. representatives stressed in particular three categories of economic and commercial information crucial to the development of East-West trade: foreign trade statistics, balance-of-payments information, and 5-year-plan details, especially in the area of foreign trade. In each of these categories, considerable room for improvement by Eastern countries remained.

Similar obstacles to expanded trade existed in the area of business contacts and facilities. Western speakers point out that when business concerns lack direct contact with the end-users of their products, frustration, together with costly and time-consuming negotiations, often ensues. While Western businessmen do not wish to change or bypass Eastern trade institutions, they do wish to find ways to improve and make more efficient the process through which goods and services move from producer to consumer. Other hinderances to expanded commercial relations mentioned by U.S. representatives included the

lack of multiple entry and exist visas for Western businessmen in Eastern countries and closure of parts of these countries to business travel; the lack of appropriate business facilities and living quarters as well as the existence of burdensome regulations for the establishment of permanent business representation; and inadequate efforts to improve business opportunities for small- and medium-sized firms. The United States made clear that it wished to play a constructive role in the elimination of such obstacles and that it was prepared to discuss, for example, reciprocal agreements to facilitate the issuance of business visas.

In the area of industrial cooperation, the United States emphasized that such ventures must be commercially justifiable in order to mutually benefit the expansion of trade. Industrial cooperation is one of several types of normal economic interchange and should be facilitated to the same degree as are other forms of commerce—but not singled out for preferential treatment. U.S. representatives pointed out, however, that conditions and facilities for onsite foreign employees should be improved and contracts should be drawn with greater care if industrial cooperation between Eastern and Western countries is to prosper.

During the course of the review of implementation, a number of Eastern countries faulted the West, and especially the United States, for allegedly perpetuating barriers to the expansion of East-West trade. They sharply criticized United States policy in regard to most-favored-nation tariff status (MFN). The United States made clear in responding to these charges that effective reciprocity is an essential element for the reduction or removal of existing trade barriers. In replying on the MFN issue, Alton Jenkins, the senior U.S. representative to the Basket II subsidiary group stated specifically:

The United States Trade Act of 1974 provides the legislative authority for the granting of MFN. It does not deny MFN to any country, but sets the minimum conditions that must be met before negotiations for a bilateral trade agreement can proceed. If these conditions are satisfied and a trade agreement is negotiated, MFN is extended. Our Trade Act reflects the interests and concerns of the American people. MFN is but one part of a normal commercial relationship. Before MFN can be granted, we have to be assured that adequate reciprocity is available.

Two other important areas of Final Act cooperation—science and technology, and protection of the environment—were also examined by the subsidiary working body on Basket II. In the former category, the United States noted that considerable progress in scientific cooperation had been made through both bilateral and multilateral channels since the signing of the Final Act. However, notwithstanding progress achieved, U.S. representatives made clear that difficulties persisted in the areas of availability of unpublished technical information, reciprocity in the exchange of published information, mailing of scientific periodicals and papers, and exit and entry visas for scientists and technicians. The United States emphasized in particular that direct contact and communication between Eastern and Western scientists continued to be impeded in many Eastern countries in direct contradiction to the provisions of the Final Act. Ambassador Sherer also discussed this problem in his October 12 plenary address when he stated:

Another matter of concern is the insufficiently rapid progress the United States has noted in the promotion of eased, informal contact and collaboration among scientists. The world community of scholars is among our most valuable resources, and the language of science is universal. Within that community free-

dom to converse is essential to progress. Scientific research cannot bring mankind its potential benefits if researchers are kept apart and their conversations muffled.

In the area of environmental cooperation, the United States stated that it would continue to emphasize environmental protection both within its own boundaries and on issues that affect trans-boundary pollution. The United States expressed its support for the work being carried out in this area by the United Nations Economic Commission for Europe.

NEW PROPOSALS

Over 25 new proposals to undertake specific commitments to implement the Final Act more effectively were submitted in the Basket II area. Covering the broad range of topics dealt with in the Final Act, they reflected the major concerns of their sponsors with regard to the conduct of East-West commercial relations. Western proposals, which emerged from Western views of implementation since Helsinki, emphasized the need for improvements in the availability of information and in business conditions and facilities for firms engaged in East-West commercial transactions. The major Eastern proposal focused on issues of trade policy.

The United States joined the EC-9 countries in cosponsoring three proposals calling for (1) easing of conditions for the participation in East-West trade of small- and medium-sized firms; (2) facilitating direct contacts between scientists and technical personnel; and (3) provision of timetables for completion of industrial cooperation projects to assist firms in bidding for such projects. The U.S. delegation strongly supported the remaining EC-9 proposals for improvements in the availability of reliable economic and commercial information, better communications facilities, and improved conditions for onsite personnel in foreign countries.

While the West offered a series of modest, yet specific and practical recommendations for future action, the Eastern effort focused on a single, comprehensive proposal. Its four provisions formed a broad assault on Western trade policies by calling for universal application of MFN, elimination of other tariff and nontariff barriers to trade, and favorable treatment for products resulting from industrial cooperation. In addition, the Soviet delegation tabled its proposal to convene all-European high level meetings on the environment, energy and transportation.

Discussion of new proposals followed the positions expressed during the review of implementation. The West sought improvements in two priority areas—the availability of timely, complete, and reliable economic information and facilitation of direct contact among scientists and businessmen. Eastern reaction to the Western proposals was largely negative. Though not rejecting them in substance, the East belittled them as too insignificant, when set against Eastern proposals on trade policy, to warrant inclusion in a concluding document. Eastern delegations stressed instead that Western protectionism, including discrimination, was the key shortcoming of Basket II implementation.

Western efforts to engage the East in serious negotiations to draft a Basket II chapter for the concluding document on the basis of tabled proposals were generally unsuccessful. Although it appeared

that a satisfactory outcome in the economic area might have been possible, Eastern inflexibility in the conference as a whole precluded meaningful agreements. Nevertheless, the full and frank exchange of views on implementation shortcomings served to alert the participating states to each other's views and provided a benchmark against which future implementation progress could be measured.

SECURITY AND COOPERATION IN THE MEDITERRANEAN

The United States and its allies have always considered that the significance of the Mediterranean section of the Final Act lay in its affirmation of the importance of the geographical, historical, cultural and economic relationship of the participating states with the non-participating Mediterranean states and the necessity of improving cooperation in the Mediterranean area. The Western nations in agreeing to the inclusion of a Mediterranean dimension in the Final Act never intended to give it undue prominence. Rather, they hoped to acknowledge the contributions the non-European Mediterranean littoral states—Algeria, Egypt, Israel, Lebanon, Morocco, Syria, and Tunisia—could make toward furthering the aims of CSCE. But the United States and other Western delegations could not welcome CSCE involvement in the political and security aspects of the Mediterranean. Realistically, they preferred to keep discussion of volatile issues such as the Arab-Israeli dispute, confined to other, more suitable international forums.

However, three nonaligned CSCE states—Malta, Yugoslavia, and Cyprus—viewed the significance of the Mediterranean dimension of the Final Act from an entirely different perspective. In their view, implementation of the Mediterranean provisions, especially those referring to the linkage between security in Europe with that of the Mediterranean as a whole, was of great importance.

Throughout the Belgrade meeting, the Maltese delegation took the lead in advocating broader and deeper concern for Mediterranean problems within CSCE. During the preparatory meeting, the Maltese, supported by the Yugoslavs, pushed for a more active role for the non-participating Mediterranean states at the main meeting in both plenary sessions and the Mediterranean SWB. The preparatory meeting eventually decided to limit this participation, on the basis of earlier precedents, to formal statements before both the plenary and the Mediterranean SWB with the proviso that the nonparticipating states could be invited to make further contributions if necessary.

Western apprehension that the Arab-Israeli dispute would find its way into discussions of Mediterranean cooperation at the main meeting proved to be justified. All the nonparticipating Arab Mediterranean states spoke in both the plenary and subsidiary working body meetings about the historical, cultural and economic links within the area. But the representatives of Egypt, Syria, Algeria, and Lebanon blamed Israeli intransigence and expansionism for failure to achieve a Middle East settlement. In contrast, Tunisia and Morocco focused on cooperation in the Mediterranean in such areas as trade, finance, industrial development, tourism and the environment. The Israeli representative outlined the role Israel could play in joint projects in agriculture, science and tourism. He stressed, as had the West, that

the Middle East conflict should remain outside the scope of the Belgrade meeting.

The Middle East conflict intruded still further when the Soviet Union formally tabled a proposal to allow representatives of the Palestine Liberation Organization to address the Belgrade meeting. The Belgrade office of the PLO had circulated a note to the CSCE Executive Secretariat and to all member delegations calling its participation in CSCE essential for a meaningful discussion of the Mediterranean aspects of CSCE. The Western delegations were able to block this effort by pointing out that the Final Act only provided for the participation of fully recognized sovereign states.

To demonstrate its determination to bring Mediterranean issues to the center of CSCE deliberations, the Maltese delegation, early in the main meeting, introduced a new proposal calling for the establishment of a Permanent Committee on Security and Cooperation in the Mediterranean. It was to be composed of all participating states bordering on the Mediterranean, in addition to all the nonparticipating Mediterranean states, the United States and the U.S.S.R. Other non-Mediterranean CSCE states would be free to choose whether to belong or not. The mandate of this permanent committee—to be located in the Maltese capital, Valetta—would be extremely broad. It would cover a range of regional, political, and security problems, including expanding confidence-building measures to the Mediterranean, something which many delegations, NATO and Warsaw Pact included, considered not only inappropriate for CSCE but potentially damaging to the main purposes of the Belgrade meeting.

Despite the reservations of the United States and many other Western delegations regarding the excessively broad, ambitious nature of the proposal, the Maltese representative attempted to keep discussions alive by outlining its potential for cooperation in such fields as economics, science, the environment and culture. The Yugoslavs and Romanians supported the Maltese efforts by endorsing the concept of a post-Belgrade followup body to review Mediterranean political and security problems.

Western delegations varied in their views on post-Belgrade followup activity in the Mediterranean area. Those countries bordering on the sea—France, Spain, Portugal, Italy, Greece, and Turkey—were more favorably inclined to consider some sort of a post-Belgrade Mediterranean meeting—preferably an experts group—because they felt that more dynamism should be demonstrated in cooperation with the nonparticipating Mediterranean states. Moreover, all the CSCE states were aware that the consensus principle gave Malta an opportunity to delay the end of the meeting, as it had in Geneva and Helsinki, if acceptable conditions for a Mediterranean followup arrangement were not agreed upon. Northern European countries, in addition to the United States and Canada, were less favorably inclined to the idea of an experts group unless its mandate could be restricted to non-security fields such as economics, education and culture. The Soviets and their Warsaw Pact allies, initially ambiguous on the Maltese proposal for a permanent committee, eventually made clear their strong preference for an experts group with a restricted mandate excluding political-security matters.

Most other delegations similarly indicated their reservations regarding a followup mechanism on the Mediterranean on the scale of the

permanent committee envisaged in the Maltese paper. Attention began to turn towards consideration of an experts meeting of limited duration and mandate as a more promising and practical means of promoting the objectives of the Mediterranean section of the Final Act. On December 12, five Western countries bordering on the Mediterranean (France, Italy, Portugal, Spain, and Turkey), joined by nonaligned Yugoslavia, sponsored a new proposal calling for an experts group hosted by Malta, to discuss cooperation in various economic, scientific and cultural fields, notably health education and tourism. The proposal also called for the Belgrade meeting to recommend that a conference of all Mediterranean states be convened outside of the CSCE framework with a mandate that could include discussion of regional political questions. The first version of the Soviet conception of the concluding document of the Belgrade meeting, tabled on January 17, also contained a provision for convening an experts group on the Mediterranean in Valetta in 1979 to consider "questions connected with encouraging mutually beneficial cooperation in various economic, scientific and cultural fields in the Mediterranean area."

Consensus (excepting Malta) gradually emerged on a meeting of experts which would discuss economic, scientific and cultural cooperation in the Mediterranean. Malta, however, continued to hold out for a broader mandate which would include regional political-security problems. By early March, when the impasse threatened to preclude any Mediterranean initiative not already in the Final Act, the Maltese altered their position. They accepted an experts group on economic, scientific and cultural cooperation to meet for 4 to 6 weeks as well as a formulation specifying that Mediterranean security questions would be discussed at the next similar meeting in Madrid as, in fact, they had been at Belgrade. Agreement on those issues cleared the way for the adoption of a concluding document which did not give undue emphasis to the Mediterranean dimension of CSCE.

BASKET III: COOPERATION IN HUMANITARIAN AND OTHER FIELDS: HUMAN CONTACTS, INFORMATION, EDUCATIONAL AND CULTURAL EXCHANGE

OVERVIEW

In the opinion of the United States and other Western countries, the review of implementation was the most important aspect of the work facing the Basket III subsidiary working body of the Belgrade meeting. The importance attached to this undertaking stemmed from the Western belief that attention to areas of Final Act noncompliance was necessary to insure the positive continuation of the CSCE process. Furthermore, serious Eastern deficiencies in compliance—especially in human contacts and the treatment of journalists—had aroused deep concern in the West and elsewhere. The Soviet Union and its allies, on the other hand, approached the review hesitantly and sought from the beginning to limit its scope and duration.

HUMAN CONTACTS AND INFORMATION

Reflecting this, a number of Eastern states let it be known than an "unconstructive" approach to implementation review could have

serious consequences. An "unconstructive" approach would mean criticizing other participating states' practices and directing this criticism against specific countries. These actions, the East intimated, would ruin the business-like atmosphere of the meeting and have detrimental effects on detente as well.

In the substantive review the Soviet Union and its allies generally sought to set the tone with lengthy interventions describing their own implementation and citing statistical data designed to support their assertions. Throughout these discussions, the East placed emphasis on the interstate aspects of Final Act compliance, often enumerating the number of governmental agreements negotiated and signed. Allied representatives, on the other hand, declared the need to discuss problems as well as successes and sought to focus the exchange on practices not in compliance with the Final Act. In pursuing this, Western delegates stressed all aspects of implementation, including signatories' treatment of their own citizens.

Although the United States took the lead in speaking out on cases of Final Act noncompliance, other Western countries and many neutral and nonaligned states joined in with firm and detailed statements. This concerted approach enabled the West to conduct a thorough review of implementation shortcomings despite the evasive efforts of many of the Eastern countries.

The U.S. representative to the Basket III subsidiary working body particularly stressed the important issues of family reunification and emigration procedures in Eastern countries. In particular, he focused on arbitrary visa refusals—those based on questionable considerations of state security and those involving the defection of relatives abroad.

In making these points, he cited specific cases in the Soviet Union and Czechoslovakia to illustrate the very real problems facing family reunification applicants and noted the onerous burden which present Soviet emigration procedures place on applicants. Other Western delegates raised problems ranging from harassment of Eastern emigration applicants to the frequent refusal of permission for Romanian citizens to marry nationals of other countries.

Throughout the discussion, the West attempted to bring Eastern countries into a serious dialog on these issues. To bolster this approach, Western delegates attempted to give credit where it was due, praising certain Eastern states for improved procedures and increased emigration. The West also showed itself ready to discuss its own shortcomings in the human contacts area, as, for example, when the U.S. delegate explained the improvements made and administrative problems yet to be solved in issuing U.S. visas.

To draw out the East, Western delegates addressed specific questions to various Eastern delegations. Could the Soviet representative explain what was meant by refusing visas for reasons of state security? Why were family reunification applicants dismissed from their jobs? What were the terms of the Czechoslovak program for normalization of "illegal" status abroad? Did Romania plan to change its policy with regard to binational marriages? Why was some countries' definition of family so restrictive?

Eastern responses to Western questioning varied. Although a few efforts were made to answer the substance of Western complaints, most Eastern delegates reproached the West and argued that sovereign

states should not attempt to put one another in the dock. As the debate progressed, Eastern states criticized Western practices more directly and claimed that family reunification matters were better dealt with bilaterally. In addition, Eastern delegations argued that further progress in promoting the human contacts provisions of the Final Act depended on the improvement of détente.

The end result of all such exchanges was often Eastern invocation of Principle VI of the Final Act regarding interference in internal affairs. This defense was first heard in the second session of the Basket III working group when Ambassador Goldberg raised the Czechoslovak refusal to grant a French L'Humanite correspondent a visa to cover the trial of Charter '77 signers in Prague. His statement, which marked the first time a specific country had been singled out for criticism, was attacked vigorously by the Czechoslovak and Soviet delegations as interfering in the internal affairs of sovereign states.

The interference argument was rebutted repeatedly by Western and neutral delegations which maintained that any topic treated in the Final Act constituted a legitimate subject for discussion if any review of implementation was to be meaningful. The remarks of Guy Coriden, the senior U.S. representative to the Basket III subsidiary body, reflected the U.S. position:

Yesterday, the delegates of Czechoslovakia and the Soviet Union stated that my delegation's remarks concerning the trial in Czechoslovakia of Charter '77 signers were an intervention in the internal affairs of Czechoslovakia. One of those delegates then referred unfavorably to my country's visa policies. Does that mean that the delegate was interfering in our internal affairs or does it mean that they feel there is a double standard on intervention in internal affairs? For our part we believe that our purpose here can be fulfilled only by asking questions, seeking clarifications, and generally inquiring further into actions relating to the Final Act. We have answered questions about our visa policies and stand ready to discuss that or any other aspect of U.S. implementation. We do not consider questions or comments as interventions in internal affairs and believe that there is no ground for any other delegation doing so.

Despite repeated exchanges, East and West did not resolve their differences with regard to the proper interpretation of the principle on nonintervention in internal affairs. This divergence of views became even more apparent as debate turned to the information section of Basket III.

In the review of CSCE information provisions, as in that of human contacts, basic differences between East and West became apparent. Eastern delegates insisted that the kind of information disseminated by journalists and other professionals must serve the goals outlined in the Basket III preamble: the strengthening of peace and understanding among peoples and the spiritual enrichment of the human personality. Governments, they argued, had to take responsibility to insure that information media met these criteria in their work. Soviet and other Eastern representatives also engaged in statistical analyses to give the impression of a high level of CSCE implementation in their states. Western delegates heard that journalists' working conditions in the East were in full accordance with the Final Act, that this historic document had been printed in the Eastern, but not in the Western press, and that Eastern states imported more information materials from the West than vice versa.

Western delegates countered by stressing that the free flow of information would in itself lead to the furthering of understanding in

Europe and that Western governments had neither the ability nor the desire to attempt to control the dissemination of information. The West also pointed out that statistical comparisons were an inadequate basis for assessing Final Act implementation; qualitative analyses led to more accurate conclusions. The important factor in implementation remained that Western, unlike Eastern, citizens had free access to what they wished to read, hear, or see.

Debate on these topics became the focal point for the most heated exchanges in the Basket III implementation review. Abandoning the defensive line taken during the human contacts review, Eastern delegations responded to Western criticism in a forceful fashion, insisting on their own interpretation of the information provisions. They directed sharp criticism toward Radio Liberty and Radio Free Europe which, they claimed, were solely concerned with interfering in the East's internal affairs.

The U.S. response to the attacks on RFE/RL and our criticism of Eastern treatment of Western journalists led to the most acrimonious exchanges. Noting restrictive Czechoslovak and Soviet practices, the U.S. delegate protested the expulsion of UPI correspondent George Krimsky from the U.S.S.R. and the Soviet interrogation of Los Angeles Times reporter Robert Toth on his contacts with dissidents. These comments led the Soviet delegate to raise the interference argument and cite two U.S. actions—the expulsion of a Pravda correspondent in response to the Krimsky affair and the refusal of a visa to a Soviet politician—as alleged violations of the Final Act.

In response to attacks against Radio Liberty and Radio Free Europe, the U.S. delegate explained the policies of the Radios and defended their right to broadcast as fully consistent with the information provisions of the Final Act. When the Soviet representative persisted in his denunciations, Mr. Coriden responded in strong terms:

I reject the contention of the Soviet, Polish and GDR representatives that the United States is hiding these radios. I explained in fair detail how their policy is made. I talked about the Board for International Broadcasting, about the funding for the radios. It is perfectly clear that no one is hiding anything.

What really bothers our colleagues is not that these radios are located on foreign territory or that they broadcast in foreign languages. I can't believe that these countries are so weak, or so unsure of themselves that they really think the activity of these radios will cause their governments to fall or cause them lots of internal difficulties. I think what they fear rather is what their people learn from the radios—that 22 men have been imprisoned for years because they insisted on their right to emigrate, men such as Iosif Begun who was fired in 1972 after he applied to emigrate, and another man who since 1970 constantly fears being labeled a parasite because he has been denied his right to work.

This is what really bothers our colleagues and rather than hiding it behind charges of psychological warfare they might as well admit it.

CULTURE AND EDUCATION

While the major U.S. focus in Basket III was on those sections most in need of improved implementation, specifically those relating to human contacts and information, the U.S. delegation sought as well to promote a thorough exchange of views on experience since Helsinki with the cultural and educational provisions of Basket III. Its objectives were again to identify the strengths and weaknesses of past implementation and discuss initiatives which might improve implementation in the future.

U.S. concern with certain implementation shortcomings was put on record at the very beginning of the Belgrade meeting. Ambassador Goldberg, in his opening address to the plenary, called for fuller opportunities for exchange scholars and researchers to engage in their professional activity and cited the example of a student in one Eastern country who was admitted to an essential archive one day and denied admission—and had his notes confiscated—the next. In a plenary address in mid-October, Ambassador Goldberg returned to this theme by pointing out that in one exchange program with Eastern countries, less than 20 percent of the American participants were satisfied with their access to archival and scholarly material. As Ambassador Goldberg stated:

We are pledged in the Final Act to facilitate—not control—cultural and educational exchanges. Yet, practices contrary to both the letter and spirit of the Final Act still persist.

Detailed examination of these practices was conducted by the Basket III working body during the first weeks of November. On the general theme of cultural exchange, Eastern delegations cited numerous statistics claiming that their countries import more books, films and other cultural materials from the West than vice versa, and they faulted Western countries for not working more actively to correct the imbalance.

During November, in an intervention on the subject of cultural exchange, the senior U.S. representative to the Basket III working body responded to the charges. He stressed that cultural activity in the United States is determined by the free play of forces responding to interests and tastes not controlled by the government. Because the United States prefers to leave room for private initiative in this area, it enjoys a large and very competitive cultural market. This competitiveness extends to all cultural media, and foreign cultural products must compete with other foreign materials as well as with domestic cultural products. Other Western delegations also emphasized the limited influence of government on Western cultural markets and stressed that the objectives of the Final Act were to remove artificial obstacles to the free flow of cultural materials rather than to assure a statistical balance in cultural exchange.

In a subsequent intervention, the U.S. representative spoke of the Moscow Book Fair as an example of Soviet efforts in this area. While agreeing that the fair was in many ways a success, Mr. Coriden regretted that problems of censorship had arisen and certain books had been barred by Soviet authorities. He described this as a small example of the types of obstacles under discussion.

The U.S. delegation made clear, however, that the U.S. Government plays a strong supportive role in the nonmarket area of cultural exchange. Citing Government support for organizations such as the American Film Institute and the New York Museum of Modern Art, Mr. Coriden showed that the United States is receptive to worthwhile cultural exports and seeks, to the extent possible, to facilitate their entry into the United States. In discussing cultural dissemination and exchanges, he also stated that the United States understands that certain countries prefer to operate under government-controlled agreements, but stressed that the United States looks forward to the day when such agreements would give way to private initiative.

In the implementation review dealing with Basket III educational provisions, the United States and other Western countries, as well as a number of neutral and nonaligned states, placed particular emphasis on the importance of improving and facilitating educational exchanges. Prof. Andrzej Korbonski, a public member of the U.S. delegation, spoke on this subject in the Basket III working body on November 7. While expressing satisfaction with the large expansion of exchanges with the East since the signing of the Final Act, he pointed out that, as in the cultural field, the United States believes that such activities should be facilitated rather than regulated by governments. He stated that more money would be available for substantive exchange programs if fewer funds were necessary for coping with the bureaucratic and administrative problems which plague many exchanges with Eastern countries. Among the problems specifically enumerated were restrictions on access to archives, limited possibilities of conducting research trips in some countries, last minute rejection of American candidates—sometimes for political reasons—and difficulties faced by Eastern scholars seeking permission of their governments to conduct research in the West.

The U.S. delegation returned to the educational provisions of the Final Act on several occasions during the implementation review, raising such issues as continued obstruction of informal contact and collaboration between Eastern and Western scientists. While discussing the implementation shortcomings of other countries, however, the United States sought as well to present a critical analysis of its own implementation record. In one intervention, for example, Congressman Paul Simon (D-Ill.) conceded that the U.S. lags behind its European partners in the area of foreign language study. He attributed this, in part, to the relative geographical isolation of the United States and to the fact that the Federal Government is unable to prescribe what courses local school systems or private universities should require. Congressman Simon pointed out, however, that in an effort to improve our CSCE record in this area, President Carter had agreed, at congressional urging, to appoint a commission to study ways of promoting foreign language study in the United States.

NEW PROPOSALS

The more than 30 new proposals tabled in the Basket III subsidiary working body indicated the wide range of interests. Western delegations, seeking to stimulate improvements in the areas in which they found implementation most lacking, put forward proposals related to family reunifications, family visits, binational marriages and working conditions for journalists. Eastern delegations, on the other hand, sought to offset these proposals by matching them with an equal number suggesting action in more neutral fields—culture and education—or proposing action the West was likely to find unacceptable—state control of the mass media. The neutral and nonaligned countries contented themselves with suggesting a limited number of initiatives which they hoped would not only gain general acceptance, but would also broaden cooperation and improve Final Act implementation.

Western proposals—which had been developed in NATO and EC-9 consultations—sought to make more specific Final Act provisions

which had been differently interpreted in East and West. One of these attempted to ease significantly Eastern family reunification practices:

Consideration of applications for the purpose of family meetings "favorably", for the purpose of family reunification "in a positive and humanitarian spirit", and for the purpose of marriage between citizens of different states "favorably and on the basis of humanitarian considerations", should be interpreted as meaning that such applications should *normally be granted*. * * * [Italics supplied]

Others would have lowered emigration application costs, cut waiting periods and insured that applicants would not be "disadvantaged in respect of their employment, housing or access to other social services as a consequence of their having submitted the application concerned." Still other proposals sought to ease access to foreign embassies and missions and to facilitate travel of citizens for personal and professional reasons.

In the information area, Western initiatives were directed to further improving working conditions for journalists and insuring access to foreign publications. The most significant of these sought to protect journalists from expulsion or harassment as a result of their work or reports carried by news organizations they represent:

The participating states " * * * confirm that journalists will not be expelled, or otherwise acted against, as a result of news or opinions, published or broadcast in the media they represent, whether or not they are the authors."

The final Western offering anticipated the facilitation of the work of participants in educational exchanges through publication of lists of materials in open archives.

In tabling their new proposals Eastern states sought not only to counter Western proposals, but also to create the impression that they paid equal attention to all Basket III provisions. As a result, Eastern initiatives touched all four Basket III topics—human contacts, information, culture and education—but tended to focus on suggestions for new undertakings rather than on improving implementation of existing provisions.

The Soviet Union and its allies took care to offer proposals linked to human contacts, but limited their suggestions to the relatively non-sensitive fields of sports and youth exchanges. Just as these proposals reflected the defensiveness with which the East had approached human contacts in the implementation review, the information offerings reaffirmed Eastern willingness to contest the West's interpretation of the information provisions. This willingness was reflected in a Czechoslovak proposal calling for state action to insure that "information disseminated * * * serve the lofty goals of peace and mutual confidence established in the Final Act * * *." The proposal further committed the participating states to:

- take all possible measures against propaganda for national, racial and religious intolerance, discrimination and distrust;
- not allow the abuse of the mass information media for the purposes of propaganda in favor of war, violence and hatred among peoples;
- not allow the dissemination of false information and the deliberate misinformation of the public; and
- respect the laws, customs and morality of the participating states and not allow the use of the mass information media for interference in the internal affairs of those states.

Not all Eastern proposals were tabled in response to Western initiatives, however. While, many of the proposed cultural and educational undertakings appeared to be ones Eastern states would pursue outside the CSCE framework in any event, others apparently represented sincere efforts to expand CSCE activities. One of these, a Polish proposal titled "Education for Peace," sought to encourage educational activities to promote disarmament, detente and mutual knowledge and respect for the history and culture of other CSCE nations. Although the proposal assigned governments an advocacy role the West found unacceptable, it was actively pursued by the Poles as an effective means of furthering CSCE cooperation. A Hungarian proposal designed to stimulate the study of less widely spoken languages represented another more serious Eastern initiative.

Neutral and nonaligned delegations also came forward with a limited number of proposals reflecting their various concerns. The Yugoslavs proposed that a year of cultural cooperation in Europe be designated—an undertaking they had advocated in Geneva and which they hoped would promote a better acquaintance with smaller participating states' cultures. The Swiss delegation tabled a rather ambitious proposal for an experts meeting to discuss means of promoting the wider circulation of information and the establishment of an international code for the treatment of journalists.

In negotiating the new proposals, the United States placed top priority on achieving the adoption of a substantive and balanced program for further Basket III implementation. A document that proposed major undertakings in the area of cultural and educational exchange while ignoring similar human contacts initiatives was unacceptable to the West.

The level of Eastern resistance to serious consideration of Western and many NNA proposals, however, indicated there was little likelihood of obtaining a substantive, yet balanced document. As simple a Western proposal as promoting the publication of lists of open archival materials was seen by Eastern delegations as an alleged attempt to gain access to archives containing classified information. In comparison, the more ambitious human contacts proposals stood even smaller chance of acceptance.

Prior to the Belgrade meeting, Western participants had recognized that many of the Basket III proposals might prove unacceptable to the East. It was hoped, however, that Eastern states would agree to undertake at least one or two limited initiatives based on the substance of Western proposals. Should, as was the case, Eastern delegations refuse to consider new commitments in areas of Western concern, the proposals would nonetheless serve to reiterate the substance of points raised during the review of implementation. In pointing out to the East the kinds of actions vital to future Basket III implementation and likely to emerge again at Madrid, the West achieved one of its most important Belgrade objectives.

FOLLOWUP TO THE BELGRADE MEETING

A major U.S. aim at Belgrade was to insure that the CSCE process would continue with provisions for future intensive review of Final Act implementation. The United States and its allies believed

that the next Belgrade-style meeting—perhaps at a higher level than Belgrade—should take place within 2 to 3 years to preserve the continuity and regularity of the review process. Both these goals were fostered by the decision of the preparatory meeting that Belgrade could not end until the date and place of the next similar meeting had been agreed upon. But the crucial details of future followup remained to be negotiated at the main meeting.

These negotiations came to center around several basic issues: the date and place of the next meeting, the determination of the appropriate ground rules for that meeting, and the relationship between experts groups and the next similar meeting. At the beginning, however, discussion was of a more theoretical nonsubstantive nature, involving efforts by various countries to define the broader ramifications of followup, concentrating in particular on the role and function of experts groups, and the idea of the establishment of a regularized system of future meetings.

The first basic issue to be resolved was the site of the next similar meeting. From the beginning of negotiations the United States and most of the NATO and neutral and nonaligned countries supported Madrid while the Warsaw Pact countries refused to commit themselves, hinting at their uneasiness over the possibility of Spain joining the NATO alliance. Vienna and Valetta were also mentioned as sites in the event that consensus could not be reached on Madrid. However, by the time the conference adjourned for the yearend break, Madrid had received support from 22 of the 35 participating states.

The matter was resolved January 17 when the Soviet delegation tabled the first version of its proposed draft concluding document in which Madrid was specified as the site of the next similar meeting.

The issue of the timing of the Madrid meeting was not so easily resolved. The basic negotiating position of the U.S. delegation was that the interval between Madrid and Belgrade should be approximately the same as between the Belgrade meeting and the signing of the Helsinki Final Act, about 2 years.

The neutral and nonaligned and Romanian delegations, motivated by the desire to see the eventual institutionalization of CSCE, strongly supported the idea of "periodicity" in the followup. This meant they envisioned meetings of the Belgrade-type taking place at regular intervals over the long term. This idea was firmly rejected by the EC-9, which opposed institutionalization and therefore considered it best for each follow-up conference to determine the suitable interval for the subsequent one. Throughout this discussion, the U.S. delegation held that the interval between Belgrade and Madrid should be similar to that between Helsinki and Belgrade, tilting, therefore, toward support for the idea of periodicity.

At the start of the conference, the United States had anticipated that the Soviets' original position on a starting date for the Madrid meeting would be maximalist: that is, they would initially offer a date far in the future. In fact, initially the Soviets indicated they preferred the Madrid preparatory meeting to be held in early 1981 with the main meeting in the middle of the year or even as late as 1982. The initial Soviet draft of the concluding document, however, called for the followup in Madrid in 1980, beginning with a preparatory meeting in September followed by the main meeting from October-December.

The position of the Western countries was contained in their collectively sponsored version of the draft concluding document tabled on February 21 which called for a preparatory meeting in January 1980, followed by the main meeting in February. The year 1980 was considered attractive not simply because it provided an appropriate interval after Belgrade but also because it would mark the fifth anniversary of the signing of the Helsinki Final Act.

Toward the end of the negotiations substantial pressure built for holding the Madrid meeting in late 1980 since early 1980 did not provide an adequate interval (less than 2 years) after the Belgrade meeting. Finally, in the last days at Belgrade, a formula suitable to everyone was reached: a preparatory meeting beginning September 9, 1980 with the main meeting to begin on November 11.

Obtaining an exact date for the start of the main meeting was important for both NATO and neutral and nonaligned negotiators, since without such a precise starting date there was the possibility that the preparatory meeting could drag on interminably. Until the very end of the negotiations, the Soviets had steadfastly maintained that while the Belgrade meeting could set the precise date of the opening of the Madrid preparatory meeting, the date of the opening of the main meeting would necessarily have to be determined at the preparatory meeting.

The other key, controversial issue during the followup deliberations was determination of the suitable "modalities" or ground rules for the Madrid meeting. At the start of the Belgrade meeting, the West and the neutrals hoped that the decision of the Belgrade preparatory meeting (the Yellow Book) outlining the modalities for the main Belgrade meeting could be adopted for other followup meetings, eliminating the need for further lengthy preparatory meetings. As the Belgrade meeting progressed, however, it became increasingly obvious that at least a short preparatory meeting would be needed to make adaptations in the "Yellow Book" procedures which experience and changing circumstances might dictate. The NATO and neutral and nonaligned delegations considered that the appropriate modalities for the Madrid meeting could be adopted from the "Yellow Book" procedures *mutatis mutandis*, a flexible formula meaning that the essentials would remain the same with the necessary changes being made in light of differing time and place.

Eastern delegates, however, adopted a firm position against the adoption of the "Yellow Book" procedures *mutatis mutandis* for the Madrid meeting. In their view Madrid did not necessarily have to be bound by precedents—uncomfortable for them—set at Belgrade. During the final month of negotiations, the Soviets toughened their position even further. They insisted that while Belgrade procedures would naturally have to be taken into account, the Madrid meeting, due to the passage of time and altered perspectives, would have to be free to determine its own modalities without regard to those of Belgrade. As a consequence, the Soviets attempted to block any specific reference to the "Yellow Book" in the followup section of the concluding document.

The NATO and neutral and nonaligned delegations viewed this hardened Soviet position as ominous for the entire CSCE process. They feared that the major motivation behind the Soviet position was an

effort both to downgrade the significance of the Belgrade proceedings and to reduce at Madrid the role and scope of the review of implementation, which had been established as point 4 of the agenda for the Belgrade meeting. Finally, in the closing days, United States and Western negotiators through intensive discussions with the Soviets, were able to preserve mention of the "Yellow Book" as the basic determinant of the modalities for the Madrid meeting. Throughout these intensive discussions, as throughout the entire followup negotiations, U.S. representatives coordinated their activities closely with other Western delegations, particularly Denmark's. In its role as rotating president of the EC-9, Denmark took the lead in presenting allied negotiating positions in the followup working group. Neutral Sweden consistently and effectively played a key role in reconciling differences between East and West.

During the course of the negotiations the EC-9 countries and many neutrals expressed the strong desire that the Madrid meeting be held at a higher level than the Belgrade meeting. The Soviets, however, forced postponement of a decision on the issue by insisting that only the Madrid preparatory meeting could decide on the level at which the main meeting would be held. It was agreed to leave at least two months between the start of the preparatory and main meetings, not only to provide enough time to work out the necessary modalities for the main meeting, but also to permit the necessary preparations in the event of a decision to hold the Madrid meeting on a higher level.

Several important aspects of the Madrid meeting may well be determined by the events and experience of the next 2½ years. But the Belgrade meeting succeeded in insuring the continuation of Belgrade-type review meetings devoted at least in part to a multilateral review of progress in implementing the provisions of the Final Act.

THE CONCLUDING DOCUMENT

Negotiations on the concluding document occupied the last phase of the Belgrade meeting from mid-January until the end of the meeting. Western and NNA delegations were prepared to negotiate seriously on a substantive concluding document containing new measures in all areas of the Final Act. The Soviets however, consistent with their efforts throughout the meeting to downgrade the significance of Belgrade, returned after the yearend break with the firm intention of keeping the concluding document devoid of substance. In particular, they were determined to block the inclusion of any substantive human rights provisions. For Western negotiators it was of primary importance that the concluding document reflect an adequate balance among all the sections of the Final Act. It could not, therefore, dwell on the security aspects of the détente process, or on Basket II matters, while neglecting human rights and humanitarian concerns.

The Soviet concept of a "realistic" concluding document became clear at the first plenary meeting of the winter session when Soviet delegation head Vorontsov tabled a brief draft which included many of the political slogans the Soviet delegation had already employed at the meeting as well as in their propaganda output. As a main theme, the document held that implementation of the Final Act was

dependent on efforts to make détente “both a continuing and increasingly viable and comprehensive process, universal in scope.” Consistent with past Soviet practice, implementation of the Declaration of Principles was singled out as being a particularly important part of security and cooperation in Europe. Predictably, the Soviet document also included reference to “major all-European initiatives” which had been pushed by the Soviet delegation throughout the conference, notably, the interstate conferences on cooperation in the fields of the environment, energy and transport and a special consultation of all participating states on strengthening security and confidence-building measures. The only forthcoming aspect of the document was its short, one paragraph followup section which envisaged that the next Belgrade-type meeting would take place in Madrid in November, 1980. Mention of humanitarian considerations was reduced to one sentence which indicated the readiness of the participating states “to continue the expansion of cooperation in humanitarian fields, as provided for in the Final Act: human contacts, information, culture and education.”

Ambassador Vorontsov in introducing this document stressed that it had become clear to his delegation during the year-end break that the Belgrade meeting, given the consensus rule, could agree on little more than what was in his delegation’s “realistic” document. In spite of Vorontsov’s statement, several delegations remained determined at least to try for a substantial concluding document.

In response to the Soviet statement on January 17, Justice Goldberg set forth 11 points which he insisted should be taken into account in producing a satisfactory, substantive concluding document. These included: the Final Act should in no way be revised or changed, and should in all its aspects be reaffirmed; the concluding document should be substantive and should contain an objective account of the implementation review; it should give appropriate recognition to those proposals designed to improve implementation of the Final Act; it should make appropriate reference to Principle VII, Respect for Human Rights and Fundamental Freedoms; it should recognize, as the Final Act provides, the right of the individual to know and act upon his rights without penalty; it should call upon all states to refrain from repressive measures; it should represent an honest reconciliation of varying viewpoints, a document of compromise; and finally, it should be a balanced document dealing with all aspects of the Final Act, not neglecting human rights.

In a speech 10 days later, Justice Goldberg offered a detailed analysis of inadequacies of the Soviet document, stressing that “it does not even approach the minimum requirements as the formal expression and summation of the 4 months of work we have undertaken here in Belgrade.” All Western and NNA delegations, plus Romania, agreed with the substance of this assessment.

In the face of Soviet intransigence, the month of February was devoted to repeated efforts to produce a document with at least some substance. Resuming the broker role they have played numerous times during the history of CSCE, the neutral and nonaligned delegations formulated and circulated on February 1 a compromise document which the Western nations supported as a good basis for negotiations despite difficulties with certain individual aspects. The Soviets, how-

ever, refused to consider the NNA draft as a realistic effort to find the middle ground, since it contained a section devoted to measures to be undertaken in improving human contacts and referred specifically to Principle VII in a listing of the Declaration of Principles.

Between February 10 and 17, the Soviets proceeded to table three revisions of their original draft, each adding general, détente-related language and individual paragraphs and phrases, tentatively agreed upon in the relative drafting groups. On February 16, the French delegation, in a vain effort to break the impasse, tabled its own version of a proposed concluding document which endeavored to combine some of the language of the Soviet versions with Western and NNA-supported ideas, including a reference to the importance of "the human dimension of CSCE."

In this deadlocked atmosphere, on February 21, the NATO countries plus Ireland decided to put forth their own collective version of a concluding document, which could put on record the Western stand on the issues aired at Belgrade. This 18-page proposal was not intended as the West's version of the optimum concluding document, but was meant to set forth what, in the Western view, might realistically have been included. The Western document, noting that divergent views were expressed as to the degree of implementation reached by each of the participating states, stressed that much remained to be done in order to give full effect to the Final Act. In support of the Helsinki Monitoring Groups in the U.S.S.R. and other countries of Eastern Europe, it also underlined the positive role that individuals and organizations, in addition to governments, have to play in insuring the full implementation of the Final Act. And it specified that individual groups have a right "where necessary, to point out instances of nonimplementation."

The Western paper also placed great importance on the human aspect of the CSCE process, stressing that respect for human rights "is of fundamental importance and constitutes an essential basis for substantial improvement" of the mutual relations of the participating states. While noting that some progress had been made in the field of human contacts, the paper outlined the shortcomings still existing and presented a series of further measures needed to implement this area of Basket III more fully. Predictably, the Soviets attacked the Western paper as a polemical effort to interfere in the internal affairs of the socialist countries and to distort the Final Act by giving unwarranted attention to specific provisions at the expense of others.

By the beginning of March, after 6 weeks of intense, fruitless debate, most delegations had become resigned that little of substance could be agreed upon besides provisions for another similar meeting in Madrid in 1980 and for a limited number of expert groups. The Western delegations had long before agreed that if a substantial, balanced concluding document were not obtainable, the only suitable alternative would be a brief, factual one. A document that was long on pieties and language contrived to convey the illusion of progress at Belgrade, all agreed, would be worse than no document at all. Accordingly the United States and its NATO allies developed a brief document, which with the eventual assent of all delegations formed the basis of the document accepted by consensus on March 8.

Although the results of the extended negotiations may seem meager, in fact, the concluding document contained many significant points which Western negotiators had sought.

First, the document reaffirmed the political importance of the Conference on Security and Cooperation in Europe and reaffirmed the resolve of the participating states to implement unilaterally, bilaterally and multilaterally all the provisions of the Final Act. The Soviets, during the negotiations had insisted that reference be made only to the need to implement the Final Act bilaterally and multilaterally, since unilateral implementation was strictly a matter of internal concern. The concluding document also supported the West's contention that the most important aspect of the Belgrade meeting was the thorough review of implementation by highlighting that the exchange of views "in itself" constituted a valuable contribution towards the achievement of the aims set by the CSCE.

While acknowledging the importance of détente, the concluding document underlined the role of CSCE and particularly the implementation of the provisions of the Final Act as being an essential precondition for the development of the détente process. Making the growth of détente contingent upon the implementation in good faith of all provisions of the Final Act marked the reversal of one of the main Soviet themes propounded throughout the meeting; that progress in implementation was contingent upon the favorable development of détente.

Despite traditional Soviet reluctance to agree to diplomatic language admitting difficulties and differences, there is a section of the concluding document which openly acknowledges that there were genuine disagreements about the degree of implementation of the Final Act reached so far. Given the consensus principle, this admission of disagreement was the most effective means available to Western negotiators for registering dissatisfaction with the state of implementation of Final Act provisions. The concluding document also contains a frank admission that consensus could not be reached on any of the substantive new proposals submitted to the meeting.

By providing for another similar, Belgrade-type meeting in Madrid in the fall of 1980, the concluding document assures the continuation of the CSCE process. In addition, by obtaining reference to the decisions of the preparatory meeting of the Belgrade meeting (the Yellow Book) as being one of the primary determinants of the modalities of the meeting in Madrid, Western negotiators were able to insure that the Madrid meeting, even if not identical in form to Belgrade, will include the same kind of full and thorough review of implementation.

The concluding document also provides for three experts meetings between now and Madrid, two of them mandated by the Final Act itself. One of these, to be convened on October 31 this year in Switzerland, will consider methods for the peaceful settlement of disputes. The second, to prepare a "Scientific Forum", will be held in Bonn on June 20. The third meeting, one tenaciously sought by Malta, will be held next February in Valetta to discuss economic, scientific and cultural cooperation in the Mediterranean area.

CHAPTER IV—THE BELGRADE BALANCE SHEET

How successful was the Belgrade meeting? Measured against the opportunity and the limitations, the overall Western performance was a success. But what has been the impact?

In the broadest sense, it is still too early for any final judgment. Only time will permit the words to be manifested in the deeds of the Belgrade participants. Governments will review the events at Belgrade, reassess their Helsinki commitments against the Belgrade experience, and take actions on future compliance. Only then will it be clear how much the meeting contributed to the creation of a more secure, more prosperous and more humane Europe.

Even now, however, it is clear that Belgrade placed the CSCE process on a firmer, healthier footing. For Belgrade established that the 35 nations which signed the Final Act at Helsinki have a solemn obligation to give each other an accounting of their compliance with all the provisions of the Helsinki accord, including its commitments to fundamental human rights.

Moreover, the frank and thorough review of implementation conducted there raised issues and established precedents which are certain to influence the future development of the CSCE process and of which all participating states are likely to take careful note. Certainly, the fact that the Soviet Union and its main East European allies responded to questions on implementation at Belgrade and asked the same of the Western countries is evidence that even they implicitly acknowledge that violations can no longer be swept under the rug of quiet diplomacy.

In this light, the Madrid meeting is doubly important in terms of the Western conception of the CSCE process. For the Belgrade precedents, with respect to both the substance and form of that meeting, will be on the table when the Madrid review meeting opens. The Soviet Union and its Eastern allies are aware that they have the choice between establishing a defensible record or facing another round of sharp criticism on human rights and the humanitarian provisions of Basket III in full view of world opinion. Five years will have elapsed since Helsinki, time enough for positive steps even in the most cumbersome of bureaucracies.

In the 5 months of the Belgrade meeting—especially during the period of deadlock over the concluding document—it was easy to lose sight of the unique character of the meeting. Belgrade was a fundamentally new venture in East-West relations. It was not primarily a negotiation and its purpose was not to conclude new agreements or revise the Final Act. Its Helsinki mandate, first and foremost, was to review compliance. From the point of view of the United States and its allies, the scope and depth of that review was extremely effective. Moreover, the political cohesion and cooperation between the United States and its allies were important factors in that effectiveness. The

solidity of allied coordination within the CSCE process held firm, in spite of difficulties and obstacles encountered.

While the scope and depth of the review were satisfactory from the West's point of view, its tone was not. The United States and its allies had hoped to make Belgrade a forum not for confrontation, accusation or acrimonious debate, but for genuine dialog about the outstanding problems of Helsinki content and interpretation. No such genuine dialog developed, although the rudiments of honest, constructive exchanges sometimes appeared.

In the absence of such a dialog, it was unlikely from the beginning that Belgrade would end with a concluding document which was detailed and candid or which would contain a broad, balanced range of constructive new measures. Nevertheless, the discussion of new proposals, while a frustrating experience for the West, was not a useless one. The positive ideas embodied in many of these proposals—a series of reasonable, realistic step-by-step measures to make relations between East and West more satisfactory for both sides—are sure to emerge again at Madrid.

But even as it stands, the concluding document of the Belgrade meeting represents a significant, positive result:

- It clearly reaffirms the commitment of the Final Act signatories to live up to *all* their Helsinki pledges.
- It recognizes that implementation of the Final Act is essential to the development of détente.
- It assures that the CSCE process will continue at Madrid in a way that will permit further detailed review of compliance.
- Finally, it endorses the usefulness of the review process itself by declaring that “the exchange of views constitutes in itself a contribution toward the achievement of the aims set by the CSCE, although different views were expressed * * *.”

As with any such meeting, some unanswered questions remain. Would the United States and its allies have been better advised to take a softer approach on human rights in the hope of gaining Soviet agreement on new proposals? Has, in fact, the firm Western stand on human rights jeopardized ongoing elements of East-West cooperation? Given the recent post-Belgrade actions against Mstislav Rostropovich, Pyotr Grigorenko, and members of the Helsinki Monitoring Groups, did the Belgrade meeting actually advance the cause of human rights or was it merely a brief hiatus in Soviet repressive behavior?

These are questions to which there are no conclusive answers. Clearly, however, it was essential to give human rights a prominent place at Belgrade if the CSCE process is to have meaning. A softer Western approach would have meant a sterile meeting and there is little to suggest that it would have produced a more significant concluding document. Similarly, it seems doubtful that the Soviets and their allies will endanger ongoing efforts at accommodation with the West since such cooperation is based on mutual interest.

Whether the Belgrade meeting directly advanced the cause of human rights must remain an open question for now. In the case of the Soviet Union and one or two of its closest allies, the Belgrade meeting is likely to have little impact in the short run on human rights practices. Despite the Final Act, they may try with new repression to un-

underscore their contention that their internal affairs are nobody's business but their own. But even the Soviets cannot remain insensitive to the fact that there will be another review in 2 years. It is in the long run, then, that there is the hope that the human rights seeds which were planted at Helsinki and nurtured at Belgrade will blossom into Soviet compliance with the Final Act.

These, then, are the tallies in the Belgrade balance sheet: candid talk, problems raised and defined, precedents set, new ideas exchanged, and consensus that the process begun at Helsinki will be preserved and elaborated. But the bottom line cannot yet be written.

APPENDIX A

OPENING PLENARY STATEMENT BY AMBASSADOR ARTHUR J. GOLDBERG,
CHAIRMAN OF THE DELEGATION OF THE UNITED STATES OF AMERICA,
BELGRADE, OCTOBER 6, 1977

Mr. Chairman, fellow delegates, on behalf of the American delegation, permit me to express our sincere thanks to our hosts, the Government of Yugoslavia. We are more than grateful for the facilities and support they have so generously provided for the conduct of our work. It is particularly symbolic that this Conference is held in a nation which has done so much for so long to promote security and cooperation in Europe.

Two years and two months ago the leaders of our 35 nations assembled in Helsinki to conclude—with their solemn approval—the Final Act of the Conference on Security and Cooperation in Europe.

This week we are beginning in Belgrade a new phase of the process they initiated. We are embarking on a mutual examination of our experiences in implementing the Final Act. We are also seeking together new means of solidifying and building from the foundations laid in Helsinki.

Our task is part of a great and ancient enterprise: the search for security, the advancement of cooperation in Europe. This Conference is one more step toward that high goal, one part of the broader process of reducing risks of confrontation in Europe and of replacing them with opportunities for cooperation.

This meeting is both an expression and a result of considerable improvements in East-West relations. In turn, what we accomplish here in the coming months can have a direct impact on the further development of détente.

I have been designated by President Carter to speak here as the representative of the United States Secretary of State. I carry with me the President's deep, personal commitment to advance the goals of the Final Act and the work of which it is such an important element. He is dedicated to working constructively with all nations represented here, to help fulfill the Final Act's commitment to improved European security and cooperation.

Two corollary principles make the Helsinki approach unique. One is our rule of consensus, the recognition that every nation should take part on an equal footing in decisions which affect the future of Europe. The second is also crucial: the tie, formalized by the Final Act, between the freedom and welfare of each of our nations, and the freedom and welfare of each of our individual citizens. Let me reaffirm in the most positive terms the wholehearted commitment of the United States government to the pursuit of détente. Let me also restate our view that a deepening of détente, a healing of the divisions in Europe, cannot be divorced from progress in humanitarian matters and human rights.

The pursuit of human rights does not put detente in jeopardy. Rather, it can strengthen detente, and provide a firmer basis for both security and cooperation.

The United States wants to build upon and enlarge the scope of East-West understanding. For my government is convinced that this conference in Belgrade must not be the end of the CSCE process. Rather, it must be an occasion to inject fresh momentum into that process. The true test of the work we do together lies not only in the conclusions we reach. It lies also in the higher goals we set and in the energy with which we set about meeting them.

My government will do its best to provide new impetus to the CSCE process, both here in Belgrade and in our over-all policies towards Europe and the world.

- We will conduct the review of implementation on the basis of the unity of all sections of the Final Act and the equal value of all the principles.
- We will make clear our intention to honor the political commitments in this document and to utilize fully the practical opportunities which it opens.
- We will discuss concrete problems, of both past and future implementation.
- And we will conduct our policies in Europe fully aware of the fact that CSCE can only bear part of the burden for guarding the peace. There must also be progress in other efforts at detente; and the benefits of our efforts must be applied throughout Europe. Berlin, for example, remains a basic testing place of detente. This divided city must continue to receive the benefits of the Final Act. Berlin must prosper under the Quadripartite Agreement, free from crisis, if detente and CSCE are to succeed.

Just as the United States goal for Europe is one of peace, so at this conference we seek no confrontation. We have no desire to trade debating points. Instead, we want to exchange ideas on how better to implement the Final Act. We seek a thorough, non-polemical, straightforward, and detailed review of implementation. And through that review, we seek to help formulate new measures which can give added concrete expression and momentum to the basic commitments of the Final Act.

GENERAL ASSESSMENT

The first obligation we all share is to conduct a candid review of the promises each of us has made, the promises we have kept, and the promises we have yet to fulfill.

The assessment my country has made of the over-all record of participating states over the last 26 months shows encouraging evidence of progress. But the progress displayed is not progress enough. It still falls short of the goals of the Final Act and, just as important, of the high expectations the Final Act aroused. Those expectations remain valid, and we must all be frank in judging that many of them remain unmet.

Let me comment first on what my own country has done to implement the Final Act. In general, the Act codified standards which reflect American policy in dealing with other nations and with our own

citizens. Nevertheless, in response to the Final Act we have looked closely at our own behavior and—where we have found the need and the means—have acted to improve our conduct. In particular, we took two steps regarding the Final Act pledge to “facilitate freer movement and contacts.” First, President Carter this year removed all restrictions on travel abroad by American citizens. Second, with President Carter’s support, Congress recently relaxed our visa requirements, so that people wishing to visit the United States will not be excluded because of political affiliation or belief, except in the rarest instances.

Moreover, in the field of human rights, President Carter yesterday redeemed a pledge he gave last spring by signing the International Covenants on Human Rights at the United Nations. American adherence to those pacts has been a matter of personal concern to me and to many others for a decade.

The President is pledged to pursue ratification of the Covenants. Meanwhile, his action yesterday is an earnest of our good faith and a proof of the positive impact the Final Act is having in the United States.

In the spheres of commercial, cultural, education and scientific exchanges, we have done much and have much yet to do. For example, the United States Government has made a special effort to inform our businessmen about provisions of the Final Act affecting their opportunities to enter and work in markets with which they have not always been sufficiently familiar. This year, we signed our first cultural, educational, and scientific cooperation agreements with Hungary and Bulgaria; and we concluded negotiations on a similar agreement with Czechoslovakia. With the Soviet Union, we renewed several scientific cooperation arrangements.

Meanwhile, in some other signatory nations, we have seen a well-intentioned and productive effort to implement the principles and provisions of the Final Act. In some nations in the East, advances have been only modest, and are still far below the Final Act’s standards. And there are individual cases under the Final Act where forward motion has been stalled or even reversed.

Under the stimulus of the Final Act, some progress has been made in bettering relations among the participating states. The exchange of goods, knowledge, people, and ideas has expanded in some measure. Substantial obstacles do remain to travel and the flow of information between one part of Europe and another, but these have already diminished somewhat. This improvement can be seen simply in the numbers of people who have been able to leave old homes for new ones in Europe, America, and Israel. These results mean real individual happiness, and we here must reaffirm our resolve to speed that development.

Likewise, in translating our shared political undertakings to the area of military security, the Final Act has brought another kind of exchange, promising but incomplete. Confidence-building measures, involving advance notification of maneuvers and exchange of observers, have made openness a virtue in a field where secrecy was once instinctive. We have laid a foundation on which this meeting can productively build.

Thus we can see some progress.

We can see it in terms of individuals and families reunited after being separated by war, accident, and history. But we must recall the many who remain apart.

We can see progress in business contacts that become business contracts. But we cannot overlook the still inadequate supply of relevant economic data on which the growth of business confidence depends.

We can see progress in books translated, performers applauded, students instructed, and scientific theories tested. But here, too, the openness and ease of contact promised at Helsinki has been only partly realized.

Thus, we cannot be satisfied with the record of implementation. The standard we have set together should be even higher, if the goals of the Final Act are to be realized.

Let me illustrate some areas in which we in the United States feel old practices have not been changed sufficiently to meet the new imperatives of the Helsinki spirit.

In educational exchange programs, it is not enough to increase the number of scholars involved; rather, a prerequisite for such an increase is improved freedom for scholars and their research. What value is there, for example, in financing a student's work abroad, when for months he is denied admission to an essential archive, and when, having finally been admitted one day, he is not permitted back the next—even to collect his notes?

Also, in seeking "to facilitate the freer and wider dissemination of information of all kinds," we cannot point convincingly to progress while international broadcasts are subjected to continuing interference.

Similarly, while steps have been taken to ease travel and working conditions for journalists, those advances are jeopardized when visas are made conditional on a correspondent's agreeing not to contact certain sources of information and opinion.

Finally, while real progress has been made in reuniting divided families and concluding binational marriages, satisfaction with those developments must be balanced by regret that many long-standing cases remain unresolved, that the resolution of routine cases is too often arbitrary and capricious, and that new bureaucratic obstacles are imposed on people seeking to join relatives abroad. This runs counter to the Helsinki promise "gradually to simplify" exit procedures. It is also hard to see the workings of the "positive and humanitarian spirit" when an ill and aged husband is denied, after long years of separation, the company of his nearly blind wife and their daughter.

Equally difficult to understand are broader restrictions on the right of individuals to travel or emigrate. That right is established in Article 13 of the Universal Declaration of Human Rights: "Everyone has the right to leave any country, including his own, and to return to his country." All of us have pledged in the Final Act to "act in conformity" with that Universal Declaration, and we have given specific emphasis to that promise in the Final Act's provisions on family reunification.

HUMAN RIGHTS AND DETENTE

The two years since the Helsinki summit are particularly short when we set them against the historic divisions we are trying, through the

Final Act, to bridge. Some of the deepest differences among the participating states lie in views on the status of the individual in relation to the state. The issue of human rights represents the widest gap between the ideals and practices of East and West. It is a sensitive subject on the international agenda, but one which can be dealt with in an understanding manner, and which must be discussed in order to facilitate further progress under the Final Act.

Precisely because the distance between our views on human rights is so great, we must all work to narrow the divide. This is not a simple process. In my own country, a mere 15 years ago many Americans were denied the right to vote. But through commitment to an ideal, and constant efforts to reach that ideal, this blemish on the American record was removed. Other serious blemishes remain, and our efforts to remove them also remain constant. The process is inevitably a gradual one, but efforts like ours are what make progress in human rights possible under the Final Act.

In the United States, we also realize that human rights encompass economic and social rights as well as political and civil liberties. It is our view that one set of values cannot be stressed at the expense of the other. Rather, it is the combination of these rights and the respect in which governments hold them all which offer the best promise that all can be attained.

Concern for these rights is not new either to Americans or to the other states taking part in this conference. It is enshrined in Article 1 of the Charter of the United Nations. It is enshrined in the Universal Declaration of Human Rights. And the Final Act, in Principle VII, binds all the participating states to "recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and cooperation among themselves as among all states."

American policy—evolving from a history of political development with deep roots here in Europe, and nurtured by the efforts of other nations—has long pursued that vision. It is explicit in our Bill of Rights. It animated the Four Freedoms proclaimed by President Franklin Roosevelt—freedom from want and fear, freedom of speech and religion—for which Americans last fought on this continent in the war against fascism. It was also part of the heritage of President Kennedy when, 14 years ago, he launched a fresh initiative for world peace. He asked: "Is not peace in the last analysis a matter of human rights?" And he proposed an "agreement on a freer flow of information and people from East to West and West to East."

When such an agreement was concluded in Helsinki as part of the Final Act, President Ford echoed his predecessors' words. He said: "The founders of my country did not merely say that all Americans should have these rights, but all men everywhere should have these rights."

On many occasions this year, President Carter has set forth his own commitment to the continuity of American policy in the area of human rights whether political, economic, social, or cultural. At the United Nations last March, he stressed that the "search for peace also means the search for justice * * * (and) the search for peace and justice means also respect for human dignity * * * I know perhaps

as well as anyone that our ideals in the area of human rights have not always been attained in the United States, but the American people have an abiding commitment to the full realization of those ideas. We are determined therefore to deal with our deficiencies quickly and openly."

It is in that same spirit that the United States delegation will speak about human rights and basic freedoms here in Belgrade. We have much to learn from that exchange of views.

Let me illustrate some of our concerns. The Principle VII guarantee of religion and belief means to us that expression of faith must not be penalized by loss or reduction of educational or career opportunities. People should be free to worship without fear or state interference in their choice of ministers, literature, and houses of prayer.

Similarly, the "freedom of thought and conscience" we have all pledged to respect must have breathing space in which to flourish. Its expression should not be censored. Its exponents should not be imprisoned or exiled for making their thoughts known.

Moreover, the "legitimate interests" of "national minorities" in our 35 states require respect for unique cultural and linguistic heritages, and active policies to preserve these traditions and achievements for future generations.

Our governments have assumed the responsibility to "promote and encourage the effective exercise" of these rights. And in Principle VII we subscribed to "the right of the individual to know and act upon his rights and duties" in the field of human rights. The response of citizens to that challenge, alone and in either private or public groupings in many signatory states, has been heartening evidence of the Final Act's healthy impact on all of us. In my own country, we have benefited by the dedication, candor, and commitment of our Commission on Security and Cooperation in Europe. Its valuable work will be reflected in what we do here in Belgrade; and we are honored by having its members as part of our delegation.

All the more, then, we are also obliged to register vigorous disapproval of repressive measures taken in any country against individuals and private groups whose activities relate solely to promoting the Final Act's goals and promises.

Any such repression is contrary to the spirit and the letter of our common pledge. Rather, at this meeting, we should all reaffirm the valuable role to be played by individuals and organizations, in their own countries and in international associations, to help make that pledge a reality.

CONCLUSION

In the coming weeks, the United States delegation will focus its efforts in a constructive manner on improving relations among the participating states. We are here to help strengthen prospects for co-operation, and to help move closer towards what should be the noblest common goal of this conference: to give the process of détente a human measure and a humanitarian face.

In that spirit, the United States delegation will consider and, as appropriate, support new measures to improve implementation of the

Final Act. We see opportunities for improvement in the following areas:

- promotion of human rights;
- execution of confidence-building measures;
- qualitative expansion of scientific, economic and commercial data exchanges;
- easing of travel for journalists and businessmen;
- freer access to printed and broadcast information from other countries; and
- fuller opportunities for scholars and scholarship.

This list by no means exhausts our agenda or the specific ideas the United States, with other interested states, will pursue in the coming months. There are also opportunities to promote the exchange of literature, television programs, and culture of all kinds. There are possibilities for exploring, in such appropriate agencies as the UN Economic Commission for Europe, the coordination of approaches to such pervasive problems as environmental pollution. And, there is great potential for expanding trade and for sharing the benefits of technology.

However, our success will be measured not solely by words on paper, but rather by what we all do both here and at home after this meeting ends. Together we must give the process of implementation direction, higher goals, and fresh momentum, to ensure that—when we next meet in a similar assembly—we can record even greater progress.

In our work we will need patience, perseverance and perspective. This conference in Belgrade is one stage of a dynamic process and a continuing dialogue. And that Helsinki process is part of an even larger effort to build more secure and more humane relations among our nations and peoples.

We are nearer the beginning than the end. This conference must give the people of the signatory countries and people throughout the world a first report of first progress. It must demonstrate to them our shared commitment to go further. We owe them our best efforts and results better than those so far achieved.

APPENDIX B

PROPOSAL SUBMITTED BY THE DELEGATIONS OF BELGIUM, CANADA, DENMARK, FEDERAL REPUBLIC OF GERMANY, GREECE, ICELAND, IRELAND, ITALY, LUXEMBOURG, NETHERLANDS, NORWAY, PORTUGAL, TURKEY, UNITED KINGDOM, UNITED STATES OF AMERICA, CONCERNING THE CONCLUDING DOCUMENT OF THE BELGRADE MEETING 1977 OF REPRESENTATIVES OF THE PARTICIPATING STATES OF THE CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE, HELD ON THE BASIS OF THE PROVISIONS OF THE FINAL ACT RELATING TO THE FOLLOWUP TO THE CONFERENCE

CSCE/BM/75
Belgrade, 21 February 1978
Original: English

I

In accordance with the provisions of the Final Act relating to the follow-up to the Conference on Security and Co-operation in Europe, a meeting of the representatives of the participating States—the Belgrade meeting 1977—was held from 4 October 1977 to ———— 1978. The date, duration, agenda and other modalities of the meeting were established in the Decisions of the preparatory meeting also held at Belgrade, from 15 June to 5 August 1977.

The representatives of Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Greece, the Holy See, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America and Yugoslavia appointed by the Ministers of Foreign Affairs of these States took part in the Belgrade meeting 1977.

During the opening session of the meeting, the participants received a message from the President of the Socialist Federal Republic of Yugoslavia, Josip Broz Tito.

The participants were addressed, on behalf of the host country, by Mr. Milos Minić, Vice-President of the Federal Executive Council and Federal Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia.

During the opening session of the meeting, the participants were also addressed, on behalf of the Secretary-General of the United Nations, by Mr. Winspeare Guicciardi, Director-General of the Office of the United Nations at Geneva.

Opening statements were made by the representatives of the participating States in open Plenary meetings:

Mr. Janez Stanovnik, Executive Secretary of the United Nations Economic Commission for Europe, then Mr. Amadou-Mahtar M'Bow, Director General of UNESCO, made speeches on the contribution of these organizations to the implementation of the relevant provisions of the Final Act.

At sessions of the Plenary and of the appropriate subsidiary working body, contributions were made by the following non-participating Mediterranean States: the Democratic and Popular Republic of Algeria, the Arab Republic of Egypt, Israel, Lebanon, the Kingdom of Morocco, the Syrian Arab Republic and Tunisia.

The representatives of the participating States in accordance with their mandate held a thorough and useful exchange of views both on the implementation of the provisions of the Final Act and of the tasks defined by the Conference, as well as, in the context of the questions dealt with by the latter, on the deepening of the mutual relations, the improvement of security and the development of co-operation in Europe, and the development of the process of détente in the future. They also examined proposals concerning the above questions and the definition of the appropriate modalities for the holding of other meetings in conformity with all the provisions of the chapter of the Final Act concerning the follow-up to the Conference.

After the adoption of the present document, closing statements were made by the representatives of the participating States in open Plenary meetings.

II

The representatives of the participating States stressed the great political significance of the Conference on Security and Co-operation in Europe, which initiated a new stage in the efforts of their States directed to increasing security, further developing co-operation, and bringing about a climate of confidence, mutual understanding and justice in Europe.

They also stressed the fundamental importance they attach to the continuation and further development of détente as well as the necessity to intensify efforts to make it an increasingly viable and comprehensive process, of universal significance, reflecting their sincere desire to contribute to peace, security, justice and co-operation in Europe and the world as a whole.

Noting that détente, of which the relations between participating States form an integral part, has continued since the adoption of the Final Act in spite of problems and obstacles encountered, they expressed the determination of their States to intensify their efforts to achieve the aims set by the Conference. In this respect they stressed the rôle of the CSCE in the process of détente, the Final Act and its implementation being essential for the development of this process.

It was recognized that the thorough exchange of views on the implementation of the provisions of the Final Act constituted in itself a valuable contribution towards the achievement of the aims set by the CSCE.

Divergent views were expressed as to the degree of implementation of the Final Act reached so far by each of the participating States; it was noted that encouraging progress had been made in the process of

implementation, while important shortcomings, also including cases of non-implementation, calling for further action still exist.

The participating States agreed that much remains to be done in order to give full effect to the Final Act. They therefore expressed their resolve to pursue their efforts fully to implement all its provisions through unilateral, bilateral and multilateral action. They will pay due regard to the provisions, where appropriate, in the application of their legislation.

They also noted that governments, organizations, institutions and persons all have a relevant and positive role to play if the multiple benefits of co-operation are to be fully secured. They recognized that institutions, organizations and persons have a right to assist governments in the tasks of ensuring the full implementation of the provisions of the Final Act including where necessary to point out instances of non-implementation.

III

The representatives of the participating States reaffirmed that their States remain determined to be guided in the conduct of their relations each of them with all other participating States by strict compliance with and the application of the ten principles set forth in the Final Act, in all forms and activities of their relations and irrespective of their political, economic and social systems, thus further contributing to the strengthening of security and peace and to the development of co-operation in Europe. They are further determined to conduct their relations with all other States in the spirit of these principles.

In view of the experience acquired, shortcomings noted and problems faced, they considered that it is indispensable to apply all principles in a more comprehensive and consistent manner.

The participating States recognized that the human aspect of the CSCE process and its significance for peoples and individuals have still to be fully realized. They reaffirmed that the respect, by all of them, for human rights and fundamental freedoms in all their aspects is of fundamental importance and constitutes an essential basis for substantial improvement of their mutual relations. They expressed their resolve fully to comply with their international commitments and obligations in this field. In so doing, they will act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights.

In this respect, they recalled the right of everyone to work, the equal and effective participation of women in political, economic, social and cultural life, the free exercise of the profession and practice of a religion or belief included in the number of rights and liberties recognized by all. They also expressed the hope that all participating States will consider the possibility of acceding to the International Covenants on Human Rights and to the Optional Protocol thereto.

Having reaffirmed the desire of their States to respect and give effect to refraining from the threat or use of force in their mutual relations as with all other States, they have convoked, in conformity with the mandate contained in the Final Act and according to the proposal made to this effect by the Government of Switzerland to convene at Montreux on October 31, 1978 a meeting of experts charged with pursuing the examination and elaboration of a generally acceptable

method for peaceful settlement of disputes aimed at complementing existing methods.

Condemning all acts of terrorist violence, the participating States declare their intention to reinforce international collaboration aimed at elaborating effective measures designed to prevent the taking of hostages.

They will also do their best to assure to all official representatives and persons who participate on their territories in activities within the scope of mutual co-operation between States necessary security, as well as favourable conditions for their stay and their work.

IV

The representatives of the participating States noted that, while there had been important differences in the manner in which confidence-building measures had been implemented, there had been some progress in strengthening confidence as a result of the implementation by all States of the minimum requirements set out in the Final Act. They observed that a number of States had implemented certain provisions liberally, especially by notifying their smaller-scale manoeuvres, by giving observers ample opportunity to follow the manoeuvres to which they had been invited and by providing ample information when notifying manoeuvres.

To deepen and intensify implementation as well as to develop and enlarge measures to strengthen confidence, the representatives of the participating States adopted the following:

They will notify, in the same manner as major manoeuvres, those smaller-scale manoeuvres involving fewer than 25,000 troops and more than 10,000 troops and corresponding in other respects to the parameters contained in the provision on prior notification of major military manoeuvres.

Information on manoeuvres will also include notification of the types and numbers of the participating major units, that is, at the brigade/regiment or divisional level and above, the estimated starting and finishing dates of the movements of the forces involved as well as the period of absence from their regular duty stations.

Observers at military manoeuvres should be offered the best opportunity of acquiring a good overall picture of the manoeuvre and of observing adequately its development by ample and continuous information. They should be offered reasonable freedom of movement in the manoeuvre area, under escort; appropriate facilities such as adequate maps and binoculars; and the opportunity to follow the activities of field units taking part in the manoeuvre; and, if feasible, contact with command staffs. They should be given equal treatment.

Prior notification will be given of major military movements taking place into or within the applicable area, as defined for prior notification of major military manoeuvres, and covering more than 200 kilometers measured on a straight line from the point of origin. When notifying, States will apply the same provisions as adopted for major military manoeuvres with the additional information of the direction of the movements and the place of destination. They understand that the term "major military movement" is also applicable to movements

which take place in parts, divided in time and/or space, whether in units or not, which in the aggregate exceed a total of 25,000 troops, if the troops involved are moving for a co-ordinated purpose and during a period of 30 consecutive days.

Appropriate, increased openness regarding military matters would contribute to confidence-building as well as to reducing and eliminating causes of misunderstanding and overreaction. The participating States will promote openness with regard to their military budgets. They recognize the relevance and value of ongoing efforts to develop a satisfactory instrument for the consistent and comprehensive measurement and reporting of military expenditures by States.

They expressed the view that it is of the utmost importance and urgency for all participating States to take effective steps towards halting the arms race throughout the world and to pursue ongoing efforts in negotiating fora related to arms limitation and to the achievement of general and complete disarmament under strict and effective international control. Prompt action towards these objectives should be taken to establish more stable relations on a regional basis, in particular in Europe, where major military potentials are concentrated.

The participating States therefore declare their resolve to encourage worldwide disarmament measures both in the United Nations and in other disarmament fora, and to give their full support to the special session of the United Nations General Assembly on disarmament, to be held in the spring of 1978. They transmit to those engaged in the fora indicated above the sense of urgency felt by the Belgrade meeting concerning the need to achieve progress in the field of arms limitation and disarmament.

V

In the field of economics, of science and technology and of the environment, the representatives of the participating States acknowledged that their mutual trade and industrial co-operation had grown in the past two years, but still did not reflect their full potential. Some improvements were noted, but there was a need for greater efforts to ensure the full implementation of the relevant provisions of the Final Act, particularly in the area of business contacts and facilities and in that of economic and commercial information.

Throughout their discussions, the representatives of the participating States recognized the valuable work done by the ECE as the main instrument for multilateral implementation of the relevant provisions of the Final Act, and they considered it of the greatest importance to continue the work already initiated there. They declared the determination of their States to take further steps to increase their co-operation in the ECE in fields of particular interest to them.

The participating States stress the need for further efforts towards solving the problems of developing countries throughout the world, including those among the participating countries as long as they are developing from the economic point of view. They express their readiness to make joint economic efforts to contribute to the process aimed at setting up a new international economic order.

The participating States express their willingness to intensify their efforts with a view to ensuring a dynamic development of trade in

particular through the diversification of its structure. They will continue their efforts, on the basis of reciprocity, to reduce or progressively eliminate all kinds of obstacles to trade and to avoid as far as possible the introduction of new obstacles.

They furthermore express their readiness to examine possible measures to facilitate international trade in medical drugs and instruments.

In the field of business contacts, the participating States declare their readiness to make further efforts to ensure wider participation of small and medium-sized firms in trade and industrial co-operation. To this end, they will improve the financial and administrative conditions for the establishment of joint representations by these firms. They furthermore will work towards an improvement of international telecommunications and postal services, in particular automatic telex connexions for business representations.

The participating States, when publishing economic and commercial information reflecting economic developments, will endeavour to use a nomenclature which ensures continuity in the monitoring of changes. They consider that statistical information should permit comparability, be as specific as possible, supplemented by corresponding data in absolute terms, and be available as quickly as possible. They recognize the usefulness of making this and other relevant economic and commercial information existing in other participating States more readily available to business circles in their countries through appropriate channels. Statistical series, bulletins or annuals including data on trade, production, consumption and national income should preferably be published within 12 months of the period to which they relate.

The representatives of the participating States recognize that further efforts are required to improve conditions for the development of industrial co-operation. In this connexion they agreed that steps should be taken on the basis of bilateral arrangements to further improve the facilities and accommodation for foreign personnel involved in industrial co-operation projects. It is also considered desirable to identify new forms of co-operation, including co-operation in third markets, to contribute further to the simplification of the procedures and techniques of negotiation of industrial co-operation agreements, and to intensify the exchange of all kinds of information in this field.

The participating States, recognizing the importance of co-operation in the field of energy, and the need to achieve a better understanding of energy resources in the ECE region, declare their readiness to support fully the ECE's current programme of information exchange on energy matters, including the work aimed at establishing long-term demand and supply forecasts for energy in the ECE region.

The representatives of the participating States recognized the need for a continued increase in scientific and technological co-operation at bilateral and multilateral levels and all forms of co-operation including direct contacts between scientists and between specialists. The participating States will encourage existing multilateral efforts to ensure wide access to the achievements of contemporary science and technology on a mutually advantageous basis. They furthermore will encourage co-operation among relevant research centres and specialists in the field of agriculture.

The representatives of the participating States expressed their satisfaction with the follow-up carried out by the ECE in the field of the environment, and reaffirmed their Governments' intention to pursue this work actively. They expressed the hope that a decision will be taken at the 33rd session of the ECE concerning the holding within the framework of the ECE of a high-level meeting on the environment on the basis of ECE resolution 1 (XXXII) and the conditions set forth therein.

In the field of migrant labour, the participating States recommend that the host countries and countries of origin should intensify their contacts with a view to finding common solutions to the most urgent problems which exist in the field of migrant labour, and strengthen their efforts to implement the existing agreements to which they are parties; and that to the same end the host countries and the countries of origin should strengthen, by all appropriate means, their efforts to improve the situation of migrant workers in all areas covered in the section of the Final Act on migrant labour, including that of the promotion of their economic, social, human and other rights.

VI

Within the context of the provisions of the Final Act, the representatives of the participating States exchanged views on the situation in the Mediterranean and took note of the interest also expressed on this subject by the representatives of the non-participating Mediterranean States.

It was noted with concern that, despite efforts to lessen tensions in the Mediterranean region, these persist. It was stressed that urgent resolution of these tensions will be beneficial to the region, and will also have a positive effect on strengthening peace and security in Europe and in the world.

At the same time positive results had been achieved in the development of co-operation in the various fields of economic activity.

The participants remain prompted by the desire to maintain and amplify the dialogue as initiated by the CSCE with the non-participating Mediterranean States, and to advance the objectives contained in the Mediterranean Chapter of the Final Act.

To these ends they decided:

—To convene, within the follow-up to CSCE a meeting of experts, the _____ at _____.

Its mandate will be to consider the possibilities and proper means of promoting concrete initiatives for mutually beneficial co-operation concerning various economic, scientific and cultural fields, in particular tourism, health and education, in addition to initiatives already under way.

The non-participating Mediterranean States will be invited to contribute to the work of this meeting.

—To encourage the States directly concerned to undertake additional efforts aimed at achieving the objectives set forth in the relevant provisions of the Final Act by means of unilateral, bilateral and multilateral activities.

VII

The representatives of the participating States noted with satisfaction that some progress had been made in the field of human contacts. Taking into consideration, however the shortcomings still existing and conscious of their readiness to continue the expansion of co-operation in humanitarian fields, as provided for in the Final Act, the participating States agreed that further measures were needed to fully implement its relevant provisions.

- ensuring that applications relating to contacts and regular meetings on the basis of family ties, reunification of families and marriage between citizens of different States, will be resolved in a positive and humanitarian spirit within the shortest of time limits and on a non-discriminatory basis. All efforts should be made as a regular practice to grant applications for the purpose of family meetings within one month, in urgent cases within one week, and for the purpose of family reunions and marriages between citizens of different States within three months at most. Applicants and the members of their families will continue to have the same rights as before concerning *inter alia* their legal, social, and professional status, including housing, and to continue to have the same obligations;
- ensuring adequate information as to the procedures to be followed by applicants in the above-mentioned fields;
- continuing to lower progressively the fees charged in connexion with applications and official travel documents including passports, so as to ensure that they are at a moderate level in relation to the average weekly income in the respective participating States;
- further facilitating wider travel on an individual or collective basis for personal and professional reasons, by reducing requirements for exit visas where these exist and by improving where necessary procedures for the issuance of entry visas and through waiving requirements for minimum currency exchange and for advance hotel reservations;
- further facilitating contacts, meetings, exchange of and freer access to information among religious faiths, institutions and organizations and their representatives in the field of their activities, in accordance with all the possibilities provided for in the Final Act;
- permitting persons freely to contact and visit foreign missions without disadvantage to their rights and social status.

VIII

The representatives of the participating States noted that the improvement in the circulation of, access to and exchange of information was still in its initial stage, and that further efforts were necessary to reach the freer and wider dissemination of all kinds of information and by all types of news media called for in the Final Act, especially in the field of printed information. They expressed satisfaction as to

the degree of co-operation attained in the field of information, especially between radio and television organizations, and expressed the hope that such co-operation will also become more active between other news media and their journalists. They noted some progress in the improvement of working conditions for journalists but felt that these conditions still vary, thus calling for further efforts.

The participating States intend in particular:

- in response to demand to facilitate further the importation, sale and subscription of newspapers and periodicals from other participating States by making full use of the possibilities contained in the Final Act;
- to favour further bilateral and multilateral co-operation among press agencies;
- to simplify further existing requirements for all foreign journalists to enter and leave, as well as to stay and travel, within a participating State, with the documentation necessary for their work;
- to further facilitate, in all aspects, the work of foreign journalists, *inter alia*, personal access to sources;
- to favour the creation and activities of foreign press associations in their capitals;
- to encourage efforts towards further dissemination of the full text of the Final Act and of the present document, to the widest possible public and to ensure the constant accessibility of these documents to their citizens.

In order to implement further the objectives of the Final Act in the field of information, the participating States decide to convoke a meeting of experts in _____ starting on _____ 1979. This meeting, not to exceed _____ weeks, will endeavour to prepare a convention on the working conditions of foreign journalists and to elaborate specific measures for the wider dissemination of printed information, in accordance with the relevant provisions of the Final Act.

IX

The representatives of the participating States noted that the implementation of the provisions of the Final Act relating to culture and education had positive effects on the development of co-operation in these fields.

They also noted that numerous possibilities offered by the Final Act had not been sufficiently utilized in encouraging co-operation and contacts among institutions, organizations and persons active in these fields. The participating States confirmed their resolve to encourage and, where possible, to support such activities with a view to achieve a more dynamic and overall utilization of these possibilities, thus ensuring a comprehensive realization of the provisions and objectives set forth in the Final Act.

With these aims in mind, the participating States agreed on the following:

- to declare the year 1980 as the “Year of Cultural Co-operation among the States participating in the CSCE”, and to this end to encourage, and when possible, to support unilateral, bilateral and multilateral measures aimed at a more comprehensive

acquaintance with the culture of the participating States. In this regard, the participating States will have bilateral and multilateral contacts, including contacts within UNESCO. They will take into consideration the relevant proposals and ideas expressed at the Belgrade meeting;

- to encourage the widening of mutual knowledge and understanding by facilitating the supply of, and access to, books as well as works of art by authors and artists from all participating States, as well as by improving the exchange of experience concerning the implementation of the relevant parts of the Final Act and of their mutual cultural agreements and programmes;
- to encourage co-operation in the fields of preservation and protection of cultural heritage, the organization of a seminar on the restoration of historical and cultural works, the holding of artistic events in various fields, an international sculpture workshop of young artists, as well as an exhibition of architecture and town planning;
- upon the invitation of the Federal Republic of Germany, the meeting of experts envisaged in the Final Act in order to prepare a "Scientific Forum" will take place in Bonn starting on 20 June 1978. This meeting, not to exceed four weeks, will be conducted within the framework of the Follow-up to the Conference and of its rules of procedure. Representatives of UNESCO and the ECE shall be invited to state their views;
- to continue encouraging research concerning the problems of security and co-operation in Europe;
- to ensure scholars, teachers and students improved possibilities of making use of libraries and open archives through encouraging the exchange of bibliographies, catalogues and lists of archival materials;
- to encourage the teaching and study of less widely-spread or studied languages, as well as the holding of seminars on the translation, publication and dissemination of books, especially those produced in these languages;
- to intensify, particularly within UNESCO, their efforts to solve problems concerning the comparison and equivalence between academic degrees and diplomas.

The participating States will make further efforts within UNESCO, in order to implement fully the provisions of the Final Act relevant to this organization.

The participating States, promoting their co-operation in the field of culture and education, will, in compliance with the relevant provisions of the Final Act, take into account the contributions that national minorities or regional cultures can make, when such minorities or cultures exist within their territory.

X

In conformity with the relevant provisions of the Final Act and with their resolve to continue the multilateral process initiated by the CSCE, in particular by successive meetings at appropriate intervals among their representatives, the participating States will hold

the second of these meetings in Madrid as from the third Tuesday in February 1980.

The meeting will be held in accordance with the provisions of the Final Act concerning the "Follow-up to the Conference", and the Decisions of the Preparatory Meeting to the Belgrade meeting 1977, including the statements made by the Chairman of the Preparatory Meeting on 5 August 1977, will apply *mutatis mutandis*. Its agenda, including the thorough exchange of views foreseen by the Final Act, should also have regard to the decisions, conclusions and recommendations contained in the present document, and to the outcome of meetings of experts which have taken place since the Belgrade Meeting 1977.

A preparatory meeting will be held in Madrid as from the second Tuesday of January 1980. It will, on the basis described above, adopt the working programme of the main meeting and decide on other problems outstanding in relation to the modalities of the main meeting, including the level of representation. In doing so the preparatory meeting will take into consideration the experience gained during the Belgrade meeting 1977.

The meetings of experts convened by this document will, in accordance with their terms of reference, draw up conclusions and recommendations and send their reports to the Governments of the participating States.

All the above-mentioned meetings will be held in conformity with paragraph 4 of the Chapter on "Follow-up to the Conference" of the Final Act.

APPENDIX C

"HUMAN RIGHTS POLICY: THE UNITED STATES AT BELGRADE," ADDRESS OF REPRESENTATIVE DANTE B. FASCELL BEFORE THE CHICAGO COUNCIL ON FOREIGN RELATIONS, FEBRUARY 24, 1978

For the last year and more President Carter's human rights policy has been a subject of continual comment, concern and controversy in Washington and around the world. In the United States, especially, the Administration's stand has been repeatedly put through the wringer of pragmatic questioning. Is it working? What are the results? What has it cost? Where is the payoff?

Those questions are proper, of course. They are the tests we would use in judging any political investment, whether it be for national defense or international decency, for creating jobs at home or promoting democratic values abroad.

Unfortunately, when we try to judge the efficacy of the policy against this standard of tangible achievement we inevitably get bogged down in partial and contradictory measurements. Which matter more—the release of thousands of political prisoners in Indonesia or the thousands more still detained in brutalizing conditions? Was it a plus to have martial law lifted in Nicaragua, or do we score it as a debit that people have been killed in riots there? Is the increase in the number of Jews and others permitted to leave the Soviet Union a tribute to our steadfastness or a temporary and cynical gesture meant to buy off American public opinion for a few months?

The fact is that facts mislead. The scorecard on human rights shifts so often that tallies which can be made to look good today can also turn dismal tomorrow. And the attempt to keep count of successes and of failures diverts us from what I think are the two central aspects of the pursuit of human rights.

The first has been cynically described as the "feel-good" quotient of the policy. It makes Americans feel good—after Vietnam and Watergate and other episodes of governmental deceit—to be on the side of the angels again.

I like the description, but I reject the cynicism with which it is applied.

There is nothing wrong—and a great deal right—about a policy which reminds Americans of the values our history reflects. There is nothing wrong—and a great deal right—with the attempt to project those values again into the international arena as the expression of an American consensus about ourselves and our role in the world.

The second aspect of the policy is its nature as a long-term commitment. Advocacy of human rights is not a quick fix. The renewed American determination to defend civil and religious liberty, to seek broadened protection of individual rights and welfare holds no prom-

ise of easy victories. The effort is certain to be a long one, but so have been our programs to aid economic development around the world. The pursuit is likely to be frustrating, but so are trade negotiations or disarmament talks or the search for cancer cures or treatments.

We do not draw back from those endeavors just because the price is high in terms of patience and perseverance. Nor can we turn away from the pursuit of human rights because the goal remains distant. At his inaugural 17 years ago, John Kennedy asked Americans "to bear the burden of a long, twilight struggle, year in and year out * * * against the common enemies of man: tyranny, poverty, disease and war itself." The struggle is still on, and it is too early to say for sure who is winning it.

The Belgrade conference, now nearing its conclusion, however, gives me a chance to illustrate the conduct of human rights policy as part of that long, frustrating, but crucial "twilight struggle." The first formal meeting of the 35 Eastern, Western and neutral states which signed the 1975 Helsinki accords on security and cooperation in Europe shows up all the problems of trying to keep a scorecard on human rights. It also demonstrates all the potential for gradual change that makes American policy one of hope and promise.

Let me go back over some basic, recent history to put the Belgrade talks in perspective. The Helsinki accords themselves were the outgrowth of a twenty-year-long Soviet effort to obtain formal recognition of the post-war boundaries of Europe. Moscow sought a peace treaty. It got instead a declaration of political resolve in which, as tradeoffs for the recognition of the sanctity of existing frontiers, the West insisted on provisions for "a freer flow of people and ideas"—another goal of President Kennedy—across those frontiers.

When the long negotiations ended at the Helsinki summit, most Western observers thought and said that the Soviets had gotten the best of the bargain. The West acceded to the legitimacy of Communist conquest in Europe. In return, the East made undertakings to respect human rights and dignity, but without the expectation that it could be held to the promises it made.

What happened, instead, was a remarkable turning of the tables. It was accomplished not by any brilliant strategists in Washington or at NATO, but by a small band of intrepid Soviet citizens who began to say out loud—so that the rest of the world could hear—that the Soviet Union must make good on its own laws and its Helsinki commitments. Their demands made us respond. It was they—members of what has come to be called the Soviet Helsinki Watch and, later, the signatories of Charter '77 in Prague—who made the West aware of the value of Helsinki.

A year ago yesterday when the Helsinki Commission held its first public hearings in Washington on human rights, former Ambassador Leonard Garment summed up what had happened. "The existence of a formal, written document, to which the Eastern regimes gave their public consent and their formal stamp of legitimacy, has made a difference. The words matter and are beginning to move human minds," he testified. Then he added: "Perhaps we in the West, who pay such frequent tribute to the worth of ideas, should be a little embarrassed that at the time of Helsinki we entertained such a low opinion of their power."

By the time of Belgrade—the substantive part of which began last October—our opinion had changed. We in the West approached the conference as a significant test of our ability to give and get an account of the progress promised in the Final Act, the formal name of the Helsinki document. And from the East—in a few areas of Helsinki undertakings—we could already see surface gestures of compliance.

Those gestures were made with an eye to Belgrade, out of concern for what would be said there if there were no signs of movement. The gestures included the amnesty of political prisoners in Romania, Poland and, later, Yugoslavia. The rise in the emigration figures from the Soviet Union and other countries were also gestures toward the Helsinki promise to “facilitate” the reunification of divided families. The sale of a few more Western papers and magazines and the easing of travel restrictions on some Western journalists also constituted gestures in the field of information.

For the scattered positive signals, however, there were balancing negative acts. Journalists could get around with greater ease perhaps, but they could also be subjected—and were in the Soviet Union and Czechoslovakia—to outrageous harassment. New applicants for exit visas could be processed with greater speed, but many with applications long pending could be—and were in the USSR—treated with brutality and renewed contempt. Finally, and most tragically, 16 of the 43 members of the Soviet Helsinki Watch have been jailed for daring to raise their voices to demand domestic compliance with international human rights standards.

On the second anniversary of the signing of the Final Act, the U.S. Commission issued its comprehensive report on compliance. In a capsule judgment, it found: “Progress has been inadequate. Measured against either the hopes voiced at the Helsinki summit or the need for smoother and more stable relations among the signatories, the implementation of the Final Act has fallen short.”

That judgment formed the background of the U.S. effort at Belgrade; an effort made up of two parts. The first part was simply to register our dissatisfaction with the pace and quality of progress under the Final Act, especially its human rights and humanitarian provisions. But beyond holding the Communist states to account for their non-performance, the second American goal was to seek reaffirmation of the common Helsinki commitments themselves, to stimulate better behavior out of the examination of the imperfect past record.

The first goal has been fully met. In fact, the first eleven weeks of the conference brought a welcome bonus. In that period devoted to the review of Final Act implementation, the firm U.S. voice of Justice Arthur Goldberg—whose many distinctions include his being a Chicagoan—was joined by that of many Western and neutral spokesmen in a persuasive chorus of concern on the issue of human rights.

The Communist delegations tried to blunt this assault, but failed. They argued first that the Final Act itself made any criticism of their domestic conduct off limits, because the accords banned “interference” in internal affairs. The West, however, showed clearly that human rights are matters of international agreement, of specific Final Act pledges, and thus not purely issues of domestic competence.

Then when Justice Goldberg cited the treatment of specific individuals—Charter ’77 signers jailed in Prague or Soviet dissenters

such as Yuri Orlov, Aleksandr Ginzburg, Anatoli Shcharansky and Andrei Sakharov—the Soviets made a feeble attempt to rebut us with “you’re-another” arguments. Guilty of racial discrimination, of imprisoning the Wilmington Ten, of letting millions go jobless—even, they said in apparent seriousness, of executing Sacco and Vanzetti 50 years ago—the United States had no right to lecture others on respect for human rights.

I do not claim that these exchanges make up a dialogue. Obviously, on both sides, there was much more give than take. But the Belgrade review period did something no other international meeting has done: it broke the silence barrier on human rights. Diplomats found themselves talking about a subject they generally prefer to duck, but having been confronted with the issue, they found no way to put it aside. Instead, because the Helsinki process is a continuing one and the Belgrade talk will be revived when the signatories meet again in Madrid in two years, human rights has won a place on the international agenda it should have had long ago.

I want to discuss the importance of that precedent in a moment, but first let us look at how far we have gotten with our second goal: reaffirming the Final Act’s importance as a means of stimulating improved performance. Barring new developments today, the Belgrade Conference’s concluding document has not yet been agreed upon. But it has now become obvious to all that the Soviet Union and its closest Warsaw Pact allies are inalterably opposed to a document of real substance. We have worked hard for such a document throughout the proceedings in the face of Soviet intransigence. At a minimum, the concluding document will note that delegates met and talked and that they will meet again and talk again in Madrid.

So brief a concluding document would be a disappointment to many. But I do not believe that the final communique should be considered by any of us to be the main measure of the impact of the Belgrade meeting. Certainly it would have been better to have a conference document of real political substance that gave a candid assessment of implementation, reaffirmed the commitment to all provisions of the Helsinki Accords and marked out specific areas for improved performance. But given the rule of consensus, under which each country has effective veto power, a strong Belgrade concluding document was never in the cards.

Nevertheless, what has emerged has the potential for being just as valuable. After Belgrade comes Madrid, another occasion to insist on implementation of the Final Act, to hold up the record for candid review, to try and win the fresh commitments that could not be achieved at Belgrade. And after their experience at Belgrade—that of being forced to hear out their critics—the Communist states must be even more determined than before to avoid a second round of diplomatic embarrassment.

They have two roads to choose from. One is to renounce the Helsinki process, to boycott the Madrid meeting or so rewrite its rules that it becomes an empty exercise. The other is to show a measure of good-faith implementation between Belgrade and Madrid that deflates criticism and lightens the international atmosphere.

Neither alternative is attractive. The Helsinki accords were meant to be a capstone of the Brezhnev detente policy. To turn away from them is to pronounce that policy a failure.

The other choice—that of heeding the concerns voiced at Belgrade and moving to remedy the practices which drew such heavy fire—is not easy either. It would mean, over the long run, according to the individual real protection against monopoly state power. To do so would be to invite more challenges against Communist rule in its present form, to tolerate that very diversity which every dictatorship must deny.

There is, of course, one other way for the Soviet Union to slip from between the rock and the hard place where, on the human rights—Helsinki issue, it is now held. That is for the West and the United States, in particular, to relax the pressure for Helsinki compliance so forcefully brought to bear in Belgrade.

We could slip into that path too easily. We could say that we asked too much from Belgrade, got too little and need to try another course. We could go further—in our impatience for results that can be totted up on a scorecard—and pronounce the whole push for human rights standards a profitless game. And thus we could let the Soviet Union, for one, off the hook.

But I said earlier that we had set an important precedent at Belgrade in legitimizing international, diplomatic treatment of concrete human rights issues. The precedent is one we must observe as well as insist that others acknowledge. If we change our signals now because of dissatisfaction with the Belgrade outcome, we lose the new ground onto which we moved ourselves and the East-West relationship.

The precedent set at Belgrade is only as valuable as the follow-up to it. Having won the right to speak out on the importance of our values to our security and the ordering of a real detente, we cannot afford to turn away, back into silence.

We have found in Helsinki a framework in which to pursue a policy which both feels good and can do good. The patience to put up with the slow pace of results from that policy is something Americans have yet to learn.

Along the road we are certain to have anxious moments and even setbacks of our own. But the road toward international respect for human rights is the right one for us to be traveling.

At Belgrade we began the trip with honor and realism. We are moving in the right direction.

APPENDIX D

TEXT OF CONCLUDING DOCUMENT OF THE BELGRADE MEETING 1977 OF REPRESENTATIVES OF THE PARTICIPATING STATES OF THE CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE, HELD ON THE BASIS OF THE PROVISIONS OF THE FINAL ACT RELATING TO THE FOLLOWUP TO THE CONFERENCE, MARCH 8, 1978

The representatives of the participating States of the Conference on Security and Co-operation in Europe, appointed by the Ministers of Foreign Affairs of these states, met at Belgrade from 4 October 1977 to 9 March 1978 in accordance with the provisions of the Final Act relating to the followup to the Conference.

The participants received a message from the President of the Socialist Federal Republic of Yugoslavia, Josip Broz Tito and were addressed by Mr. Milos Minic, Vice-President of the Federal Executive Council and Federal Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia.

Contributions were made by the following nonparticipating Mediterranean States: Algeria, Egypt, Israel, Lebanon, Morocco, Syria and Tunisia.

The representatives of the participating States stressed the importance they attach to detente, which has continued since the adoption of the Final Act in spite of difficulties and obstacles encountered. In this context they underlined the role of the CSCE, the implementation of the provisions of the Final Act being essential for the development of this process.

The representatives of the participating States held a thorough exchange of views both on the implementation of the provisions of the Final Act and of the tasks defined by the Conference, as well as, in the context of the questions dealt with by the latter, on the deepening of their mutual relations, the improvement of security and the development of cooperation in Europe, and the development of the process of detente in the future.

The representatives of the participating States stressed the political importance of the Conference on Security and Cooperation in Europe and reaffirmed the resolve of their governments, to implement fully, unilaterally, bilaterally and multilaterally, all the provisions of the Final Act.

It was recognized that the exchange of views constitutes in itself a valuable contribution towards the achievement of the aims set by the CSCE, although different views were expressed as to the degree of implementation of the Final Act reached so far.

They also examined proposals concerning the above questions and the definition of the appropriate modalities for the holding of other meetings in conformity with the provisions of the chapter of the Final Act concerning the follow-up to the conference.

Consensus was not reached on a number of proposals submitted to the meeting.

In conformity with the relevant provisions of the Final Act and with their resolve to continue the multilateral process initiated by the CSCE, the participating States will hold further meetings among their representatives. The second of these meetings will be held in Madrid commencing Tuesday 11 November 1980.

A preparatory meeting will be held in Madrid commencing Tuesday 9 September 1980 to decide on appropriate modalities for the main Madrid meeting. This will be done on the basis of the Final Act as well as of the other relevant documents adopted during the process of the CSCE.¹

It was also agreed to hold, within the framework of the follow-up to the CSCE, the meetings of experts of the participating States indicated below.

In conformity with the mandate contained in the Final Act and according to the proposal made to this effect by the Government of Switzerland a meeting of experts will be convened at Montreux on October 31, 1978 charged with pursuing the examination and elaboration of a generally acceptable method for peaceful settlement of disputes aimed at complementing existing methods.

Upon the invitation of the Government of the Federal Republic of Germany, the Meeting of Experts envisaged in the Final Act in order to prepare a "Scientific Forum" will take place in Bonn starting on June 20, 1978. Representatives of UNESCO and the United Nations Economic Commission for Europe shall be invited to state their views.

Upon the invitation of the Government of Malta, a meeting of experts on the Mediterranean will be within the framework of the Mediterranean Chapter of the Final Act, convened on February 13, 1979 in Valletta. Its mandate will be to consider the possibilities and means of promoting concrete initiatives for mutually beneficial co-operation concerning various economic, scientific and cultural fields, in addition to other initiatives relating to the above subjects already under way. The non-participating Mediterranean States will be invited to contribute to the work of this meeting. Questions relating to security will be discussed at the Madrid meeting.

The duration of the meetings of experts should not exceed 4-6 weeks. They will draw up conclusions and recommendations and send their reports to the governments of the participating States. The results of these meetings will be taken into account, as appropriate, at the Madrid Meeting.

All the above-mentioned meetings will be held in conformity with paragraph 4 of the Chapter on "Follow-up to the Conference" of the Final Act.

The government of the Socialist Federal Republic of Yugoslavia is requested to transmit the present document to the Secretary-General of the United Nations, to the Director-General of UNESCO and to the Executive Secretary of the United Nations Economic Commission for Europe. The government of the Socialist Federal Republic of Yugo-

¹ The other relevant documents adopted during the process of the CSCE are: The Final Recommendations of the Helsinki Consultations; The Decisions of the Preparatory Meeting to Organize the Belgrade Meeting 1977; this Concluding Document.

slavia is also requested to transmit the present document to the governments of the Mediterranean non-participating States.

The representatives of the participating States expressed their profound gratitude to the people and government of the Socialist Federal Republic of Yugoslavia for the excellent organization of the Belgrade meeting and the warm hospitality extended to the delegations which participated in the meeting.

APPENDIX E

FINAL PLENARY STATEMENT BY AMBASSADOR ARTHUR J. GOLDBERG, CHAIRMAN, U.S. DELEGATION, BELGRADE MEETING, CONFERENCE ON SECURITY AND COOPERATION IN EUROPE, MARCH 8, 1978

Mr. Chairman, I wish to thank our Yugoslav hosts for the manner in which they have provided for us at this conference. The Secretariat under the able direction of Ambassador Bozinovic, the Yugoslav delegation and the government and people of Yugoslavia expended every effort to make our conference a success. I wish particularly to express appreciation to His Excellency, Ambassador Pasic. His constant steadfastness and determination even when our work was in its most difficult hours was an inspiration to all of us. It is a source of gratification to the American delegation that President Tito is this very week in the United States where President Carter is conveying to him his personal appreciation for the uniquely constructive role that Yugoslavia has played not only in the Belgrade meeting but in the entire process of building security and cooperation in Europe.

I consider it appropriate in this final statement to express frankly the views of the United States Government on the Belgrade meeting and on the CSCE process that was begun in Helsinki and will continue in Madrid and thereafter.

The Belgrade meeting of the Conference on Security and Cooperation in Europe—the first formal sequel to the Helsinki Summit—is now at its end. In the judgment of the delegation of the United States, the meeting has fulfilled its basic mandate and although it has been difficult, it has also been successful.

In these past months—with the support of our gracious, patient Yugoslav hosts and through the conscientious efforts of the delegates—our meeting has confirmed the vitality of the Helsinki concept.

Belgrade has tested the validity and flexibility of the CSCE process. It has not been an easy passage, but we have delineated the scope of that process and added to its depth. Most important of all, we have given our commitment to preserving the process and to making its growth our common enterprise.

We have had the exchange of views which the Final Act mandates on the implementation of its provisions and on the prospects for improved mutual relations. We have spoken our own minds and have heard out the opinions of those who differ from us.

In doing so, we have been able to make a sober assessment of past accomplishments, continuing shortcomings and future challenges. We have agreed to continue this discourse bilaterally and in Madrid in 1980.

The United States has always viewed the fulfillment of Final Act commitments as part of a gradual, but steadily advancing process of

bridging the East-West divide, of extending the benefits of security and cooperation throughout Europe, including of course Berlin. The contribution of CSCE has been to engage 35 states—different in size and system, history and outlook—in that vital effort. The role of the Belgrade meeting has been to deepen that engagement and to make specific the conduct which it entails.

From our talks has emerged a clearer sense of the tasks before us. No country can be allowed to single out particular sections of the Final Act for their attention while ignoring others. Progress in the area of human rights and human contacts as well as disarmament and economic, scientific and cultural cooperation are inextricably linked together in the Final Act. The significance of Final Act implementation—and of the Belgrade review of its progress—lies precisely in combining the various elements of detente in a coherent, related whole.

Last October I also spoke of giving detente a “humanitarian face and a human measure.” That has, indeed, been the theme of this Conference. For though we are here to represent governments, we have managed to address the problems of people as well as of power. We have weighed the claims of individuals, not just the interests of states.

Thus we explored the promises made at Helsinki to respect the role of the individual and groups in monitoring the implementation of the Final Act, to heal the wounds of divided families, to facilitate the right of free emigration, and to better the conditions in which scientists, journalists, scholars and businessmen work. There has been some progress in some of these areas but not nearly enough and regrettably there have been retrogressions.

The favorable resolution of such questions in the days to come will do much to create the climate of openness in which detente itself will flourish. A detente relationship which betters the lot of individuals and smoothes contact between them is also certain to improve the ties between states.

Crucially, of course, our meeting dealt at length with the question of human rights and fundamental freedoms. Our citizens’ freedom of thought, conscience, religion or belief; their ability to exercise their civil rights effectively—individually or in groups—raised sensitive issues at Belgrade. Their sensitivity was part of their significance. Our meeting was the first to put those questions prominently and legitimately into the framework of multilateral East-West diplomacy.

That idea is a powerful one, and at Belgrade it has won powerful support. It has also aroused strong opposition. We have heard the contention that human rights are purely internal affairs, that to discuss their observance in another nation is to violate that nation’s sovereignty to interfere in matters that are no outsider’s concern.

The Final Act refutes that reasoning. The Belgrade meeting has made it untenable.

By virtue of Principle VII, human rights are direct concerns of all Final Act signatories. Under the terms of the United Nations Charter, the Universal Declaration of Human Rights and the International Covenants—as well as the Final Act—they are the subject of international undertakings. They are then, without question, the proper subject of the diplomatic examination and debate we have had in Belgrade. And they will remain, after Belgrade, the proper focus of continuing comment and efforts.

For the pursuit of liberty is an unending enterprise for man, the surest guarantee of his security and of peace. What the Final Act obliged us all to pursue is what Aleksandr Pushkin defined long ago as a "better kind of freedom". That, he wrote, is the freedom "not to bow your conscience, thought or neck to rank or power * * *". That concept of individual dignity is still the vision offered us by the Final Act, the vision all of us pledged to respect and promote.

We know, however, that not all of us have fulfilled that pledge in full or in good faith. The American delegation has spoken forthrightly at Belgrade of the broken and unfulfilled promises of Principle VII and Basket Three. We have expressed our concern and our regret and—at times—our outrage at the incidents which have occurred in direct contravention of the Final Act and in profound disregard of its provisions in the area of human rights and fundamental freedoms.

Our meeting could not overlook such episodes, especially when unwarranted repression is directed against men and women whose only offense seems to be that they have merely sought to monitor, or enforce, or implement the provisions and the promises of the Helsinki Final Act. Their activity is encouraged by the Final Act. It needs to be protected, not punished.

Similarly, in our review of implementation, we could not gloss over—and cannot now—the plight of men and women persecuted for their religious beliefs and for trying to pass those beliefs on to their children. Nor can we be silent now—or in the future—when numbers of ethnic minorities are denied their equality, particularly in their efforts to preserve the language and culture which are essential to their special identity.

We cannot pretend that such questions are irrelevant to the implementation of the Final Act, intrusive at this meeting and injurious—if discussed—to the development of détente. We live in the real world, not one of make-believe. We cannot make our world a better one if we turn a blind eye to its faults.

Those faults—just as much as our accomplishments and opportunities—were the legitimate subject of the Belgrade review. That review dealt productively with real shortcomings in Final Act implementation so that from our examination we could each and all move to remedial action.

That action is still required of us. Unfortunately, it is not detailed in the meeting's Concluding Document. The reason is plain. Consensus was denied and this I profoundly deplore.

Efforts to squelch the truth at Belgrade or at home will not change the truth. And they will not deflect the United States from insisting that candor is as important to the healthy development of international confidence as is respect for sovereign equality and individuality.

Candor and respect must be companion elements in the pursuit of security and cooperation. The foundation laid down in the Final Act—augmented by the record made at Belgrade—enables us to build an ever firmer structure of détente. Our first priority—always our overriding challenge—remains simply to implement the Final Act in all of its parts, to do so in good faith and with appropriate speed. The initial pace is not as important as the fact of continuing, forward movement.

From Belgrade, the United States intends to move forward. My country has had its performance questioned here, and some of the questioning has been constructive. It will aid my country to improve its record. I wish others were of equal mind.

My delegation has also taken careful note of the thoughtful ideas advanced by many delegations for action consonant with the thrust and spirit of the Final Act. Some such proposals can be set in motion by unilateral actions; many can be refined and readied for decision in Madrid. The United States is prepared to participate constructively in such enterprises.

We especially value CSCE as a framework for increasing political intercourse among all participating States. The many and varied specific provisions of the Final Act provide a rich content for this commerce. The United States, in its efforts to deepen political relations with all CSCE states, will continue to work to translate that potential into reality.

In the area of confidence-building measures, for example, we have already seen in practice how states can build from the language of the Final Act to implement its spirit. In notifying smaller-scale maneuvers, in making notifications amply informative and in affording observers good overall views of maneuvers, some states have set an example others can productively emulate. Such experience has been constructive; it remains to be applied to major troop movements. In general, moreover, we can all think afresh about ways of "developing and enlarging measures aimed at strengthening confidence," a possibility the Final Act explicitly sets before us. Although CSCE was not conceived as a forum for negotiating disarmament, we have all recognized the impetus it can give to that vital process.

Further, in the field of economic and commercial cooperation, our frank discussions have reinforced the awareness of the need to reduce—indeed, through mutual action, to eliminate—existing impediments to trade. The potential for cooperation in this field is great, and the United States is fully prepared to explore the many possibilities for productive unilateral and reciprocal action. In such an endeavor, of course, other states must also engage in expanding the flow of timely and accurate economic information on which close, broadened contacts among traders and investors so heavily depend.

If the Belgrade meeting has aided the flow of people, it has yet to make a similar impact on the transmission of information. Too many Eastern states continue to impede access to what many of their citizens want to read and see and hear.

Finally there is much we can do in bilateral and multilateral cooperation to widen the range and improve the quality of contacts among scientists and scholars, men and women of letters and of the arts.

The United States will continue to be especially attentive to the question of human rights. We are greatly concerned about those individuals and organizations which my delegation has mentioned—by name and by country—in the course of our discussions who are being denied their elementary human rights. And they are by no means the only ones. The list of those suffering repression is far too long. And their fate arouses the greatest anxiety. Our concern is not limited to one country or one set of individuals.

"Injustice anywhere," said Martin Luther King, "is the enemy of justice everywhere."

The Final Act enshrines the concept of justice—not privilege or power—ruling the affairs of men and the relations between States. The Belgrade meeting has reaffirmed that central tenet in the context of détente in Europe. Peace, we have seen, depends on the just conduct of nations to each other and to their own citizens.

Helsinki aroused great hopes. In some quarters it also appears to have aroused great fear. In Belgrade we, on our part, have attempted forthrightly to discuss both the hopes and the fears of governments and peoples. We recognize that some hopes may not be as high as they might have been when we came to Belgrade. But we have always known that the road to peace and security and cooperation is a long and arduous one.

The United States is determined to continue. Between now and at Madrid and thereafter we will seek to further implementation of all of the provisions of the Final Act. And we pledge to do all in our power to keep the hopes of Helsinki alive.

APPENDIX F

HEARING TO RECEIVE TESTIMONY ON THE RECENTLY CONCLUDED BELGRADE CONFERENCE REGARDING THE IMPLEMENTATION OF THE FINAL ACT OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, WASHINGTON, D.C., MARCH 21, 1978

PROCEEDINGS

Representative FASCELL. The Commission will come to order. This morning we are to hear an account of the recently concluded conference in Belgrade which reviewed the implementation to date of the Final Act of the Conference on Security and Cooperation in Europe. We're very pleased to have as our witness today the distinguished chief of our delegation to this meeting, Justice Arthur J. Goldberg.

I know that all of us on the Commission have followed the Belgrade meeting closely. We are, I think, all aware of what a difficult and challenging task the United States and its allies faced in making sure that human rights questions, along with other CSCE matters, were honestly and squarely faced. In my opinion—one that I believe is widely shared among members of the Commission—the U.S. delegation did an outstanding job in making the points we wanted to make at Belgrade, while at the same time insuring that the CSCE process will continue at the next review meeting in Madrid in 1980.

I also think most of us agree that a large measure of credit for our success at Belgrade is owed to the outstanding leadership of Justice Goldberg. His work as our Ambassador to the United Nations and his earlier service as an Associate Justice of the Supreme Court and as Secretary of Labor made him uniquely qualified among American statesmen to lead our delegation to this important meeting. He was truly the right man at the right time for a most difficult job.

Cochairman Senator Pell has some words.

Senator PELL. I join in supporting our chairman, Congressman Fascell, in his praise of Justice Goldberg. He had a really difficult job to do, walking a tightrope between coming on too strong and seeing the Conference fall apart, and not coming on strong enough, and hence not achieving the objectives that we had.

I think he walked that tightrope and did it very well, brought to the attention of people in Europe—and the world—the facts that the Soviet Union has not complied with the various provisions of the Helsinki Accords, and at the same time doing it in such a way that the Soviet Union and its allies did not walk out of the Conference.

And I join him in praising Justice Goldberg and look forward very much to hearing his statement, and I would ask that that be included in the record at this point, and the letter of commendation for Justice Goldberg which he received shortly after participating in the Conference, and which I also participated in.

Representative FASCELL. Without objection, that will be included in the record, and Mr. Justice Goldberg, you may go ahead, if you have a prepared statement, or any way you want to proceed.

**STATEMENT OF HON. ARTHUR J. GOLDBERG; ACCOMPANIED BY
JAMES GOODBY AND JOHN KORNBLUM**

Justice GOLDBERG. Mr. Chairman, before turning to my statement, I should like to express my appreciation for what you and Senator Pell have said about our work at Belgrade. I know Congressman Simon joins in your more than kind comments, and thanks all of you. If any praise is warranted about my performance, credit is largely due to members of my delegation.

Representative SIMON. If I could interrupt the Justice, for just a moment, I would like to say that not only do I appreciate the work that you did, but I thought the final statement that you made was just an eloquent balance of saying what we stand for, without pontificating. I thought it was just a very, very well done job.

Justice GOLDBERG. I thank you very much.

Representative SIMON. Excuse me for interrupting.

Justice GOLDBERG. I thank you very much Congressman.

Mr. Chairman, I have a prepared statement, and with your permission I'll offer it for the record.

Representative FASCELL. Without objection it will be included in the record.

Justice GOLDBERG. I will summarize my statement, and then will be glad to respond to questions.

One of the outstanding features of the Belgrade meeting is the nature of our delegation. It consisted of State Department personnel, other members of the executive branch, congressional and executive members of the Commission, and public members.

Representative FASCELL. Mr. Justice, could I interrupt you at that point to identify for the record the gentlemen who are sitting with you at the table.

Justice GOLDBERG. I shall be glad to do so. Mr. John Kornblum of the Department of State and Mr. James Goodby, Deputy Assistant Secretary of State.

When we embarked for Belgrade, there was a great deal of skepticism as to this unique operation where Congress joins with the Executive in a multilateral international conference of this type.

I did not share this skepticism, and indeed, the experience proved that my confidence was warranted. The participation of all of the members of the Commission and particularly the congressional members, was most invaluable. The same was true of the public members.

Mr. Chairman and Cochairman and Congressman Simon, I should also like to add a few words about the staff of the Commission. I want to compliment the members of the Commission on their excellent staff, who contributed greatly to our work. I particularly want to pay tribute to Spencer Oliver, the Director of the staff.

We operated at Belgrade as one staff. In fact, I very early made no distinction between those who represented the State Department and those who represented the Commission and other agencies of the Government.

It is a significant and perhaps unprecedented cooperation between the executive and the legislature in the conduct of our foreign policy. For myself, I think this is much to the good.

You will be interested in knowing that our example—which raised some eyebrows when we came to Belgrade—has been followed by other countries. The French delegation, for example, was headed by Senator Betancourt, who is a distinguished Parliamentarian. I think all the fears and forebodings, particularly that members of Congress would act irresponsibly and would not join with the Executive in the harmonious conduct of the Conference affairs, has proved to be unfounded.

I regard this to be a significant and important development in the conduct of our foreign policy. It shows that if there is trust and confidence between the Congress and the Executive, that sensitive matters can be handled with responsibility, with vigor, and with complete agreement. And I should like to make that point very clear.

Now, Mr. Chairman, Cochairman, Congressman Simon, Mr. Oliver, I'd like to make some general observations about the Conference.

In our view the Conference was largely successful, despite stories that appeared that we did not get in the concluding document everything that we wanted. Why is this so?

The most important aspect of the Helsinki process, in our view, is the thorough review of implementation required by the Final Act. We did have such a review, and it was a thorough review. This does not mean that we were able to engage the Eastern states in the type of dialog we would have desired. Notwithstanding, in all areas of the Final Act—not only human rights—in all areas in the various baskets, and in plenary sessions, all aspects of the Final Act were discussed. There was a public airing of views and an accounting of what had taken place in the implementation aspects during the 2½ years since the Final Act was signed at Helsinki.

It was always our conception that this is perhaps the most important aspect of the Helsinki process.

This Commission in its reports has pointed out what I always believed, that the CSCE process is found to be a gradual one. We're not going to change habits, traditions—particularly in the East—overnight. All we can do is, building upon the Final Act, to let a little sunlight in, in the hope that openness and less repression will characterize the CSCE process. In this I think we have succeeded.

I never had any illusion that, under the rule of consensus, the concluding document of the conference would contain language unacceptable to the Soviet Union and other members of the Warsaw Pact. This was too much to expect at this early stage of the process.

Mr. Chairman, what occurred is, nevertheless, most interesting. When the Conference opened, when we spoke to the subject of human rights, which are of prime concern to our public, if I recall correctly, only a relatively small number of countries spoke to that subject.

When we concluded the meeting, if I recall correctly once more, at least 24 countries—not only our NATO Allies, but also nonaligned countries—made human rights a significant part of their concluding statements. This I think is a great achievement.

There's a second point I would like to make, and that is that the concluding document, while short, is not without some very important substantive features. Quite the contrary. It provides—I have it before me—

Representative FASCELL. Without objection, we'll include the whole document in the record at this point.¹

Justice GOLDBERG. It provides that all countries reaffirm the Final Act and their resolve to implement fully, unilaterally, bilaterally, and multilaterally, *all* of the provisions of the Final Act.

I emphasize all, because it includes Basket III, and Principle VII, which relate the human rights and fundamental freedoms. It also provides that it is recognized that the exchange of views constitutes in itself a valuable contribution toward the achievement of the aims set by the CSCE.

The concluding document states that different views were expressed as to the degree of implementation of the Final Act reached so far and that consensus was not reached on a number of proposals submitted to the meeting. It further provides that there will be a meeting in Madrid in 1980, so the continuity of the CSCE process is assured. And, it provides for further meetings after Madrid. Finally, it recognizes in a practical way, that despite the differences among the signatory states, the CSCE process is a valuable contribution to détente in Europe.

Now this is not exactly the same as a document which merely says we met, and in usual diplomatic terms, had a frank exchange of views, and we are going to meet again in Madrid. Thus there is more substance to the concluding document than has been commonly recognized.

Now, Mr. Chairman, I should like to make these additional observations. The United States is interested—as this Commission has been interested—in all aspects of the Final Act. It is the conviction of the United States that if there is to be a détente between different ideological groups, then openness has to be applied in many areas. It has to be applied in the principles section, it has to be applied in what we call Basket II, the economics section, and it must be applied in cultural, scientific, educational, and other matters which are provided in the Final Act.

Now, in the various baskets all aspects were thoroughly explored, and by the capable members of my delegation, some of whom are on your staff. I don't want to single out names, since all of your staff were most helpful, but I must pay a special tribute to Mr. Coriden, as I did to Spencer Oliver. Mr. Coriden had a most difficult assignment. He had Basket III. He conducted himself with dignity, firmness, and presented our point of view with great courtesy, but with vigor.

Now, you will recall, Mr. Chairman, that when we embarked upon this enterprise there was great fear that emphasis on human rights would adversely affect the negotiation of mutually satisfactory agreements with the Soviet Union—the SALT talks for example—and other agreements, which are very important to the peace and security of Europe, and indeed of the world.

¹ See p. 74.

This has not happened. Negotiations are going on in several areas and hopefully there will be satisfactory agreements made in SALT, and other areas, that Congress will find acceptable.

I have read the Soviet press, which has not been exactly complimentary to me. But one thing that is apparent is that it has never been said in Soviet press that what happened at Belgrade has diminished or affected the willingness of the Soviet Union to negotiate in areas of mutual concern. I never believed it would. Important matters of that type are matters which countries enter into on the basis of mutual self-interest. Pending negotiations were in no way frustrated or even affected by the discussions which took place at Belgrade.

Senator PELL. Mr. Justice, if you would forgive an interruption here.

Justice GOLDBERG. Surely.

Senator PELL. It might be a good idea to insert in the record at this point a column in the press today, by Jack Anderson, quoting—it seemed to me pretty accurately—from an NSC document, along exactly the same lines of my belief that the Soviets would negotiate on two levels, and on which I'm very interested in an exposition.¹

Representative FASCELL. Without objection the article will be included in the record at this point.

Justice GOLDBERG. Mr. Chairman, and Senator Pell, I saw that article. I haven't seen the review memorandum, but it bears out what I think we all felt.

Mr. Chairman, what did we achieve at Belgrade? We maintained the credibility of our country in defense of human rights under the Final Act. We maintained the credibility of our commitment to the Final Act in all its aspects, and we did not yield one bit to the concept that if human rights and humanitarian considerations, reunion of families, reunion of binational marriages, access of journalists, free flow of information, proper scientific, cultural and business exchanges on a reciprocal basis—all of these matters in our view are very important in openness of Europe—are openly discussed, even though our friends from the East found this difficult to accept, such discussion would adversely affect pursuit of detente.

The fact of the matter is, Mr. Chairman, that we vindicated the principle that under Principle VII these matters are a proper subject of international concern and are encompassed in the Final Act by the signatures of the heads of the states of the 35 countries.

This is not a question of engaging in a crusade at large even for concepts that America holds dear. This is a question of an international agreement, not approaching the level of a treaty, but nevertheless an international commitment to deal with these matters, and it cannot be said any longer, despite objections from some of the Eastern bloc, that matters such as this are not the legitimate subject of international inquiry, investigation, accounting. That cannot be said. And when we go to Madrid, an important precedent has been established.

Mr. Chairman, Belgrade is unprecedented in international discourse. Even in the Human Rights Commission there have been understandable difficulties exploring matters such as this, because of U.N. voting patterns. At Belgrade with 35 countries in Europe and

¹ See p. 98.

those concerned with Europe like Canada and our own country participating, these concerns were all laid on the table. I regard this to be a very great plus. It's unprecedented, but I regard it to be a very great plus.

Mr. Chairman, we did not pull our punches at Belgrade. The United States took the lead in citing cases, names, and countries where we felt the Final Act was not being complied with.

We particularly were anxious and felt the necessity to do this because the Final Act not only is an act which relates to governments, it relates to people, the role of the individual in contributing to peace and security. Governments alone cannot make peace. Peace, in large part, is a matter of human rights.

In America we have an adage which stems from the Declaration of Independence. That adage is that all governments ultimately must depend upon consent of the governed.

There is another principle, dear to Americans, which President Ford referred to when he signed the Helsinki Act—human rights are rights that not only apply to Americans—they apply to people everywhere, and finally, that all nations—totalitarian or democratic—must in final analysis pay a decent regard to the opinion of mankind.

This is why we placed such emphasis on human rights at Belgrade.

Mr. Chairman, we also at the meeting talked about trade and we've pointed out deficiencies in our trade relations with the East, and obstacles they have. The Eastern European countries replied by saying, "Why don't we all get a most-favored-nation clause?" This, of course, Congress has to carefully consider.

We pointed out specifically the obstacles to our businessmen in seeking commercial relations with the East. Our businessmen are anxious to do such business. That's the nature of a businessman. He wants to do business and he wants to be assured of a profit.

In order to do business he must have access to enough economic data so that he can decide whether to commit capital. Such data has been notably lacking in some Eastern European countries, as your reports have indicated—I don't say totally lacking, but partially lacking in a degree that impairs good commercial relations.

Our scientists, some of whom came to Belgrade, pointed out that they have encountered great difficulties with the East. Scientific exchanges cannot be a one-way street where we provide technology and in turn do not get sufficient access to the technology of Eastern European countries.

Now, there are some hopeful signs in this area, but not nearly enough.

Scholars have complained. At Belgrade we cited the case, in my opening speech, of a Fulbright scholar granted permission to do research about the history of the Soviet Union. When he took notes from their archives his notes were confiscated the next day and he was unable to complete his mission without adequate access to archival material.

With regard to journalists, as a result of the Final Act, we have agreements with countries of the East, for multiple visas for journalists. A multiple visa, which permits a journalist to come and go, is not effective if journalists are harassed in the performance of their journalistic duties, as they have been in the Soviet Union and Czecho-

slovakia. In Czechoslovakia our journalists have been asked, for example, to make a commitment that they would not contact any dissident sources.

Now, no respectable journalist can accept this.

Our publishers are perfectly willing to join in book fairs and exchanges with the East, but our publishers are not willing that censorship be imposed on what books they display. And, our newspaper publishers object to the situation where, whereas the Final Act guarantees the free flow of information, their newspapers are not readily available in most Eastern countries.

And I could go on, Mr. Chairman, to point out other shortcomings in the implementation of the Final Act by the Soviet Union and their allies, with respect for example, in affording free exercise of religion and recognizing the rights of minorities, and to point out other shortcomings in the various sections of the act, but time doesn't permit. But I'd like to say a word about our own imperfections.

We are not a perfect country, by any means, and I think it is only appropriate that we recognize this, as this Commission has done.

For example, our visa practices have been liberalized, but they still are not what they ought to be. Now that's a matter Congress—I think—ought to devote attention to. We should ratify the Genocide Convention at long last.

We recently signed the U.N. covenants, that have lay dormant for many years, on human and economic rights. President Carter finally has signed them. I take particular interest in these covenants because I negotiated them more than 10 years ago at the U.N.

We have to move forward, recognizing—as we must, and here the East has a point—that human rights does not encompass merely the civil rights that are traditional in Western democracies. They do encompass economic rights, rights to a job, rights to make a living. These are human rights. If a man or a woman does not have a job, that man or woman does not enjoy the essentials that are required for human dignity to be maintained and preserved.

But, by and large, I don't apologize for our country. At Belgrade the distinguished members of your Commission spoke to this subject. I also spoke to the subject, as did other members of our delegation, frankly acknowledging that our record has not been perfect. And it must in all fairness be recognized that in many areas it took us many, many years to achieve the progress that we now recognize to be necessary and desirable in the area of human rights.

It's only—I think—15 or 16 years ago, when I had the privilege to serve on the Supreme Court, that the Court finally said that within our democracy and under our Constitution one person, one vote. It took us a long time to get there, and yet now it is regarded to be one of the great features of our democracy.

Therefore, Mr. Chairman, patience is necessary. We have made it clear that we are not going to use military means to change the ideology of countries in the East, however, we disagree with this ideology, but we can create under the Final Act, an atmosphere which may lead countries to reevaluate their own practices without respect to the economic basis of their regimes.

I don't happen to like the economic conception of Eastern countries. I personally don't think Communist regimes are efficient economically

or acceptable in human terms. Realistically, however, the West will not impose its economic conceptions on the East. The goal of the Final Act, however, is the recognition that openness in Europe cannot coexist with repression of human rights.

Let me give a contemporary example. The Soviet Union has stripped the great cellist and composer Rostropovich of his citizenship. We all read about that the other day. Rostropovich is a Russian. His country means a great deal to him, whatever his differences with the present regime. He took violent exception to losing his citizenship and justifiably—particularly since it was done without due process of law, as we understand this great concept. Now, in my opinion this action is a violation of the Final Act, because the Final Act incorporates the Universal Declaration of Human Rights, and article 13 of the declaration says, "Any person has a right to leave his country or to reenter his country."

Shakespeare once said that banishment from a country is worse than death itself. This may be overdrawn, but not much. The plight of stateless people—we have witnessed in the postwar years—is a terrible plight. Today Rostropovich, a great musician, and a great humanist, is a stateless person and this is not an enviable situation, to say the least.

This case and many others make it evident that the Soviets and their friends are not going to change their ways overnight. Indeed, in today's paper, one of the persons in a monitoring group in Soviet Georgia has been sent to jail—not ostensibly for monitoring, but for the Catch-22 situation in which many Soviet dissidents find themselves.

When he became a member of the group to monitor the Helsinki accords in Soviet Georgia, he was fired from his job. The Soviet law provides he must work. Having been fired, he could not get another job because his dismissal was entered in his work book.

Thereupon he was arrested for being a parasite. You see, they took away his job, and then they arrested him for being without work. And he has been sentenced to jail.

In my opinion this is a gross violation of the Final Act, which specifically recognizes the role of the individual in implementing the act.

And so we have lots still to do if the Final Act is to be meaningful. This Commission has lots to do. Private individuals have a lot to do, outside of government. It's a great anomaly to me that while in the Soviet Union, in Czechoslovakia, in Poland, under conditions of repression, private individuals have had the courage to organize private groups, in our country individuals have not organized a monitoring group. I would hope they would, as an indication that individuals in our country, in addition to government, have a great interest in the implementation of the Final Act.

And I would hope that they would do so independent of the good work that the Commission is doing, the executive branch is doing, and ethnic groups are doing.

Finally, I am very much encouraged—although being in Belgrade six months was very often frustrating—that the NATO allies maintained their unity. This was not easy, to be very frank. There were differing points of view. But every decision we and our allies made, after

discussion, after vigorous exchange of views, was unanimous and while we would have liked other countries to be as vigorous as we were in defense of human rights, nevertheless, I cannot fault any of our allies. We all stayed together, and we presented a common front.

We also were much encouraged that the neutral countries, in the final analysis, by and large stood with us, and we were much encouraged that the nonaligned countries, to a considerable degree, did also.

It adds up, in my opinion, to certain conclusions. This Commission must continue its work for its task is of long duration. It is very important that it be known in our own country and throughout the world that there is this unique body, legislative and executive, that is concerned about the act and its application and implementation.

And I would hope you would not lose your resolve—and, if I may say so, sufficient funds, for your good staff, to continue this effort.

I know of no other documented account of what is occurring, both in our own country and elsewhere, about implementation of the Final Act, which equals the work of the Commission.

I am confident that the executive branch will continue to make CSCE an important priority.

I am also confident the President of the United States with his great commitment to human rights will likewise continue his firm support of CSCE. It was most encouraging, not in personal terms, that as we concluded the President sent a message to Belgrade complimenting our delegation—and me personally—for the work we had done.

All of these things are very much required to give substance and vitality to the act. In addition, we must pursue the CSCE process unilaterally and bilaterally, with both the West and the East. We should do so not in the terms of a great crusade—nobody likes to be preached to—but in terms of the fact that an undertaking was made, the Final Act signed at the highest levels, and that we have every right to expect of the nations who signed the Final Act that they honor it.

But we could not undertake the diplomatic bilateral approach to implementation without the thorough, painstaking task which has been done in this unique joint Commission, because there is no use, as we learned in Belgrade, to talk abstractly. The very best way to achieve results is to cite names, cases, and countries.

There are still far too many people whose families are divided for no good reason. There is no sensible reason why there cannot be freer flow of information. There is no good reason why legitimate trade barriers cannot be eliminated. And a lot depends, I must say, upon Congress in this area to review this matter, and recognize that in this area there are many valid domestic implications.

There's no good reason why scientific exchanges should not be made more meaningful than they have been, and this applies to cultural exchanges as well.

I look forward to the day—it will be a long time—when détente will have a different definition. It's a French word and sometimes when you use French words we get into trouble. I prefer a simpler word. There's one Europe, and there ought to be an openness in Europe where people can travel freely and easily, where arbitrary

restrictions upon reunion of families are eliminated, where visa fees are minimal, where passports indeed are eliminated, where scientists can talk frankly to each other, and where confidence building measures are improved and surely real detente requires that repressive practices against ethnic groups, against religious groups are abated.

All these things are possible if there is the political will to honor the Final Act. And if there is this political will there will be one and an open Europe.

QUESTIONS AND REMARKS

Representative FASCELL. Mr. Justice, thank you very much for that very succinct but yet comprehensive overview of what happened in Belgrade on the review of the Helsinki accord. I also want to thank you for the observations and recommendations which you've made, which I'm sure will be pursued.

Senator Pell.

Senator PELL. Thank you very much, Mr. Chairman.

In your final summation there you expressed the view that there should be one Europe. We all would agree with you on that. However, Mr. Ambassador, the Iron Curtain it seems to me is created by necessity by the East, because if there were no Iron Curtain their population—particularly their intelligentsia—would rapidly be drained, and as one who's lived behind it, gone behind it an average of once a year since there's been one, I remember being particularly struck in Berlin where they were losing 100,000 of their more intelligent people each month before they put in the Berlin Wall.

So those of us who saw that happen were not surprised when the Berlin Wall was built.

And I'm wondering how you see, until the system is less repressive, how you see any real freedom of movement, to travel, from their side of the curtain to ours.

Justice GOLDBERG. Well, you know, Senator Pell, people generally love their own country. I love my country. In Yugoslavia, a Communist country, following an independent foreign line, they have allowed free travel; a million of their workers have worked in the Western countries; 500,000 have come back because of recession and other reasons. But people come back also because they love their country.

I thought Mr. Rostropovich put it very correctly. He has emphasized that he is a Russian. He loves his country, and he regards being stripped of citizenship, the inability to go back to his native land, to be a terrible penalty.

Now, of course, the Berlin Wall is a classic example of the contrary to openness, but I still believe that given conditions of freedom many aspects of concern—brain drain and others—will disappear.

A scientist must talk to other scientists. When he finds himself unable to talk frankly, then he becomes disaffected, and if he's allowed to, you know, talk, participate in meetings, et cetera, then the disaffection that he has is largely dissipated.

So for me, we are in a very sensitive area, Mr. Chairman, that does border on ideology, but I always emphasize that we are not taking steps to upset the ideological foundations of Eastern Europe; whatever our disagreements with their system. We are asking that indi-

viduals be treated with respect that they are entitled to as people possessing human dignity.

Our delegation at Belgrade always stressed one thing, that peace, fundamentally, is a matter of human rights. There is no security when human rights are denied.

And there is a danger to the peace of Europe.

Senator PELL. But to follow up that question, if, under present conditions, the Berlin Wall were lifted, would not the effect of that be very destructive to the East Germany economy?

Justice GOLDBERG. I don't think so, with all respect, Senator.

Senator PELL. You don't.

Justice GOLDBERG. I think most of them would stay in their homes, where they were born, where they have always lived if not repressed and under conditions of freedom. Some people undoubtedly will leave, under any circumstances, but the number of people that will go will be a small fraction of the people who will want to remain if accorded their human rights.

Senator PELL. Why was it, then, that 100,000 of the more educated were leaving each month when the Berlin Wall was built?

Justice GOLDBERG. Because they were repressed and not permitted to pursue inquiry, free inquiry.

Senator PELL. I pray that you are correct and we will go down that path. You mentioned earlier that private groups should take on some of the work the Commission is doing. I was wondering if you would give us your assessment of one that I think does a superb job, Amnesty.

Justice GOLDBERG. Private groups of course cannot displace this Commission.

Senator PELL. No, but supplemental work.

Justice GOLDBERG. Yes, in a supplementary way they can exercise a great function in addition to what the Commission is doing and what the executive branch outside of the Commission is doing, and what Congress is doing, at large.

Private groups can express in a nongovernmental way their feelings about implementation of the act, and this has considerable weight, it would seem to me. They're not involved with government; they're expressing the individual views of citizens.

And indeed, the Final Act respects that right of individuals and people to be involved in the CSCE process.

Representative FASCELL. Will the Senator yield at this point?

Senator PELL. Certainly.

Representative FASCELL. Well we have a great many groups, of course, as you know, in the United States that have been vitally concerned about all aspects of the Final Act, and what you're talking about I presume then is a different kind of a private group monitoring the Helsinki accords in the United States in addition to the specific groups that are already now in existence who are all very much involved.

Justice GOLDBERG. Yes, Mr. Chairman. The groups I have in mind should supplement and not displace present groups. I think I addressed over 120 representatives of private groups, and they are doing excellent work.

At Belgrade, we made strong statements about the necessity and desirability of preserving the ethnic, national and religious groupings so they can preserve their various traditions and culture which

contribute to a pluralistic world which is a very valuable world to live in.

So when I talk about a new private group, it is not intended to displace existing ones. It is intended to supplement what private groups have been doing—and doing most effectively—in many years since the Helsinki accord, and even before.

Representative FASCELL. Thank you.

Senator CASE.

Senator CASE. Thank you, Mr. Chairman.

Mr. Justice, I'm happy to publically express to you, as I have privately, the enormous admiration all of us have for the extraordinary job you and your colleagues did in Belgrade.

Literally you were making bricks without straw all the time, and the fact that you could do it and do it so well as you did expresses extraordinary competence in your makeup and in your training.

And my only concern about that fact is that maybe you won't be willing to go back next time and next time and next time, and who is going to do it if you're not there?

I raise this only—not in any way to detract from what you did, but to emphasize the importance that we must, I think, stress with our executive branch and the State Department and the President and all people actively dealing with this, that this is something that cannot be let rest upon the extraordinary ability of one man—and your pyrotechnics were brilliantly displayed in what you did.

It's been suggested that we adopt a resolution recognizing the achievement that our delegation accomplished, and I am fully supportive of that and I have some suggestion as to language, which I'll discuss with my colleagues. Among other things, I would like to incorporate the suggestion that you made, Mr. Justice, toward the end of your presentation, that we emphasize—and this is in line with what I said before—in the absence of Goldberg we're going to have to have Johnny Jones run the show sometime. We have got to get the firmest possible structure for our efforts and emphasize that, apart from our concerns about the moral aspects of human rights—which is largely the basis for private organizations, and properly so, to be involved in this matter.

We are holding up performance or non-performance of the solemn covenant made by the Russians and Eastern European parties to the Helsinki accord, and to do this is not an exhibition of holier-than-thou attitudes on our part, or any assumption that we have all of the truth on our side in respect to conduct or morals or anything else. We don't need to apologize for that.

But we hold up the proposition that the covenant agreed to in Helsinki requires this kind of conduct, and that its violation puts in question the obligation of all parties and all obligations of the Helsinki accord, including, of course, the very important one of the legitimization of the boundaries of Eastern Europe.

I do hope that we will take account of that and the Ambassador's suggestion fully when we come to act on any resolution.

Mr. Chairman, I have no questions, but if you would like to comment further I would appreciate it.

Justice GOLDBERG. Well first of all, Senator, I thank you very much, but I think after spending 6 months in Belgrade I'm entitled to time off for good behavior. [Laughter.]

Senator CASE. Did you get paid over there?

Justice GOLDBERG. Pardon?

Senator CASE. Did you get paid over there?

Justice GOLDBERG. I got paid, but not commensurate with what I can earn with my law practice. [Laughter.]

Senator CASE. You got what you're not accustomed to for living.

Justice GOLDBERG. But I'm sure there are many, many other capable people who can carry this on, and I'm impressed with the dedication on the part of this Commission and in the Department and among ethnic groups and citizens at large.

I have received hundreds of letters about Belgrade and I'm surprised I received them, because press coverage hasn't been that extensive. These letters have expressed strong concern and interest in the Final Act and this reinforces me in the belief of what you have said.

I happen to agree with President Carter's putting human rights in the forefront of American foreign policy, but whether one agrees or disagrees, here we have something—as you have emphasized—of a different character. We have a Final Act. It has been signed. While it's not a treaty, it is an international obligation.

Now we certainly have every right to insist that all signatories account for their performance under the act. In doing so we are not conducting a crusade. We are merely asking the contracting parties to honor their contract. We have a right to do this not only at Madrid, the next meeting, or at Belgrade, the last, but in between.

And I very much hope that the fact that we have concluded the Belgrade meeting doesn't mean that we now say, "Well, we have done so, now we wait for two and a half more years and we'll renew the inquiry."

This would seem to me entirely inadequate.

Senator CASE. Thank you, Mr. Chairman, and thank you, Justice Goldberg.

Representative FASCELL. Mr. Justice, what is your observation with respect to the attitude of the U.S.S.R. at the conclusion of Belgrade, looking forward to Madrid?

Justice GOLDBERG. Well, Mr. Chairman, it was always my view, as I said at the outset, that they would not sign a document confessing their shortcomings.

My impression is that the Soviets—despite threats that they would pull out, and so on, always recognized that they have a stake in this process. They are one of the initiators of the CSCE process. Thus, despite their threats, they never left Belgrade and they have agreed to meet again at Madrid where, despite their distaste, accounting of performance on human rights will be on the agenda.

My impression is that if we are persistent and continue along the path of not being fearful of raising cases, and continue on the path of basing ourselves on the Final Act, we will make some progress.

But, as I said at the opening of my remarks at Belgrade we are rather—only at the beginning, rather than at the end of the process, and I believe that, despite Soviet discomfort about raising very sensitive issues, that with patience and with persistence we can make some progress.

How much progress? I don't know. I cannot say.

Representative FASCELL. Thank you.

Congressman Gilman.

Representative GILMAN. Thank you, Mr. Chairman. Mr. Chairman, I regret that I was unable to be here to hear all of the Ambassador's words, but again I would like to commend the Ambassador for his leadership at the Belgrade conference. When we were there we certainly had a firsthand view of some of the problems confronting our entire delegation in convincing the Soviets to take up some of the more important issues.

As we traveled after the Belgrade conference, in Latin America and other parts of the world, we found a great deal of interest in what was happening in Belgrade.

It's regrettable that more was not accomplished, particularly with regard to the human rights issue.

I would be particularly interested, Mr. Ambassador, in what you suggest for a congressional role between now and Madrid, to be of help to try to enlarge the scope of humanitarian concerns at the next conference.

Justice GOLDBERG. Congressman, first of all I enjoyed having you with us in Belgrade. It was very helpful.

I suggest two important things. First, we should always keep under scrutiny our own record. You know, I've always thought that the best foreign policy is a good domestic policy. This is the foundation for a good foreign policy, whether it's in Europe under CSCE, or elsewhere. The executive branch and Congress should continuously monitor the American performance, even though we rightly believe it far superior to the performance of almost any other country in the world.

But there's room for improvement. Visa practices have been improved but we still haven't ratified the covenants that were negotiated at the U.N., or the Genocide Convention, which ought to be ratified, and we should always look at our own performances.

Parliamentarians carry a great deal of weight both at home and abroad. The world is increasingly one world—not in ideology, but in the flow of information, even though some information is obstructed. And there is not lack of comprehension on the part of the East that the Congressional input in this area is very important.

My view is that this Commission keep to its task; that the Commission receive—as the law provides—reports from the Executive, and that it examine the reports very critically. And that Congress exercise its influence in the various areas that the Final Act deals with.

I have found in my own experience, for example, that on reunion of families and binational marriages, intervention by the Congress and individual members of Congress very often accomplishes more than representation by the Executive.

Now, why is this so? Because there is a realistic appraisal in the East of the fact that Congress has the power of the purse and the sword.

Congress represents the people of this country, and is in close touch with people, their constituents.

And the feeling of people of this country is a very important element that enters into this equation. So I would hope that this Commission, as I've said, will continue its task. I would hope that members of Congress who are not members of the Commission would cooperate closely with the chairman, and the cochairman, who have welcomed, as I know, all members of Congress to join in this effort. . .

I think this would be most helpful.

Representative GILMAN. Thank you, Mr. Ambassador, and thank you, Mr. Chairman.

Representative FASCELL. Mr. Justice, let me express my appreciation to you for your receptivity and willingness to accept the concept of an open and joint delegation—unique, as you say—without that kind of spirit it would have been a great deal more difficult.

I assure you that all of us, both members and staff of the Commission, are very much appreciative of your efforts to see to it, at the very beginning, that the concept was carried out in the fullest, and it was. We're very grateful to you for that, and I'm delighted, of course, to hear your comment that it has worked out well from your viewpoint.

I also want to say that your idea of putting public members on the delegation was an excellent idea, and I think it's most helpful, and I hope that concept will be continued.

And I think that it would be very useful, Mr. Justice, at this point in the record to have the entire delegation listed, and so without objection we'll put the entire delegation in the record with their proper affiliations so people can get an idea of the broad scope of this delegation and appreciate more fully your initiative in having this delegation named.

And also without objection, since Congressman Simon has pointed out, accurately, the excellent tone and content of your final plenary speech, I think we ought to include that.¹

And I want to thank you very much, and the gentlemen from the State Department who accompanied you here today, to give us this very fine overview of Belgrade and the future as we look towards Madrid.

The Commission stands adjourned subject—

Justice GOLDBERG. Thank you very much.

Representative FASCELL [continuing]. To the call of the chair.
[Whereupon, at 11:15 a.m. the hearing was concluded.]

U.S. DELEGATION MEMBERS²—BELGRADE CSCE REVIEW MEETING

Ambassador Arthur J. Goldberg, Chairman of Delegation
 Representative Dante B. Fascell, Vice Chairman of Delegation
 Senator Claiborne Pell, Vice Chairman of Delegation
 Ambassador Lawrence Eagleburger, Vice Chairman of Delegation
 Ambassador Albert W. Sherer, Deputy Chairman of Delegation
 Mr. R. Spencer Oliver, Counselor of Delegation
 Mr. James Huff, Secretary of Delegation
 Mr. G. Jonathan Greenwald, Rapporteur of Delegation
 Mr. Matthew Nimetz, Counselor of the Department of State
 Mr. Herbert Hansell, Legal Advisor of the Department of State
 Ambassador Edward Mezvinski, U.S. Representative to the U.N.
 Human Rights Commission

¹ See app. E, p. 77.

² This list includes several ex officio delegation members who were present only briefly, if at all, at the Belgrade meeting.

CSCE Commissioners:

Representative Jonathan Bingham
~~—~~Representative John Buchanan
 Senator Clifford Case
 Senator Dick Clark
~~—~~Senator Robert Dole
~~—~~Representative Millicent Fenwick
 Senator Patrick Leahy
~~—~~Representative Paul Simon
 Senator Richard Stone
 Representative Sidney Yates
 Assistant Secretary of State Patricia Derian
 Assistant Secretary of Defense David McGiffert
~~—~~Assistant Secretary of Commerce Frank Weil

Members of Congress:

Representative Hamilton Fish
 Representative Benjamin Gilman
 Representative Thomas Harkin
 Representative Patricia Schroeder

Public Members:

Mr. John Borbridge
 Prof. Jose Cabranes
 Mr. Sol Chaikin
 Prof. David Filvaroff
 Msgr. George Higgins
 Prof. Joyce Hughes
 Prof. Andrzej Korboniski

Basket I:

Ambassador Albert W. Sherer
 Mr. Robert Frowick, Department of State
 Mr. R. Spencer Oliver, CSCE Staff Director
 Mr. G. Jonathan Greenwald, Department of State
 Mr. Lawrence Hargrove, Special Adviser
 Mr. Robert Strand, ACDA
 Col. Ernest Cross, Department of Defense

Basket II:

Mr. Alton Jenkins, Department of State, Senior Representative
 Mr. Michael Dixon, Department of Commerce
 Dr. Stephen Gallup, CSCE Staff
 Ms. Christine Lucyk, Department of Commerce
 Ms. Karen Taylor, Department of Commerce

Mediterranean:

Ambassador Albert W. Sherer
 Mr. G. Jonathan Greenwald, Department of State
 Mr. William Moore, Department of State

Basket III:

Mr. Guy E. Coriden, CSCE Staff, Senior Representative
 Ms. Marsha Barnes, Department of State
 Ms. Ester Kurz, CSCE Staff

Ms. Susan Pederson, CSCE Staff
 Mr. Rudolf Perina, Department of State
 Mr. Timothy Savage, Department of State

Followup:

Mr. R. Spencer Oliver, CSCE Staff Director, Senior Representative
 Mr. Martin Sletzinger, CSCE Staff

Press:

Mr. Myron L. Hoffman, U.S. Information Agency
 Mr. Alfred Friendly, Jr., CSCE Staff
 Mr. Tom Reston, Deputy Assistant Secretary of State for Public
 Affairs
 Mr. Frank Seidner, Department of State

Administration:

Ms. Mary Elizabeth Swope, Department of State

Other Delegation Members:

Mr. Clifford Brody, Department of State
 Mr. Geryld Christianson, Senate Staff
 Ms. Catherine Cosman, CSCE Staff
 Ms. Margaret Donovan, CSCE Staff
 Mr. Burton Gerber, Department of State
 Ms. Dorothy K. Goldberg
 Mr. James Goodby, Department of State
 Mr. Robert Hunter, NSC Staff
 Mr. John Kornblum, Department of State
 Mr. Dale Morrison, CSCE Staff
 Mr. Alexis Obolensky, Department of State
 Mr. Irwin Pernick, Department of State
 Ms. Carroll R. Sherer
 Mr. David Solomon, House Staff
 Ms. Joyce Starr, White House Staff
 Mr. Sam Wise, CSCE Staff
 Ms. Alda Whitt, Senate Staff

[From the Washington Post, March 21, 1978]

STUDY BLESSES CARTER RIGHTS STANCE

(By Jack Anderson ¹)

Contrary to the advice President Carter has been getting from the State Department, there's no reason for him to soften his stand on human rights abuses in the Soviet Union. Sparing Soviet feelings should have little effect on détente and disarmament.

These are the conclusions of the National Security Council, which conducted a secret study for the President last year. The study, summarized in Presidential Review Memorandum No. 28, declares: "There is no evidence that the U.S. human rights policy has affected Soviet bargaining positions in important negotiations, even if the atmosphere surrounding negotiations is tense."

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The classified report suggests that the Soviet agitation over Carter's human rights campaign is mostly bluff and bluster. "Their objective appears to be to bring about a significant decrease in our public advocacy of human rights, thus reducing its most embarrassing aspects for them," the memo states.

The Soviets have also struck back with their own campaign against the U.S. neutron bomb, which kills people and leaves property intact. Apparently, the Kremlin regards the human rights and neutron bomb rhetoric as propaganda warfare, having little to do with substantive negotiations.

Carter was told that the Soviet leaders are too realistic to abandon the advantage they could gain through a disarmament treaty, cooperative ventures in trade and scientific exchanges. The report comments:

"Our substantive position on arms control has and likely will continue to determine the Soviet response on this critical issue.

"Similarly, we believe that the Soviet Union will continue to pursue its perceived interests in arms control, trade, scientific and cultural exchanges and other areas of our bilateral relations, regardless of our advocacy of human rights.

"The inevitable strain of a massive arms race, the need to take increasing consumer demands into account and the potential for unrest in Eastern Europe mean the Soviet Union cannot easily pull away from * * * negotiations, technological transfer agreements or commercial credit agreements."

The White House document notes that the Soviets have continued to cooperate with U.S. diplomats and businessmen, despite the congressional restriction which withholds favored nation trade status as long as the Soviets refuse to allow Jews the right to emigrate.

The memo summarizes: "The Kremlin may implicitly recognize that Soviet economic concerns will make it difficult to delay forward bilateral movement for long periods of time because of U.S. human rights involvement.

"Under proper management, our security interests and human rights concerns both can be accommodated in our relations with the Soviet Union. In fact, failure to execute an appropriate human rights strategy with proper balance will detract from the political value of our human rights policy elsewhere in the world."

Footnote: In a future column, we will quote further from the secret document, which also argues that the human rights crusade should not interfere with our relations with China or Cuba. The study advises against human rights compromises with such allies as Iran, the Philippines and South Korea.

APPENDIX G

MEDIA REACTION TO BELGRADE—EAST AND WEST

With few exceptions, major U.S. dailies which followed the Belgrade meeting have seen its outcome as a positive accomplishment. Commentators generally have appreciated that the rule of consensus made it unlikely that there would be a strong human rights statement in the concluding document. And there was widespread agreement that the U.S. succeeded in the twin aims of a full and thorough review of implementation at Belgrade together with assurances that the process will continue in Madrid.

Media reaction in most major NATO capitals—as well as in many neutral Western countries—has been mixed, but tended to share the assessments in the U.S. press. Comment often portrayed Belgrade as a moral victory for the West which produced sharp embarrassment for the Soviet Union and its more rigid allies.

Soviet media—whose defensive stance was clear during the conference itself—have continued to blame the U.S. for, as they put it, diverting the conference into overemphasizing human rights questions.

What follows is not intended to represent a comprehensive review of U.S. and European media opinion. Rather, it is intended to convey the tenor of opinion in the major media of some of the main CSCE countries.

1. U.S. PRESS REACTION

Under the headline, "The Unending Human Rights Review", the New York Times pointed out that:

* * * The only formal result of four months of labor is a brief communique noting that the delegates met, talked, and agreed to another review in Madrid in 1980. To many observers, that meager result demonstrates the futility of the process begun at Helsinki * * *. But Belgrade should not therefore be written off as useless. It was inconceivable from the outset that Moscow and the Warsaw Pact countries would confess their human rights violations or put their signatures on a closing statement that even hinted at any * * *. Western delegates were able, over a period of weeks, to detail the ways in which the Communist governments had failed to live up to their commitments, and the Communist representatives had to listen. Even more important was the agreement to meet again in Madrid.

The Times concluded that:

Helsinki gave every participating nation the right to inquire about the human rights abuses by any of the others. By reaffirming that right, Belgrade marks a modest, but significant accomplishment.

The Washington Post, writing February 26—well before the conference was over, but at a time when the end was clearly in sight—found the Belgrade effort to have been well worthwhile. Under the headline, "Moscow on the Belgrade Spot", The Post noted that:

Washington wanted the conference to end with a substantive document reporting on how well conferees had done since Helsinki. Moscow refused, and advanced a draft more appropriate to a Pravda editorial. What's likely now is

simply agreement that there be another review conference in Madrid two years hence. Considering everything, that's okay. The Russians' feet have been held to a fire kindled not just by the United States, whose purposes the Russians are always inclined to discredit, but also by several dozen other Western nations whose favor Moscow prizes and whose motives it finds less easy to challenge.

There was not at Belgrade—and could not have been—meaningful progress on particular cases. But the idea was confirmed that the Helsinki signatories are accountable to each other for the way they treat their citizens. The idea is worthy enough for Americans to put up with heavy frustration in pursuing it.

More sanguine than either the Times or the Post was the Baltimore Sun editorial of February 28. The Sun's assessment of the conference carried the headline, "Roasting Bear in Belgrade":

It has been a long winter for Russian diplomats in Belgrade. They have squirmed, threatened and maneuvered, and all to no avail. The Soviet Union stands condemned for its deplorable human rights record among most of the 35 nations assembled to review compliance with the 1975 Helsinki Conference on Security and Cooperation in Europe.

It must be small comfort to the Kremlin that it is forcing the Belgrade CSCE meeting toward adjournment with little prospect of a substantial communique. Conference rules require unanimity. It would have been as easy for little Malta as for big Russia to hamstring the drafting of a communique. What really matters is that European neutrals and even several of the more independently inclined Warsaw Pact states have witnessed the transparent Kremlin effort to weasel on its 1975 pledge to respect "human rights * * * fundamental freedoms * * * and the freer movement of people and ideas." What also matters is that the Soviet Union has not dared to block the scheduling of another review conference, this time in Madrid in 1980, where again its feet should be held to the fire. * * *

Nor did the Sun see any reason to take the heat off human rights for the larger purposes of detente when it concluded:

The bleak state of American-Soviet relations is all the more reason to hold the Kremlin to its human rights commitments.

The Chicago Sun-Times, on March 6, discussed what it saw as "Partial Success at Belgrade". The paper noted that Soviet stonewalling had prevented mention of human rights in the concluding document:

Western delegates had pressed for a document listing violations and pledging better performance. It's disappointing—but not much more—that they couldn't get it. Such a paper merely would have darkened what already was black—the record of oppression in the Soviet Union and its satellites.

This record has been trumpeted from Belgrade since the conference began last October * * *.

But far more important, it has been carried behind the anti-democratic wall by such broadcasters as the Voice of America. There it has given courage to the bravest of the oppressed to stand up a little straighter for their rights.

And it has probably restrained their oppressors from worse perversities than those they have continued to commit * * *.

Accords and conferences are worth the effort if they spare only one innocent from the tyrant's boot. They could spare many more.

In the comments noted so far, the most negative seem to have been in the Wall Street Journal which had firmly opposed President Ford's participation at Helsinki—and then forthrightly admitted that it was wrong. In a broader criticism of the Carter Administration's human rights policy, the paper said March 2 that:

All the embarrasment is especially disappointing as the Belgrade conference draws to a close without having been able to agree on a human rights statement. In the Helsinki accords of 1975 the Soviets agreed to ease up on some of their emigration and information restrictions and to meet with other signatories in two years to monitor everyone's progress. The two years are up, the monitoring conference is ending in Belgrade—and its major achievement has been to set up

another meeting two years hence. The Soviets have succeeded in keeping any concrete discussion of human rights out of the final communique, and the U.S. has failed to use the occasion to keep the Eastern bloc's human rights violations on the world's front pages.

2. WEST EUROPEAN MEDIA REACTION

British press reaction was similar to the American position in its stress on the positive prominence of human rights at the meeting. In a long editorial March 10, *The Times* of London dismissed the idea that Western emphasis on human rights hampered the work of the meeting. It merely, said *The Times*, gave the Soviets an excuse for being uncooperative.

* * * Nor could the West have avoided the subject of human rights. There had to be a review of implementation, so there had to be criticism, and this had to include criticism of Soviet violations of human rights.

The Times asserted that the process leading up to the meeting as well as Belgrade itself had been worthwhile:

* * * Over two years, the mere fact that it was looming up generated an enormous amount of valuable activity. Governments, institutions and individuals in East and West were moved to scrutinize implementation of the Final Act. Vast quantities of information were collected not only on the more glaring violations of human rights, but also on routine restrictions on travel, information, business contacts and cultural and educational exchanges * * *.

The Economist even more clearly focused on the worth of Belgrade in human rights terms. As early as February 18, it declared that:

Whatever kind of final statement may or may not emerge from the Belgrade conference, the true message from Belgrade is clear. It is addressed to Mr. Brezhnev, and it says: For real peace and security in Europe, there must be a desegregation of Europeans. You will not get detente, or western credits, or a lessening of the arms burden, if you alienate western opinion by persecuting those who tell you this. Big Brother is being watched.

In a March 12 editorial, the *Sunday Times* of London also stressed the value of Belgrade in human rights terms:

* * * At Belgrade, the USSR fought to keep human rights issues off the floor, but the West and the neutrals succeeded not only in defeating this, but in turning Belgrade very much into a human rights conference. To this extent, Belgrade, far from being a walkover for the USSR, was a success for the West. One consequence is that there will be a further occasion for debate and review on human rights in Europe; another meeting is to be held in November 1980 in Madrid.

This is worth doing. Even if the effects are not spectacular or immense, they are not nothing * * *.

Dissent in Eastern Europe and the USSR existed before Helsinki and Belgrade—particularly in Poland, Czechoslovakia and Hungary—and it is impossible to assess how far international conferences stimulate or legitimate it. But President Carter's determination to include these rights in the international agenda have certainly had an impact. When Mr. Brezhnev threatens to bring the SALT talks to a halt if the West does not stop badgering him about human rights, he is admitting that, despite his protestations to the contrary, human rights are a matter of more than domestic concern.

West German commentary was also largely positive and in general indicated the belief that the human rights effort had been worthwhile. Thus, *Neue Osnabruecker Zeitung* stressed:

Human rights are not mentioned in the final document of the CSCE follow-up conference. Yet, the Americans made it clear yesterday (March 8) that this does not mean the end of debate on this fundamental problem of citizens living under dictatorships of any kind. The clear avowal of human rights by U.S.

delegate Goldberg before the forum of the 35 nations demonstrated to the Soviets that although they do have the power to eliminate this subject from the final document of the conference, they will not succeed in forcing the free world to be silent about violations of basic rights.

A West German television commentary asserted that continuation of the Helsinki process is highly important:

* * * The fact that the conference actually took place is regarded as a positive result by those without illusions, and the fact that the discussions will be continued in Madrid is considered a success.

The West Berlin daily *Der Tagesspiegel* applauded the U.S. leadership role at Belgrade:

* * * Compared to its reserved role in Geneva and Helsinki two years ago, the United States played a strong role in Belgrade. It has reaffirmed its political involvement in Europe which the Soviets had to accept formally in Helsinki.

Noting the brevity of the concluding document, the paper observed that:

The mouse that was born from the mountain of paper at the Belgrade follow-up meeting of CSCE is an honest animal. It does not pretend to be an elephant.

The influential daily *Die Welt* struck the same note:

In view of this deadlocked situation the communique must be considered the cleanest and most honest solution. For this reason, the Western delegations persistently sought it.

No attempt at window dressing was made. The confirmation that the CSCE continues to be fully valid indicates that the communist states of Eastern Europe after Belgrade have not been released from their written commitment given in Helsinki to implement human rights in their sphere of dominance.

Perhaps the most positive comment appeared in the prestigious *Frankfurter Allgemeine*, which said:

Moscow cannot change the course established by the Helsinki Accords. They will continue to work against the USSR as long as it is suppressing civil and basic rights. Belgrade was no failure by people in the West. Encouragement of human rights movements in Eastern Europe continues to be important. Therefore, the results of Belgrade—meager because of the disappointment on human rights—should not be misinterpreted.

In a similar commentary, the *Berliner Morgenpost* regretted the absence of human rights mention in the concluding document, but agreed with Soviet dissident Sakharov that it would be wrong to view the conference as a failure since human rights violations were discussed and "incriminating evidence" was produced. The paper added:

* * * [T]his alone is a signal of hope and solidarity * * * Basket III hangs heavily on the necks of the Communist rulers. They will feel its weight until the next CSCE follow-up meeting in Madrid in 1980.

3. SOVIET AND EAST EUROPEAN MEDIA REACTION

Assessments of the Belgrade meeting in the controlled media of the East have been positive, but for reasons fundamentally far different from those cited in the Western press. And, especially in the Soviet Union, the defensive tone of the output during the review phase of the meeting has frequently reappeared.

Soviet observers tended to agree that the meeting's main outcome was "the reaffirmation of the great historical significance of CSCE and the pledge to make further efforts to implement its provisions

fully." (TASS) In their view, the meeting had fulfilled its major tasks, among them "a useful exchange of views, carried on in some depth on the implementation of the Final Act." Soviets were also careful to stress, however, that implementation can only be a long-term process. (Pravda) Another frequent theme was the so-called defeat of efforts, particularly by the main culprits—the U.S. and its NATO allies—to interfere in the internal affairs of other nations.

The Soviet media placed the blame for perceived problems at Belgrade squarely on the shoulders of the U.S. delegation and its leader Ambassador Goldberg for their efforts to transform the meeting into "a platform for cheap anti-socialist propaganda." (Novoye vremya). The most crucial problem, in the eyes of the Soviets, was the U.S. delegation's unflinching effort to focus attention on internal problems within the Soviet Union and Eastern Europe—particularly on alleged human rights violations. These attempts at interference were interpreted by the Soviets as a method contrived to divert attention from Western shortcomings and to evade the major issues confronting the meeting. As TASS reported on March 8, 1978:

The U.S. delegation and others in NATO from the start and throughout the work of the meeting directed their efforts toward diverting the meeting to a course of psychological warfare and turning it into an arena of ideological clashes. Instead of efforts to strengthen mutual understanding and trust they tried to sow seeds of discord and suspiciousness, evading for this purpose the burning issues of European security, first of all matters aimed at restraining the arms race * * *

Pravda, in a March 10 commentary, viewed the Western tactic of dwelling on human rights matters in the East as one designed to conceal the—

* * * unsavory picture of human rights violations in Western countries and to distract European public opinion from the build-up of NATO, the military arsenal and the plans of certain militarist circles to draw Europe into a new and more dangerous "neutron stage" of the arms race.

Ambassador Goldberg, labelled "an experienced past master at subversion" (TASS), was personally attacked as being the architect of the U.S.-led effort to turn the meeting into "a propagandistic tribunal" (Moscow Radio) which, while attempting to pass judgment on the East, rendered it impossible for the Belgrade meeting to adopt any forward-looking positive new measures. This "negative, demagogic and subversive" policy, according to the Soviets, was the basic reason the Belgrade meeting was forced to terminate without the adoption of any of the "positive" initiatives presented by the Eastern and NNA countries. According to Moscow Radio:

The positive proposals put forward by the socialist, neutral and some Western states often met with attempts by the U.S. and many of its NATO partners to change the spirit and letter of the Final Act * * * as a result of the obstructionist policy of the U.S. delegation and some of its NATO allies, many constructive proposals put forward at Belgrade were not reflected in the final document.

The East European press basically reflected less strident versions of the main themes used in the Soviet media and excluded the personal attacks on Ambassador Goldberg characteristic of Soviet commentary. All, except Romania, emphasized that the most important aspects of Belgrade were the pledge to continue the detente process and the reaffirmation it gave to the Final Act. The GDR, observing that Belgrade

had confirmed the vitality of the CSCE process, cautioned that the meeting should not be judged solely on the basis of its concluding document.

The Hungarian and Polish press, while echoing the Soviet line that the West had tried to convert the meeting into a "virtual supervisory checking organ or tribunal" (Budapest MTI and *Zycie Warszawy*) also emphasized the importance of the overall impact of the Belgrade meeting on the whole CSCE process. The Bulgarian press singled out the United States for "worsening the atmosphere in Belgrade and creating a number of difficulties." (Sofia BTA)

Only the Czech press felt moved to inject class considerations into its commentary, an element missing in Soviet reporting. According to *Rude Pravo* of March 11, 1978:

The Belgrade meeting was no simple diplomatic dialogue. It was part of the great class conflict being waged in order to advance in the world the Leninist principles of the peaceful cooperation of states with different social systems.

Another chord—entirely negative—was struck in the Romanian press, which reflected that country's relative freedom of movement in foreign affairs and CSCE matters. Expressing the total frustration of his delegation over the fact that Belgrade had ended without provisions for an experts group on confidence-building measures and without a more politically substantive concluding document, Ambassador Lipatti (*Agerpress*) announced that:

The Romanian government considers that generally speaking the results of the conference are far from satisfactory * * *. Its proceedings concluded with a document containing compromise agreements which regretfully do not represent, nor can be considered, real progress in translating the provisions of the Final Act into life. In light of this situation, the outcome of the meeting can even be viewed as a regression.

The Yugoslav press, reflecting the position of the host country, assessed Belgrade as a qualified success. Yugoslav Ambassador Pesic, noting that Belgrade had "unequivocally reaffirmed the great, long-term importance both of the Final Act and CSCE", regretted that "evidently difficulties emerge when trying to put the adopted principles into effect". (*Tanjug*) In his view, of the two main tasks of the Belgrade meeting—assessment on implementation and agreement on further measures—only the first, the detailed exchange of views, was successful.

