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Foreign and Commonwealth Office

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PERSONAL

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*Discussed.*

*p.a.*

*A.J.C. 19/5.*

*Joe John,*

CSCE

I think Brian Fall told you that we were putting together a draft minute on the current state of play on CSCE. I enclose a copy. Before we take this any further, would you let me know whether, in your view, a minute on these lines would be helpful.

*You are*

*Rob Bone*

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SUBJECT: CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE

.....In Confidence

1. The CSCE Review Meeting in Madrid has reached the stage at which final decisions may soon have to be taken. You may find it helpful to know how things stand.

CAVEAT.....

2. At issue is the text of a document with which the Madrid meeting will end and to which Ministers from the participating states will be asked to put their signature. The Conference is working on a draft tabled by the Neutral and Non-Aligned Countries (NNA) in March. By comparison with the Helsinki Final Act itself, the main advances will be:

- a. certain modest additional commitments in the field of human rights, and
- b. provision for a Conference on Disarmament in Europe (CDE) to negotiate further

confidence and security-building measures *largely under terms of agenda proposed by the West.*

Enclosures—flag(s).....

3. I attach a short paper explaining in more *already* detail the points on which the draft document marks progress on the Helsinki Final Act, and setting out the other issues on which the Alliance have agreed to press further.

4. The prospects for a successful outcome in Madrid are still uncertain. The Americans are the most insistent that the text will not do as it stands. They are also pressing for Soviet 'performance' in the shape of the release of dissidents or other visible signs of respect for existing commitments under the Helsinki Final Act. We do not know how far the Soviet Union will be prepared to go in this direction. The Soviet statement on 6 May that it can accept the NNA draft as it stands, provided others agree to do the same, was evidently a tactical move aimed at isolating the West. In this it has <sup>so far</sup> failed. On 10 May the Alliance indicated that it would continue to press for its improvements and the NNA expressed understanding for and even support of them.

5. We ourselves have been active over the past two years in pressing the case for substantial concessions from the East in the human rights and other fields.

We have also worked hard - and successsfully - to get agreement to terms of reference for a CDE which will ensure that discussion focusses on measures which

are <sup>politically</sup> binding, ~~verifiable~~ and militarily significant \* and verifiable - and which, above all, will apply to <sup>the whole of</sup> Soviet territory in Europe, i.e.

up to the Urals. This is a major gain, and a CDE <sup>on these terms</sup> should allow the West to put the negotiating pressure on the Soviet Union <sup>to agree to</sup> measures which the general public will find it easy to understand and support.

And We are now <sup>also</sup> concerned to ensure that Alliance

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unity does not break down in the final phase, giving the Russians a success at precisely the moment when, for INF reasons, we need to convince them that Alliance unity can withstand all their attempts to undermine it.

6. On the human rights side, which gets most of the publicity, it is tempting to dismiss this whole exercise as pointless: <sup>lengthy</sup> lengthy texts and drafting battles, <sup>and little or no progress on the ground. But</sup> ~~with little to show for the effort.~~ I believe that this would be a mistake. In the battle of ideas between East and West, rapid advances are unlikely. Perseverance and tenacity are essential. The 'CSCE process' consists of the Helsinki Final Act and periodic Review Conferences like the one at Madrid. It is a means of dripping Western ideas and values on to the Soviet stone; ~~and~~ of exposing Soviet shortcomings against a yardstick ~~to~~ which they themselves have <sup>accepted</sup> ~~agreed~~ by signing the Final Act; ~~This~~ will ~~not~~ be decisive <sup>in</sup> ~~by~~ itself. The process is at best slow and incremental. But it has worked in our favour and can continue to do so - as Soviet reaction to its potential for unwelcome change ~~within their own society~~ would seem to confirm.

7. It remains to be seen how matters will develop at Madrid. All decisions have to be taken by consensus. If all 35 countries can be brought to agree on the NNA revised draft <sup>with</sup> ~~including~~ all or some of our proposed amendments, I believe this would be a reasonable basis on which to conclude. In presenting it publicly, we would say that it did not of course represent the outcome

/we

and of giving some encouragement - and a degree of protection - to the more liberal tendencies in Eastern Europe. None of this

we would have ideally liked. We and our partners and Allies would have preferred more substantive progress in a number of fields, in particular on human rights. But in a process governed by the rules of consensus this was not possible at the present stage. We had, therefore, <sup>settled for</sup> ~~agreed on~~ the modest advances that have been made and hoped to build on them in the future. In the period between now and the next Review meeting in 1986 we would continue to use the Helsinki Final Act and Madrid Agreement as yardsticks for measuring Eastern behaviour and as a means of pressing the Soviet Union and its allies to <sup>change their</sup> ~~adapt their systems and~~ practices.

We would emphasise that Review meetings such as Madrid provided a forum in which the Soviet Union and others can be made to listen to detailed scrutiny and

<sup>criticism</sup> ~~condemnation~~ of their policies. <sup>would</sup> And we point to the Soviet performance at a CDE as a test of their willingness to take practical steps to

8. I am sending copies of this minute to colleagues in OD for their information and to Sir R Armstrong.

enhance security in Europe.



## CSCE FOLLOW-UP MEETING: MADRID

## ADVANCES ON HELSINKI FINAL ACT ALREADY IN THE DRAFT CONCLUDING DOCUMENT

Implementation of the Final Act

Attention is drawn - albeit less clearly than we would have wished - to the failure of certain states to live up to their obligations.

Terrorism

2. The Final Act is silent on this. But the draft contains a useful text which has the participating states condemn terrorism, agree to act to prevent it, and agree not to assist it.

Religious Freedoms

3. In the Final Act, the participating states recognise and respect the freedom of the individual to practice his religion. The draft adds language committing the participating states to take the action necessary to ensure this right. It also has them agreeing both to consult religious faiths in this context whenever necessary and to enable religious faiths and their representatives to meet amongst themselves and exchange information. The Holy See sees these as worthwhile improvements on the Final Act.

Trades Union Rights

4. The Final Act is silent on trades union rights. In the light of events in Poland, the Alliance secured the inclusion in the draft of a text which has the participating

/states



states ensure the right of workers freely to establish and join trade unions, and the right of trade unions freely to carry out their activities - subject, however, to a Polish qualification that would subject these rights to the law of the state.

#### Conference on Disarmament in Europe (CDE)

5. Only one of the small number of confidence and security building measures (CSBMs) in a Helsinki Final Act is politically binding. This is notification of military exercises involving more than 25,000 men. Moreover, apart from a strip 250 kms in depth, the European territory of the Soviet Union is excluded from the notification area. The draft provides for a CDE to negotiate additional CSBMs which, at the insistence of the West, are to be militarily significant, politically binding, and verifiable. The main point on which agreement has still to be reached is the definition of the area within which exercises are to be notified. The Alliance has gained a major Soviet concession in obtaining agreement that the area should include all its European territory, i.e. up to the Urals.

#### Co-operation in the Field of Economics, of Science and Technology and of the Environment

6. The Final Act sought to improve relations under a variety of headings in this field. The draft contains a provisionally agreed text which would take this co-operation a little further e.g. by reducing obstacles to trade and business contacts.

#### Access to Diplomatic Missions

7. The draft contains a modest advance on the Final Act through language assuring access to missions by visitors.

/Information

Information

8. The draft contains language which should make it a little easier for individuals to take out subscriptions to foreign publications.

## FURTHER IMPROVEMENTS SOUGHT BY THE WEST

Helsinki Monitor Groups

9. The Alliance proposed a text which would have committed the participating states to ensure the freedom of their citizens to monitor their Government's implementation of the Helsinki Final Act. The draft has the participating states express their determination to encourage 'genuine and positive' efforts (implicitly, by monitoring groups) to implement the Final Act; and to act in their respective countries to ensure the right of the individual (which is confirmed in the Final Act) to know what his human rights are and to act upon them. The Alliance will seek the deletion of the qualifying adjectives 'genuine and positive' which could permit the Soviet Union to evade this new commitment.

Experts' Meeting on Human Rights

10. As the result of a Western initiative, the draft contains provision for such a meeting. But the text needs improving to make sure that it will be open to the experts to consider human rights in all the participating states.

Experts' Meeting on Human Contacts

11. The draft human contacts text is devoted mainly to improving visa application procedures to facilitate meetings between members of the same family. However, the text would have a decision on a Western proposal for a meeting of experts to examine problems in this field, deferred until after the next CSCE follow-up meeting begins in November 1986. The Alliance will press for the experts' meeting to be held in February 1986.

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Information (Radio Jamming)

12. In the Final Act, the participating states make it their aim to facilitate freer and wider dissemination of information. But the Final Act and the Madrid draft are silent on radio jamming, the latter despite Alliance attempts to have included a passage in which the participating states would undertake not to interfere with the reception of broadcast information. The Alliance will now press for a text which expresses hope for continued expansion of the dissemination of information by radio.