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CONFERENCE ON EUROPEAN SECURITY AND CO-OPERATION:
NEGOTIATING APPROACHES

Note by the Chairman of the Political Committee
at Senior Level

Paragraph 11 of the Lisbon Ministerial Communiqué requested the Council to continue studies in preparation for possible East-West negotiations pending the initiation of multilateral talks. In order to assist the Council in fulfilling this request, the attached report has been prepared by the Political Committee at Senior Level. The report contains contributions from both the Political and Economic Committees, which have been examined by the Political Committee at Senior Level. While the Allies have reached an agreement on some aspects of their basic approach, differences of opinion remain in key areas, and the Political Committee at Senior Level therefore asked its Chairman to submit the attached report to the Council on his own responsibility.

2. The report contains three parts: Part One - Introduction; Part Two - Examination of Possible Agenda Items; Part Three - Procedures. Several annexes are attached to the report. Other papers considered to be relevant by the Committees concerned have been identified in footnotes in the appropriate sections.

3. The report as a whole represents the general consensus reached in the Political Committee at Senior Level. Due to lack of time, certain chapters were briefly examined, but not on the basis of instructions from capitals.

This document includes: 4 Annexes.

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4. In spite of intensive discussion within the Committee, differences remain, notably in the following chapters:

- (a) Introduction: Whether the listing of ideas in the various sections of the report should constitute "specific proposals in a form appropriate for presentation by Allied negotiators" or whether they should be considered as "examples of proposals Allied governments could make in a form appropriate for presentation by Allied negotiators". (Paragraph 3.)
- (b) Principles governing relations between states: The objectives, nature and scope of a draft Western declaration. (Paragraphs 12 - 16)
- (c) Freer movement of people, information and ideas, and cultural relations: A few delegations entered a reservation concerning the applicability of certain proposals. (Footnote to paragraph 17)
- (d) Co-operation in the field of economics: Some delegations reserved their position on the proposal to resume studies in ECE (Geneva) of a mechanism for multilateral compensation and settlement of commercial transactions between East and West pending further clarification of what the proposed mechanism might involve and its possible advantages. (Paragraphs 84 - 87)
- (e) Co-operation to improve the human environment: The rôle of CCMS. (Paragraphs 146 and 159)
- (f) Procedures: The question of when a Conference should be convened by Ministers, its character and length, and the question of whether texts should be drafted before or during a CESC. (Paragraphs 184 - 190)

5. Certain substantive aspects have not been covered in this report: the precise Western proposal for a CESC agenda; the question of the MBFR/CESC relationship; and, the possible link between principles and practical measures (paragraph 30 of C-M(71)40(Revised)). It was also stated in the Committee that the Alliance should examine in greater depth the security aspects of a conference. Finally the Committee did not consider in detail how initial multilateral talks should be conducted; there are important procedural questions still to be worked out among the Allies on this question (paragraph 191).

6. The work of the Committee has highlighted the complexity of the issues involved and therefore the advisability of concentrating further studies on important areas where differences of opinion remain.

7. The Council is invited to consider this report for submission to Ministers at their meeting in Brussels, 9th and 10th December. The Council may wish to seek to reconcile some of the differences of opinion above.

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CONFERENCE ON EUROPEAN SECURITY AND CO-OPERATION:
NEGOTIATING APPROACHES

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CONFERENCE ON EUROPEAN SECURITY AND CO-OPERATION:
NEGOTIATING APPROACHES

Report by the Chairman of the Political Committee at Senior Level

PART ONE: INTRODUCTION

1. There is substantial consensus among the Allies on their basic approach to a Conference on European Security and Co-operation (CESC). They agree that a successful conclusion of the negotiations on Berlin should precede multilateral preparations for a Conference; that these preparations should be thorough and substantive and that a CESC should be convened only if it promises real prospects for agreement on concrete issues dividing East and West. The Allies are seeking to develop a basic negotiating approach to a range of subjects which are likely to figure in a CESC Agenda, as reflected in successive studies conducted by the Permanent Council: "List of Issues for Possible Negotiation with the East" (C-M)69)46), "Possible Procedures for Negotiation with the East" (C-M(70)15(Final)), "East-West Negotiations" (C-M(70)56(Revised)), and "Substance and Procedures of Possible East-West Negotiations" (C-M(71)40(Revised)).

2. The attached report was prepared in response to a request by Ministers in paragraph 11 of the Lisbon Ministerial Communiqué that the Council continue these studies pending the initiation of multilateral contacts. Starting from previous studies(1) this report looks at East-West issues from the perspective of the negotiator. It represents a further effort to develop the views of the Allies on both substantive and procedural aspects of a possible CESC and to present them in a form which could be used in the opening round of multilateral talks. It is in the nature of an interim report and one important conclusion which emerges is that further studies will be needed of many of the subjects considered in an attempt to extend the area of Allied consensus. In view of the latest developments in the inner-German negotiations, the tempo of these studies may require acceleration.

3. The report concentrates on four main substantive areas as potential Agenda items for a CESC: (A) Principles Governing Relations Between States; (B) Freer Movement of People, Information and Ideas, and Cultural Relations; (C) Co-operation in the Fields of Economics, Applied Science and Technology, and Pure Science; and (D) Co-operation to Improve the Human Environment. - The foregoing does not prejudice the actual composition of the Agenda - To develop

(1) Particularly C-M(71)40(Revised), "Substance and Procedures of Possible East-West Negotiations", 24th May, 1971.

a comprehensive dossier on each of these potential Agenda items, this report examines them from three aspects:

- (i) Identification of the Problem and Difficulties, and Definition of Advantage to be Derived;
- (ii) Legal Sources(1);
- (iii) Listing of ideas for formulation of possible Western proposals.

The third of these aspects is new. Some delegations were of the opinion that this third aspect begins to develop for the first time the Allies' specific proposals in a form appropriate for presentation by Allied negotiators during multilateral discussions. Other delegations, however, held the view that this third aspect gives for the first time examples of proposals Allied governments could make in a form appropriate for presentation by Allied negotiators during multilateral discussions.

4. The drafting of texts concerning certain Agenda items, undertaken in the attached report, is not yet complete. The Allies have not yet determined the precise form in which they would like to see such texts emerge from a CESC: in one or more resolutions, declarations, agreements, associated conventions, memoranda of understanding, protocols, annexes, etc. This question will have to be discussed further within the Alliance and in the course of multilateral discussions prior to a CESC.

5. It should also be noted that this report represents a study for internal use, and that it does not commit member countries. It should be viewed as useful material on which individual member countries might draw during multilateral preparatory discussions, and during the negotiations themselves. In this connection, the points included in the report generally represent a consensus of views in the Committee, based on instructions from capitals. Where differences of opinion persist, alternative approaches are listed jointly, or are indicated by brackets.

6. The report includes a Chapter on the important area of Procedures regarding the preparation and organization of a Conference. The Committee was generally of the opinion that due weight and attention should be accorded to Procedures since they have a direct bearing on the treatment of substantive

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- (1) This aspect has been omitted where inappropriate, as in the case of Applied Science and Technology, Pure Science, and Co-operation to Improve the Human Environment.

issues during the multilateral preparatory discussions and on a CESC itself. Some delegations were of the opinion that a decision on the type of conference desired need not be reached at this stage and could even be deferred to the multilateral preparatory stage; others emphasised the desirability of reaching an early decision on this question. There was nevertheless general agreement that further study of Procedures should be undertaken following the December Ministerial meeting. In particular, a number of issues in connection with the conduct of initial multilateral contacts have to be resolved. It is possible that the development of the situation would require that Ministers direct their attention to these latter problems at their December meeting.

PART TWO: EXAMINATION OF POSSIBLE AGENDA ITEMS

Chapter 1. PRINCIPLES GOVERNING RELATIONS BETWEEN STATES

I. Identification of Problem

7. The Warsaw Pact's draft declaration on the Renunciation of Force, tabled in Prague, is mainly designed to ratify the territorial status quo in Europe. On the other hand, the Allied countries, as expressed in several Ministerial Communiqués, wish to broaden the discussion by including other principles which should govern relations between states. The Allied approach - designed to identify the commonly accepted rules governing state behaviour as a point of departure for relations between those engaged in the Conference - should prove attractive to neutral and on-aligned countries and even to certain Warsaw Pact countries.

8. Any declaration or other undertaking involving principles governing state relations should, at least:

- be clearly and forcefully stated, without ambiguities, so that it will be readily understandable and acceptable to public opinion;
- be stated in such terms as to offer no possible validity to the doctrine of limited sovereignty previously advanced by Brezhnev.

9. Therefore, any declaration should:

- avoid the concept of "peaceful co-existence", which the Soviet Union may try to introduce parallel to their UNGA appeal, as this is a heavily loaded ideological term used by the Soviet Union, which interprets it as applying only to relations between states of the "Socialist Commonwealth" and those outside, but not to relations between states within that Commonwealth;
- establish its principles on the basis of the generally accepted rules of international law, and make it clear that they apply between all states regardless of their political and social systems, or of membership in an alliance, or neutrality.

II. Legal Sources

10. With regard to the selection and articulation of the principles to be included in a declaration, there are, of course, many ways to organize a declaration and a variety of alternatives in phraseology. The United Nations Charter can

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be drawn upon for commonly accepted principles and phraseology, as can some auxiliary UN documents such as the Declaration on Friendly Relations, as well as proposals put forward by individual states.

III. Possible Approaches

11. Discussions between the Allies have revealed a broad agreement on some basic objectives and on the principles which might be included in a Declaration. One objective would be to confirm specific principles as the basis for state relations. A consequent and important objective would be thereby clearly to contradict the Brezhnev doctrine and thus to render Soviet coercive behaviour in Eastern Europe more difficult and embarrassing. The purpose would not be to declare new law, or to affect current agreements of the Allies, but to confirm the generally accepted principles of state behaviour. The principles to be used in any declaration would be, at least: sovereign equality, non-intervention, non-use of force, and the peaceful settlement of disputes.

12. However, the discussion also revealed differences regarding the precise nature and scope of a Declaration. Some advocated the inclusion of undertakings which would give practical application to the principles. In this connection, it was also suggested that the principles could be expressed in a declaration in the form of undertakings which the participating states would assume vis-à-vis each other. Some would even go further and view the declaration as providing a basis for the future development of East-West relations. They therefore think that a declaration should do more than define what states should not do; it should asset, in a positive fashion, how states should behave towards one another and should include references to the development and expansion of co-operation in fields of common interest and to the intensification of efforts to achieve further progress on arms control measures and disarmament.

13. The Turkish Delegation proposed the additional consideration applicable to any kind of declaration that the implementation of certain undertakings, such as the renunciation of force and the peaceful settlement of disputes, should be connected with the fulfilment of basic principles and the rules of international law.

14. The Senior Political Committee has been considering possible texts for a draft Declaration on Principles from the various perspectives described above. The purpose of these at this stage has been to indicate elements, some or all of which might appear either in the preamble or in the operative paragraphs. Some delegations have suggested that there should also be a section listing undertakings to which participants

should pledge themselves in the application of these principles. Several delegations have submitted draft texts, and an Ad Hoc Group of the Committee has also presented a text for the Committee's consideration(1). An attempt was made to reach agreement on a single draft Declaration and the fact that this was not achieved in the time available demonstrates the complexity of the issues involved. In view of this, further work on the basis of these contributions will continue in the Committee, and will be submitted to the Council at an appropriate time.

15. The Committee did not settle the question of the juridical nature of a paper submitted to a Conference by the West - whether treaty, agreement, declaration or resolution and to what extent it would be binding. A number of delegations expressed the view that the adoption of a text having the force of a treaty would raise complex legal problems and might give the public of the countries concerned a feeling of false security.

16. The Committee did not go into the details of the tactics to be followed in the discussion of the ideas mentioned in this chapter, both during the preparation of a Conference and during the Conference proper. This point, which was raised in paragraph 24 of C-M(71)40(Revised), should be examined further at a later stage. Several delegations referred in this connection to the suggestion made in paragraph 24 of the above-mentioned document to the effect that it would be in the interests of the Allied countries to obtain the close co-operation of non-NATO countries during the discussions on this matter.

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- (1) - Annexes I and II of C-M(70)15(Final) of 19th May, 1970: "Basis of an Atlantic Position" (Belgium) and "Draft Pact on a Code of Good Conduct" (Greece)
- Turkish Draft Declaration on the Principles Governing Relations between States of 10th September, 1971
 - Norwegian Draft Resolution on Principles Governing Relations between States of 16th September, 1971
 - POLADS(71)73/3 of 3rd November, 1971: Contribution to the Ad Hoc Group on the Draft Declaration on Principles Governing Relations between States
 - Joint US/German Draft Declaration on Principles Governing Relations between States of 5th November, 1971.

Chapter 2 FREER MOVEMENT OF PEOPLE, INFORMATION AND
IDEAS AND CULTURAL RELATIONS

17. In their Declaration of December 1969 and their Communiqués of May and December 1970 and June 1971, Alliance Ministers identified the freer movement of people, ideas and information and increased cultural exchanges as appropriate subjects for multilateral exploratory discussion for a CESC. These subjects were examined, among others, in the context of Substance and Procedures of Possible East-West Negotiations (C-M(71)40(Revised)). The general conclusion drawn was that the broad field of freer movement of people, information and ideas, encompassing cultural relations as well, would be of relative advantage to the more open societies of the West and thus should have a prominent place in any multilateral East-West discussions(1).

18. The Allies should make clear that the degree of Western consideration of matters of interest to the Soviet Union will be affected by Soviet attitudes towards Western proposals for freer movement(2). Thus, it would be possible to maintain a balanced relationship between Allied objectives on the freer movement question, and other questions, such as principles governing relations between states economic, scientific and technical co-operation, so that a successful outcome of the overall process of negotiation may be achieved.

19. In developing Western proposals in the freer movement field, one of the principal difficulties lies in finding a suitable balance between the politically more difficult issues such as radio jamming and exit visas for Soviet and East European nationals and the relatively easier issues such as intensification of performing arts exchanges. There is clearly a danger that if offered a variety of Western proposals, the Communist countries may attempt to select only a few items that they find more acceptable, while claiming concessions from the Western side in return. Both in the preliminary stages and at a conference itself the Alliance should adopt an approach which would ensure that the more difficult subjects, which the Allies proposed and to which they attach great importance, will be dealt with. This should be done in such a way that the Warsaw Pact could not limit discussion at a CESC to those items which offer easy agreement but not concrete steps towards removing the barriers to freer movement. To this end, a further study of the proposals set out below will be required.

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- (1) Some delegations pointed to the fact that certain proposals contained in this Chapter of the report could be detrimental to security, law and order due to the different conditions in their countries. Therefore, they would be able to agree with these proposals only to the extent that they would not be harmful to their interests and, in their judgement, to the overall interests of the Alliance.
- (2) The United States Delegation circulated on 11th November a paper analyzing the practices of various Warsaw Pact States as they relate to the Freer Movement of People, Ideas and Information and Cultural Relations.

20. As one possible approach, groupings of both difficult and easy proposals might be put forward under the four major subject headings already identified by Allied Ministers: freer movement of people, ideas and information and cultural relations. Listing the issues in this way does not prejudge the manner or priority in which Allied negotiators would present them during multilateral discussions.

21. Consonant with this approach, the Allies might propose texts embodying precise understandings on specific liberalising measures along with general statements of intention. Such texts could draw upon UN or other relevant declarations, although it should be kept in mind that these declarations are not necessarily legally binding and some Allies may not have subscribed to them. These texts should then go beyond the expression of a desirable principle to include a binding commitment to put that principle into effect(1). One way to present these statements of commitment and accompanying measures to the Communist countries would be to embody them in four separate instruments containing the four major objectives identified by Ministers. Another possibility would be to embody all commitments in a single, legally binding instrument containing four sub-sections in order to ensure that the more difficult subjects in the field of freer movement are being dealt with together with the items in the field of cultural co-operation. General statements of principle could form the preambular body of each instrument or sub-section and specific measures the main body. These legally binding instruments could take such forms as agreements, conventions, memoranda of understanding, or protocols.

A. FREER MOVEMENT OF PEOPLE

I. Identification of the Problem and Difficulties and Definition of Advantage to be Derived

22. In order to make it possible for the populations of the various participating states with their differing social systems to better know and understand one another, it should be the Alliance's long-term goal in East-West negotiations to achieve maximum liberty of movement in both directions. It is, of course, realistic to suppose that a liberalisation of travel restrictions (involving foreign-exchange problems and bureaucratic obstacles as well as politically motivated controls) can only be obtained step-by-step. It is also realised that national practices vary widely and that some of the Communist countries are less rigid than others in this respect.

(1) It should be borne in mind that the various UN documents contain saving clauses that authorise governments to restrict freedoms granted to the extent necessary to protect public order. Some Warsaw Pact states undoubtedly will try to insist on comparable saving clauses in any agreements connected with a CESC and tend to interpret them in practice in such a manner as to vitiate the more liberal operative clauses.

II. Legal Sources

23. Article 13(2) of the Universal Declaration of Human Rights of 1948 proclaims that "everyone has the right to leave any country, including his own, and to return to his country". The Universal Declaration has no binding effect but is a statement of general principles.

24. Article 12(2) of the International Covenant on Civil and Political Rights lays down that "Everyone shall be free to leave any country, including his own", and Article 12(4) that "no one shall be arbitrarily deprived of the right to enter his own country". The Covenant is intended to ensure that the basic rights spelt out in the Universal Declaration are given effective international backing.

25. The Soviet Union abstained when the UNGA adopted the Universal Declaration in 1948. In 1968 it signed the Covenant and thus indicated its general support for its principles. (The Soviet Union, Czechoslovakia, Hungary, Poland and Rumania, have not yet ratified the Convention. Bulgaria, however, has done so.)

III. Listing of Ideas for formulation of Western Proposals

(1) Possible Elements of Preamble

26. The Parties agree to seek effective means to ensure that the right of every person to travel outside the country to which he belongs and to return should not be arbitrarily or unreasonably abridged. Governments have a responsibility to protect and promote this right of free movement of persons.

(2) Possible Operative Elements

27. The Parties agree to abolish any general requirement for persons living in their territory to obtain exit visas.

28. The Parties undertake not to create or permit to exist other arbitrary obstacles to the movement of individuals from one country to another.

29. The Parties agree to promote a special high-level meeting of the International Union of Tourist Organizations to find ways to facilitate travel throughout the territories of the participating states, including special travel cards issued to young persons to enable them to use public transport at a reduced cost. The meeting could also discuss the relationship between tourism and culture.

30. Subject to further studies on the possible administrative implications:

- (a) The Parties agree to take specific actions facilitating travel, e.g. reduction of passport fees; liberalisation of foreign exchange allowances; and abolition of restrictions on routes taken by persons travelling by motor car, except in the limited areas which are restricted for national security reasons - these areas should be defined by published regulations and not by arbitrary administrative regulations.
- (b) The Parties agree to lift restrictions on marriage between nationals of the participating countries, to permit married persons and their children to emigrate to join their spouses, and to permit family and individual visits by their nationals especially when they are invited by the nationals of other countries who agree to pay all pertinent costs.

B. FREER MOVEMENT OF INFORMATION

I. Identification of the Problem and Difficulties and Definition of Advantage to be Derived

31. All the Communist countries maintain strict controls over the dissemination of information via domestic media. Such controls are not likely to be abandoned completely inasmuch as they are considered indispensable to the survival of the régime. It is possible, however, that existing practices could be modified to permit some greater circulation of foreign books, newspapers and periodicals as well as wider showing of foreign television programmes and films. Western journalists in Eastern countries should be permitted to work under conditions not less favourable than those accorded their Eastern counterparts in the West. Jamming of radio broadcasts [as well as transmission of subversive broadcasts] should be discontinued.

II. Legal Sources

32. Article 19 of the Universal Declaration of Human Rights (adopted by the UNGA in December 1948, with the Soviets abstaining) states the right of everyone to receive information and ideas through any media and regardless of frontiers. Article 19(2) of the International Covenant on Civil and Political Rights lays down that "everyone shall have the right to freedom of expression: this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice". This right is qualified by Article 19(3) which lays down that certain restrictions can be imposed in order to prevent slander and libel and for the protection of national security, public order, etc. But these restrictions have to be provided by law.

33. The third preambular paragraph of the UNESCO Declaration on the Principles of International Cultural Co-operation (unanimously adopted in November 1966) records the members determination to increase the means of communication between their peoples.

34. In addition, there are pending in the UN the Draft Declaration on Freedom of Information and the Draft Convention on Freedom of Information.

(a) The fourth preambular paragraph of the Draft Declaration on Freedom of Information (adopted by ECOSOC in 1960, with the Soviets abstaining) states that freedom of information is fundamental to peaceful and friendly relations between peoples and nations, and that barriers to the free flow of information obstruct international understanding and impair prospects for world peace. Article 2 of the same Declaration would register the intent of governments to protect the free flow of information across frontiers.

(b) Article 1(B) of the Draft Convention on Freedom of Information states that "each contracting State shall secure to its own nationals ... freedom to gather, receive and impart without Government interference, ... regardless of frontiers, information and opinions orally, in writing or in print, in the form of art or by duly licensed visual or auditory devices". Article 2(2) of the Draft Convention states: "The restrictions (to protect national security and public order, incitement of religious hatred, etc.) shall not be deemed to justify the imposition by any State of prior censorship on news, comments and political opinion." However, the General Assembly has not yet adopted the Convention and has so far approved only the preamble and Articles 1-4.

III. Listing of Ideas for Formulation of Possible Western Proposals

(1) Possible Elements of Preamble

35. The Parties agree to seek effective means to increase communications between their peoples, so that the free flow of information will improve mutual understanding.

(2) Possible Operative Elements

36. The Parties agree not to cause harmful interference to one another's radio services or communications, and condemn such measures as constituting a denial of the right of all persons to be fully informed concerning news, opinions and ideas.

37. The Parties, recognising that subversive radio broadcasts are harmful to the further development of an atmosphere of détente and co-operation in Europe, agree not to allow such transmissions from their territories, aiming at inter alia, interference in internal affairs or the overthrow of régimes.

OR

37. The Parties agree not to allow the transmission from their territories of broadcasts which aim at overthrowing the régimes of the other parties, or which purport to emanate from areas other than those in which they actually originate.

38. The Parties endorse the following general guidelines with regard to the activities of foreign journalists:

- (i) Journalists' visa applications will be issued or refused with a minimum of delay.
- (ii) Foreign journalists will be permitted to travel freely throughout their countries of assignment without special permission other than their original entry visas except in the limited areas which are restricted for national security reasons; these areas should be defined by published regulations and not by arbitrary administrative action.
- (iii) Foreign journalists may have contacts with citizens of the host country without being obliged to obtain permission from the host government or to arrange such contacts through government agencies.
- (iv) Governments will not discourage their officials or private citizens from having normal contacts with foreign press representatives.
- (v) Governments will not arbitrarily expel or refuse accreditation to correspondents.

39. The Parties agree to promote the free circulation of books, newspapers and periodicals among their respective countries. This should be accomplished by utilising commercial channels as well as through expanded facilities for national information centres and libraries.

C. FREER MOVEMENT OF IDEAS

I. Identification of the Problem and Difficulties and Definition of Advantage to be Derived

40. A freer movement of information must be supplemented by freer circulation of ideas, as conveyed through personal contacts and exchanges of experience, exhibits of the fine arts and

architecture, and literature of all kinds, including fiction, biography, philosophy, and scholarly works including those in the political, social and natural sciences.

II. Legal Sources

41. For the most part, the principles underlying freer movement of information (see paragraphs 32 through 34) apply, either explicitly or by extension, to freer movement of ideas.

42. Article 15(1)(C) of the International Covenant on Economic, Social and Cultural Rights lays down that everyone has the right "to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author". Article 15(4) of this Covenant states "The States Parties to the present Covenant recognise the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields." (As in the case of the Covenant on civil and political rights the Soviet Union, Czechoslovakia, Hungary, Poland, Rumania and Bulgaria have all signed the Convention but only Bulgaria has so far ratified).

III. Listing of Ideas for Formulation of Possible Western Proposals

(1) Possible Elements of Preamble

43. The Parties agree to seek effective means to promote a creative exchange of ideas and experiences without regard to political and social systems or national boundaries.

(2) Possible Operative Elements

44. The Parties agree that exchanges between libraries should be increased and that governments who wish to do so may sponsor within the territories of the participants book stores open to the general public for the sale of books, newspapers and periodicals and graphic arts.

45. Interested Parties agree to promote co-operation in the socio-cultural field (sociology, education, housing, urban problems, criminology, etc.). /In this connection, it might be useful to reinforce the activities of the European Centre for Social Science in Vienna./

46. The Parties agree that interested government and educational representatives would examine the possibilities for achieving the equivalence of diplomas and university degrees.

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47. All Parties who have not already done so agree to sign the Universal Copyright Convention of 1952 and the Berne Copyright Convention which, with the Universal Convention, was revised in Paris this year. They further agree that foreign authors, scientists, artists and lecturers are entitled to receive their fees and royalties in convertible currency.

D. CULTURAL RELATIONS

I. Identification of Problem and Difficulties and Definition of Advantage to be Derived

48. The definition of the term "cultural co-operation" should be based on the "Declaration of the Principles of International Cultural Co-operation" unanimously approved by UNESCO on 4th November, 1966. The centre of this declaration is the aim of international cultural co-operation. This co-operation is to cover all aspects of intellectual and creative activities in the fields of education, science and culture. The aim of international cultural co-operation is inter alia to contribute to the development of better mutual understanding. We understand cultural co-operation to mean not only information on our culture but in the first place cultural exchange and co-operation.

II. Legal Sources

49. This UNESCO declaration is in our view a suitable basis for the definition of the term "Cultural Co-operation" also within the framework of a CESC because agreement on the content of the term "Culture" defined therein has already been achieved between a multitude of states of different systems.

III. Listing of Ideas for Formulation of Possible Western Proposals

(1) Possible Elements of Preamble

50. The Parties undertake to expand and improve their existing bilateral exchange programme, both governmental and non-governmental, with emphasis on increasing the number of long-term exchanges between members of universities and research institutes. They also undertake to explore the extent to which, in some fields, multilateral programmes may be possible.

(2) Possible Operative Elements

51. The Parties agree that their citizens should have free access to cultural centres, language institutes and libraries; that the number of these institutions might be expanded; and that these institutions should be permitted free distribution of information concerning their respective countries.

52. The Parties agree that governments, in their bilateral programmes, will attempt to increase the level of official exchanges, particularly in the field of the humanities, social sciences, and science and technology, sports and games, and the performing arts.

53. The Parties agree to encourage exchanges between members of the universities (researchers, professors, specialised delegations) in all fields, including science.

54. The Parties could examine the possibilities of setting up an "Ecole Normale européenne pour l'Enseignement supérieur".

55. The Parties agree to facilitate the circulation and exchange of scholarly works in all fields.

56. The Parties agree to examine further the possibilities for:

- (i) conclusion of multilateral copyright agreements;
- (ii) conclusion of multilateral agreements on the recognition of school-leaving certificates and university diplomas;
- (iii) conclusion of agreements leading eventually to the creation of a free trade area for educational facilities and cultural property (including books, periodicals, films and radio and television materials).

57. The Parties agree to improve the exchange of films and television materials, to promote film festivals and to further the possibilities of joint film co-operation.

58. The Parties agree to encourage a conference of their national youth organizations with a view to establishing a European Youth Foundation and European Youth Centres to provide welcoming, counselling, linguistic, health and other services to foreign students and other young travellers(1).

(1) This Conference should also take into account the work already done by the Council of Europe in order to avoid duplication.

CHAPTER 3

CO-OPERATION IN THE FIELDS OF
ECONOMICS, APPLIED SCIENCE AND
TECHNOLOGY AND PURE SCIENCE

A. ECONOMIC ASPECTS(1)

I. UNDERLYING PRINCIPLES FOR A NEGOTIATION

59. Improved economic relations between East and West could contribute to a further lessening of political tensions and the promotion of international stability. The fact that the economic systems in the East and the West are different is not an insurmountable obstacle to the development of mutually advantageous commercial, financial and industrial co-operation. Indeed, such co-operation might bring in its wake a better understanding between the two systems and would tend to encourage economic, political and social reform in Eastern countries.

60. Although East-West trade has doubled in the last decade, its present volume remains small both in absolute and relative terms(2) and its future development is unlikely to reflect the production or trade potential of the two regions unless new progress is made in the promotion of economic co-operation. The fact that basic structural deficiencies shared to a greater or lesser extent by most economies of Eastern Europe impose a certain constraint on the volume of East-West trade, however, should not deter Western efforts to develop this trade. Indeed, such efforts may encourage evolution of East European economies in directions consonant with Western commercial and economic policies.

61. Strides have been made in recent years to reduce barriers to trade on a bilateral basis, and multilateral contacts have been actively pursued in the United Nations Economic Commission for Europe. Nevertheless, there is still considerable scope for improvement.

62. The countries of the East have not hidden their desire for better access to Western technology and sophisticated equipment as a means of developing their economies. For their

(1) This section does not replace paragraphs 32 to 52 of C-M(71)40(Revised). It aims at completing it and at elaborating further on certain items already examined. A paper on general legal principles is attached at Annex I. Other relevant papers are annexed to AC/127-D/383 as follows: Industrial and Technical Co-operation (Annex II), Co-operation in the Field of Energy (Annex III), Co-operation in the Field of Transport (Annex IV), Prospects for East-West Trade in the 1970s (Annex V).

(2) The Communist countries' share in value in NATO countries' trade in 1970 was 3.3% in the case of exports and 3% in the case of imports (cf. C-M(71)58, paragraph 3).

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part, the West would benefit from the expansion of economic relations as it would enable it to diversify its sources of supply and provide it with new outlets for its industrial products. However it should be borne in mind that the short-term benefits from such an increase in trade would accrue very heavily to the East, where high priority military development programmes tend to divert scarce human and material resources from the consumer sector.

63. In the context of a CESC, the West ought not to feel obligated to undertake those remedial measures for an expansion of East-West trade which the Warsaw Pact countries might take themselves.

64. From the Western point of view, a CESC is not a suitable forum for negotiating concrete measures to expand economic and industrial co-operation among participants. Nevertheless, this Conference could facilitate and stimulate further and more detailed discussions and negotiations which should be referred to already-existing competent bilateral or multilateral (e.g. GATT, ECE, etc.) bodies whose effectiveness might be enhanced.

65. Measures to expand East-West economic relations should aim at the promotion of multilateralism in trade and settlements, and should be based on the principle of mutual advantage. The removal of existing obstacles to trade entails the granting by both sides of corresponding concessions that would be acceptable within the two existing systems. While the quantitative restrictions (QRs) and licensing requirements applied by some Alliance governments are considered by the East as contrary to most-favoured-nation undertakings, the planning and foreign trade systems in Warsaw Pact countries implicitly or de facto impose quantitative restrictions and licensing requirements on trade with the West. Hence, concessions in respect of granting better terms of access to Western markets would have to be reciprocated primarily by Warsaw Pact undertakings to increase and diversify the composition of its imports from the West or by other concessions.

66. To be successful, negotiations on these matters will have to take due account of the interests of all the parties concerned, of the trade links which may exist among some or all of them, of the already concluded international agreements and of the traditional trade relations of the parties to the Conference with other countries not participating in it.

II. ELEMENTS OF A WESTERN DECLARATION

67. The following are suggested elements of a possible alternative to any declaration proposed by the Warsaw Pact on expansion of trade, economic, scientific, industrial and technical co-operation.

68. "The states participating in the Conference on European Security and Co-operation;

69. "Being convinced that further development of their trade, economic, scientific and technical relations by widening their common interest in these fields could help to improve the political atmosphere and bring beneficial economic effects to all the countries concerned;

70. "Sharing the view that countries should be free to develop their trade and economic relations in accordance with their economic interests and should encourage trade on the basis of accepted commercial principles;

71. "Being in agreement that science by its nature is universal and that its advancement depends on the interaction of scientists working at the frontiers of knowledge, regardless of the divergencies and differences of policy which may separate the nations in which they hold citizenship;

72. "Believing that the diffusion of scientific and technical knowledge can also be facilitated by further progress in international economic co-operation;

73. "Realising that there is considerable scope for increasing trade and developing economic relations between countries with different economic and social systems;

74. "Noting that considerable progress has been achieved in recent years among the participating states through bilateral or regional agreements in the field of trade and scientific and technical co-operation; that a majority of participating states are parties to the General Agreement on Tariffs and Trade; and that a valuable institutional forum for multilateral contacts is already provided by the United Nations Economic Commission for Europe;

75. "Acknowledging that given measures to reduce existing obstacles to trade may not have identical effects in different economic systems;

76. "Will henceforth, in appropriate channels, seek ways and means:

- to broaden the contact of all signatories with international economic organizations;
- to intensify efforts to improve and expand the knowledge and techniques necessary for effective marketing in countries with different economic systems;

- to invest greater efforts in the development of export activities, particularly in engineering products, with a view to diversifying exports and increasing their competitiveness in markets of signatories with different economic and social systems;
- to improve access for commercial representatives of all signatories, particularly those with different economic and social systems, to domestic markets and suppliers and to adequate office and other operating facilities;
- to seek improved arrangements for the protection of industrial rights and procedures for settlement of commercial disputes and financial claims; and
- to facilitate associations among scientists and to promote the exchange of scientific information and publications;

77. "Finally, declare that they are resolved, bilaterally or in the framework of existing international organizations, to exert further efforts:

- to promote wider trade, financial, industrial, scientific and technical co-operation among themselves;
- to eliminate or reduce progressively the existing obstacles to such co-operation to the benefit of all parties;
- to provide improved facilities for international business contacts and for the exchange of goods and services;
- to shift international trade and payments more fully onto a basis of multilateralism."

III. OTHER AREAS OF DISCUSSION

78. As stated in paragraph 64 above, the Alliance holds that a CESC is not a suitable forum for negotiating concrete measures in the economic field.

79. Following is an indicative list of issues which might nevertheless be raised in the context of a CESC. Most points are evaluated in terms of their possible advantages and practical difficulties.

(1) FINANCIAL CO-OPERATION

(a) Accession of Eastern countries to IMF

80. The Eastern countries have until now refused to join the IMF. The West might consider encouraging them to adhere to it.

81. Considerations

- The international financial system would thereby be enlarged.
- Liberalising tendencies in Warsaw Pact countries might be encouraged.
- Eastern membership of IMF would facilitate the financing of a greater volume of East-West trade.
- Accession to the IMF would allow concurrent adherence to the IBRD.
- Considerable basic data, e.g. on gold and hard currency reserves and balance of payments, would be required by the IMF and, if submitted, would clarify the Eastern economic situation for Western observers.

Practical Difficulties

82. Eastern countries might be reluctant to join the IMF because:

- Basic balance of payments data are currently classified and evidently regarded as strategic by Eastern governments.
- Use of IMF credit facilities might obligate Eastern users to carry out IMF recommendations regarding their economic policies.

Proposal

83. Subject to further consideration by the competent sectors of Alliance governments and qualified financial bodies, the West might encourage Eastern countries to seek membership in the IMF provided they acknowledge the obligations attendant on such membership.

∧(b) Creation of a mechanism for multilateral settlement

84. One of the main obstacles to the expansion of East-West trade is the prevalence of bilateral balancing. Some intermediate mechanism for multilateral settlement could promote a movement away from bilateralism.

85. Considerations

- Current "switch-trading" practices might conceivably be developed into a mechanism for multilateral settlement on a compensatory basis.

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- A progressive transition of the East from bilateralism to multilateralism, in and out of COMECON, might thereby be encouraged.
- Such a mechanism would also facilitate industrial co-operation involving compensatory arrangements (see paragraph 109 below).

86. Practical Difficulties

- A mechanism for multilateral settlement was established years ago by the ECE without success.
- Traditional rigidities that impede development of multilateralism in Eastern payments, even within COMECON, might also operate here.

Proposal

87. Further studies might be undertaken in ECE regarding the feasibility of creating a mechanism for compensation of commercial transactions among Eastern and Western countries.7

(2) TRADE

88. In the next decade as in the past one, the main limiting factor in East-West trade will probably be the difficulties involved in increasing Eastern export receipts. This matter will become more serious during the Seventies by the burden of the indebtedness being accumulated. The West might be willing, as appropriate, to take certain measures aimed at resolving some of these difficulties, e.g. providing assistance in harmonising East-West norms and standards, in adapting Eastern quality and design better to Western markets, and in improving Eastern marketing techniques by developing institutions to train personnel in Western business practices. The Alliance would also, in principle, welcome the accession of additional Eastern countries to GATT provided they can fulfil the conditions of membership.

(a) Cost and exchange rates

89. The East European countries might be requested to provide more information regarding their methods of calculating costs and determining their export prices and exchange rates.

90. Considerations

- The setting up of Eastern export prices substantially out of line with the general level of prices in those markets increases the risks of "dumping" and as stated in paragraph 108 constitutes a major hindrance to a further reduction or the ultimate abolition of Western QRs.

- Such a request might make Eastern countries take account of the problem and encourage those that have introduced pricing reforms to continue such policies.

91. Practical Difficulties

- Eastern countries may take the position that this question is an internal one beyond the scope of international discussions.

Proposal

92. If Eastern countries at a CESC show a readiness to discuss such a subject, it could be referred to the ECE in Geneva for detailed study.

(b) Improved Western access to Eastern markets, suppliers, and relevant economic information

93. The traditional rigidities of the centralised Eastern economic system tend to restrict Western access to Eastern markets. In this regard there are measures which the Eastern countries could apply without major changes in their economic system.

94. Considerations

- Western export and supply opportunities stand to be increased by any improvement in such access, particularly in terms of operating facilities or environment of Western companies in the East.
- Eastern provision of more comprehensive economic information might ensure reasonable Western knowledge of the market situation in Warsaw Pact countries.
- Increased access would be of particular benefit to smaller Western companies which stand most in need of guidance and to Western exporters of consumer goods (see below).

95. Practical Difficulties

- The East will probably show reluctance to undertake such actions, which run counter to its traditional policies of centralisation and of secrecy.

Proposals

96. Alliance countries could point out to Eastern governments that the East is in a position to stimulate East-West trade by:

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- making improved facilities, including office space, available to Western companies doing business in the East;
- providing Western commercial representatives direct access to Eastern suppliers and end-users;
- establishing joint chambers of commerce with offices in Eastern countries; and
- providing more adequate economic statistics and relevant market information, including foreign trade plans.

(c) Diversification of Eastern import structure:
more Western consumer goods

97. Consumer goods represent only a small fraction of Western exports to the East.

98. Considerations

- Eastern consumers would gain if increases in such imports enlarged the assortment of consumer goods at their disposal.
- Tendencies to economic reform in the East might be indirectly supported by infusions of high-quality Western consumer goods that would cushion the shock of organizational change.
- This would have a correspondingly favourable effect on the structure of Western exports to the East, improving the balance between capital and consumer goods.

99. Practical Difficulties

- A substantial change in this direction would probably require a re-ordering of Eastern development priorities which is very unlikely to be accepted by the East.

Proposal

100. Eastern governments might be invited to make larger provision for imports of Western consumer goods in foreign trade plans.

(d) Diversification of Eastern export structure:
more engineering products

101. Western imports from the East also reflect an imbalance as they include a considerable proportion of non-manufactured goods.

102. Considerations

- Prospects for Eastern exports to the West may hinge largely on a shift from the current assortment dominated by agricultural products, raw materials, fuels and semi-finished products to more promising exports, such as machinery and equipment.
- Production of more marketable goods in Eastern engineering export sectors might decrease current Eastern pressures for counter-purchases as part of Eastern orders of Western equipment.
- Such a shift has been recommended in the ECE.

103. Practical Difficulties

- As in the preceding case, a substantial shift of this type in Eastern export structure would probably require a corresponding re-ordering of priorities currently accorded to economic and military development and, to some extent, to intra-COMECON trade.

Proposal

104. The Eastern countries might be invited to give progress reports on this subject in ECE.

(e) Western strategic export controls

105. The East has repeatedly requested the dismantling of COCOM controls on exports of strategic items. If, as is likely, Eastern representatives raise this issue at a CESC, Western governments might respond that the lists have been much reduced in recent years and that such controls are under continual review in COCOM, the results of which could be influenced, among other factors, by the improvement of East-West relations.

(f) Western quantitative restrictions

106. If the Eastern countries raise the question of a further reduction or abolition of quantitative restrictions, the Western side could reply that a major hindrance to this is the Eastern practice of setting export prices substantially out of line with the general level of prices in world markets.

(3) INDUSTRIAL CO-OPERATION

107. Industrial co-operation tends to strengthen some of the weak links in East-West trade, in particular export capabilities of Eastern countries, and also facilitates Western participation in the economic development of the East.

It has been increasing in recent years. However, there are a number of difficulties, e.g. insufficient East-West contacts at the enterprise level and overstress by the East on compensatory arrangements. In the case of the USSR, such arrangements(1) are of particular interest as possible means of developing oil and other natural resources (e.g. copper, nickel, timber) in Siberia with a view to promoting their exports to the West. Particularly since industrial co-operation is one of the most promising areas for expansion of East-West economic relations, the West may wish to consider various measures to promote it.

(a) Import Privileges

108. The Western side might indicate its willingness to examine the possibilities of extending special treatment to Eastern goods traded under agreements on industrial co-operation (excluding barter trade).

109. Considerations

- Such action would satisfy long-standing requests of the East, would facilitate industrial co-operation, and would assist enterprises particularly in early stages of such arrangements.

110. Practical Difficulties

- Extension of import privileges to the East might amount to a preferential arrangement and may require some revision of international (e.g. GATT) and regional legal dispositions.

Proposal

111. The Western side may wish to review the legal context and evaluate the expected effects of such measures.

(b) Institutions designed to facilitate industrial co-operation

112. Considerations

- A data bank would be of particular assistance to smaller East European countries and smaller Western firms.

(1) Usually called "economic co-operation" rather than "industrial co-operation" by the Soviets.

- An arbitration system would increase the security of Western firms participating in industrial co-operation agreements(1). A quality control centre might, in the event of dispute, assure that Eastern goods produced under industrial co-operation agreements meet agreed specifications.

113. Practical Difficulty

- At the present stage, it is questionable whether the contribution of the East to such institutions would be commensurate with that of the West.

Proposal

114. The West might consider, in the framework of the ECE, the question of establishing the above-mentioned institutions.

(4) EUROPEAN CO-OPERATION IN INFRASTRUCTURE: SOVIET PROPOSALS

115. In his speech to the Soviet Party Congress in April 1971, Premier Kosygin made the following remarks(2) about the economic aspects of a CESC: "... for us it is completely clear that the holding of this conference would help to strengthen confidence in Europe and would open the way to broad economic and scientific-technical co-operation. That could create conditions for solution of such problems as organization of trans-continental shipments, construction of powerful electric-transmission lines and creation on this basis of a Unified Energy System for Europe; it could lead to major progress in solution of problems of the fuel-energy balance ..."

116. Western countries might wish to adopt a non-committal stance regarding these general ideas pending clarification and detailed study. If the proposals are reiterated by the East at a CESC, Alliance governments might request further details for examination in the ECE and its specialised subsidiary bodies or in other suitable fora.

(1) Arbitration in third countries (e.g. Sweden and Switzerland) is often agreed upon in contracts between East and West, but it is geared to commerce, not specifically to industrial co-operation.

(2) Source: Ekonomicheskaya Gazeta, No. 15, April 1971. Unofficial translation from Russian.

B. CO-OPERATION IN APPLIED SCIENCE AND TECHNOLOGY

I. IDENTIFICATION OF PROBLEM

Introduction

117. Both the Allies and the Warsaw Pact countries have identified scientific and technical co-operation for possible discussion at a CESC. In developing their views on these two areas, the Allies found it useful to distinguish between pure science (the subject of a separate section) and applied science and technology. While basic research is aimed at the increase of knowledge, the objective of applied research is a product, a process or a method of operation. Projects in applied science and technology are usually undertaken in response to economic, industrial or environmental demands, or to political and national security decisions of governmental authorities. Since successful applied research usually results in innovative processes or improved equipment, it is frequently subjected to proprietary protection of industry or government controls.

118. Substantial co-operation in applied science and technology is more feasible when the security interests of the countries involved are not in conflict. Co-operation is also likely when the parties concerned are at an equivalent stage of development (or, conceivably, when arrangements are made in the context of a joint industrial venture which capitalises commercially on Western technology and less costly East European labour).

Point of View of the Allied Countries

119. East-West exchanges in applied science and technology already exist across a broad spectrum of interests that complement each other. One of the principal motives on the Western side has been to ascertain what work is being done - primarily in the Soviet Union - in the fields in which we think, but are not certain, that substantial progress is being made. Person-to-person exchanges can help compensate for the considerable advantage the Soviets enjoy from the one-sided exchange of unclassified literature. Allied countries also seek to use such exchanges to open Soviet and other East European markets to their products. Further, there is a legitimate Western interest in reinforcing the position of Soviet scientists and engineers, a privileged but increasingly independent-thinking elite group within the Soviet Union in the short run, contacts with this group may produce gains in terms of shared scientific and technological knowledge(1). However, the net advantage from a general expansion of co-operation in the fields of applied science and technology would in all probability accrue to the East Europeans.

(1) See also paragraph 134 below.

Point of View of the Eastern Countries

120. Warsaw Pact states, judging from their draft declaration on the subject, do not now intend to negotiate specific scientific and technical agreements, in the CESC framework though they have suggested a number of specific topics for discussion, including transport and the construction of a European power grid. They apparently wish to use a conference to bring pressure on Western governments to be more forthcoming in the scientific and technical fields. The Soviet Union and most other East European countries, are at or near a critical point in their economic development, a point at which existing methods produce diminishing returns. They seek more refined styles of management and technological improvements to advance economic development. At the present time, Soviet leaders still seem convinced that they can achieve this by borrowing Western management methods and technology without altering significantly centralised direction of the economy and party supremacy.

121. In any event, the science and technology desires of the USSR and other East European countries are fairly similar. In their contacts with Western countries they seek keys to industrial and managerial progress. Closely related to this, they wish to adapt advanced techniques to systems analysis and computer technology to central planning and industrial management. They also seek association with Western institutions and industry to learn what is new in fields, such as electronics, metallurgy, petroleum extraction and refining, in all of which they lag behind the West. The end use of this technology varies with its nature but in any event is intended to improve and increase civilian and/or military production for domestic use, to improve foreign trade positions, and to ensure their military/industrial position vis-à-vis the West. The Soviets and other East Europeans could be expected to raise the question of placing experts in advanced technological facilities in the West, in the context of any Western efforts to promote expanded exchanges.

122. An additional objective in the case of East European countries other than the Soviet Union would be to reduce their dependence on the Soviet Union in important fields of science and technology, and to break down artificial barriers that separate the Warsaw Pact from the West in this field.

General Considerations

123. In the light of the foregoing, at least five considerations ought to guide Western efforts in devising a formula for East-West co-operation in applied science and technology.

- (a) With the possible exception of outer-space and the defence sector, clearly the East has not shared in the technological revolution of the post-war period nearly to the extent that the West has - and this gap in technological development will continue to widen if the USSR and its allies fail to participate fully in the electronics-computer age and continue to lag far behind in the managerial revolution.
- (b) The impact of sustained high-level expenditures for Soviet defence and space programmes is felt primarily in Soviet industry because they both divert industrial output from investment programmes and they pre-empt the services of the best managerial, scientific and engineering manpower. Almost three-quarters of Soviet Research and Development funds, for example, are designed to meet military needs. If these Research and Development resources had been available to the civilian economy they would undoubtedly have contributed to higher rates of growth in industrial productivity and technical advances during the Sixties.
- (c) The East has borrowed, and will continue, to borrow Western technology primarily by increasing its imports of machinery and equipment from the West. Although the magnitude of East-West trade is relatively small in the aggregate, the importance of this trade to specific industrial sectors and to the stimulation of technical advance in general in Warsaw Pact countries is a more appropriate measure of its impact.
- (d) While it is true that within a given branch of industry some Soviet plants may employ technologies equal to or even superior to the average for that industry in the West, in no major branch is the average technological level on a par with the average level in North America or Western Europe. Roughly speaking, Soviet technology probably comes closest to Western levels in military systems, some types of industrial machinery, shipbuilding and in metallurgy. It lags farthest behind in coal mining, forest products, textiles and clothing and food processing. Chemicals, petroleum, electric power generation and construction seem to occupy a middle position. The lag in computer technology seems most disturbing to Soviet leaders.
- (e) The Soviet obsession with internal security has proved a major barrier to Western efforts to increase reciprocal travel of scientists and technicians. In addition to normal Soviet restrictions on travel without special permission, there have been a number of recent examples of Soviet curtailment of itineraries of visiting scientists and students, and

several scientists have been expelled from the Soviet Union for allegedly associating improperly with "disaffected elements". Further, there has been a recent series of "vigilance" articles in Soviet publications cautioning Soviet scientists - and indeed Soviet citizens in general - regarding violation of the rules of correspondence and contact with foreigners.

II. EVENTUAL FORMULA FOR CONCRETE EAST-WEST CO-OPERATION

124. Paragraph 118 above indicated two possible kinds of joint East-West co-operation: (1) progress toward the solution of common problems which would not result in significant strategic advantage to one side or the other in terms of trade, security, etc.; (2) subjects in which the two sides are relatively closer in terms of competence and level of effort.

125. Examples of the first area might include industrial and private construction, urban transport, earthquake engineering, public health systems, food processing and fisheries management. The second class of topics might tentatively include space, aluminium research, other metallurgy, shipbuildings, arctic research and atomic energy.

126. Paragraphs 138-141 below describe various forms of contact and co-operation which already exist between East-West in the field of pure science. In addition, with respect to the specific areas mentioned in paragraph 125 above, the following examples of existing co-operation may be cited:

- (a) Space Research: as well as bilateral US/Soviet links, the European Space Research Organization has recently signed an agreement with the Soviet Academy of Sciences;
- (b) Arctic Research: a number of ad hoc links exist between the Warsaw Pact countries and Western countries;
- (c) Fisheries Management: the Soviet Union and some other Warsaw Pact countries are members of the North-East Atlantic Fisheries Agreement;
- (d) Earthquake Engineering: in UNESCO;
- (e) Reactor chemistry, radiation hazards, etc.: in the International Atomic Energy Agency.

III. LISTING OF IDEAS FOR FORMULATION OF POSSIBLE WESTERN PROPOSALS

127. The Allies could agree:

- (a) to any general declaration of intent advanced by the East at a CESC calling for enhanced exchanges in the fields of technology and applied science, as being of benefit to all peoples, (consonant, of course, with national security considerations and within the limits prescribed by COCOM), particularly if this could be coupled with specific improvements which would provide Western scientists and technicians with greater freedom of movement in the Soviet Union and Eastern Europe and improved access there to their counterparts;
- (b) to refer any specific Warsaw Pact proposals along these lines to existing bilateral or multilateral frameworks fora, e.g. ECE or to bilateral "Joint Commissions" or exchange agreements on science and technology already established between Warsaw Pact and most Alliance countries, for further discussion and elaboration; and
- (c) to note that technological transfer would be directly facilitated by the expansion of trade, the honouring of copyrights, and the easing of restrictions on export and import of scientific and technical literature.

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C. CO-OPERATION IN PURE SCIENCE

I. IDENTIFICATION OF PROBLEM

Introduction

128. As the preceding section on Applied Science and Technology has pointed out, the main interest on the side of the Eastern countries in co-operation in science seems to be concerned with industrial economic technology, and not so much with pure science. Pure scientific research as ordinarily carried out in universities may of course be of importance to future applications in various fields, but by definition, it is not carried out specifically for this purpose or under pressure from industrial or economic authorities. The results of such scientific research are traditionally available to all; the purpose of collaboration or co-operation in this field would be to accelerate the greater scientific progress obtained when good scientists intimately interact in their normal research work.

129. It should be further noted that scientific co-operation is not expected to be a subject of key concern to either side. The West would doubtless fail in an attempt to use the promise of co-operation as a quid pro quo for a concession in some other area, nor could it realistically afford to sacrifice a possible gain elsewhere to achieve agreement here.

Point of View of Allied Countries

130. The scientific communities and the governments of the Allied countries have traditionally taken the view that science is, in essence, apolitical and that scientific progress achievable through co-operation is desirable. Furthermore, the West would welcome co-operation in scientific research as an additional element contributing to the breaking down of barriers between the peoples of the East and the West. The West would probably have no preference for a particular field in pure science unless it could be expected that a joint East-West effort (1) will help solve urgent common problems; (2) allows large-scale research which is difficult for individual countries to afford. The Alliance approach should preferably go beyond a simple declaratory approach and seek specific improvements in this field of the type dealt with in the Section on freer movement of people, ideas and information and cultural relations. Specifically, greater freedom of movement in Eastern Europe and access to their counterparts in Eastern European countries could be sought for Western scientists.

Point of View of the Eastern Countries

131. It is probable that most scientists of the East feel the same way as their Western counterparts concerning co-operation in pure science. However, the free interchange of people and data which are implied in such co-operation have

raised serious problems for the East European governments in connection with their emphasis on closed societies. Furthermore, since the gains to be expected from scientific co-operation are of a general nature and may bring only long-term benefits, there has been no pressure of national interests to facilitate such co-operation.

General Considerations

132. The Eastern view toward scientific co-operation has been changing, albeit slowly, over the past 15 years. The Atoms-for-Peace Conference in Geneva in 1955 marked the beginning of significant contacts between Soviet and Western scientists. The first important exchange agreement started in 1958 between the Soviet Academy of Sciences and the US National Academy of Sciences under which nearly 200 scientists of each country have exchanged visits. Similar exchange arrangements have since been instituted between many other Allied countries and Eastern Europe. Furthermore, in addition to these formal exchange agreements, a growing number of scientists visit between East and West to attend meetings of international scientific societies, etc. The total exchange, however, could still be substantially increased.

133. While between certain countries and in certain fields there is long-term co-operation, most of the government-sponsored co-operation in pure science between East and West takes place through group visits - in high-energy physics particularly, in Arctic geology, in some areas of oceanography and meteorology, etc. Normally, these group visits cover a great number of institutions in a rather short time. Such discussions between groups of scientists from the two sides are very important, but would be even more important if they were formalised to the extent that they were carried out periodically and in specific, defined fields by groups of scientists who gradually get to know each other. While some such groups exist already, it might be profitable to suggest an increase in the activity and a certain continuity in the arrangements. Although this form of exchange is useful it is progressing very slowly and it falls short of the desirable, individually-initiated co-operation which is often the most productive.

134. In this respect it should be noted that relations between individual scientists in the West with their colleagues in the East may be rather important, not only from the scientific point of view but also from the political point of view. It is a fact that scientists in the Soviet social order rank high on the list of important citizens, and they form a politically influential group in that country. This élite group contributes to the gradual evolution of a more open Soviet society, which benefits scientific co-operation as well as détente in general.

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II. EVENTUAL FORMULA FOR CONCRETE EAST-WEST CO-OPERATION

135. Primary emphasis should be placed upon an agreement which would provide for meaningful improvement in the flow of scientists between the East and the West. At present the East already gets most of the benefits of Western scientific progress; the incremental increase obtainable from full and free co-operation would probably not be a sufficient incentive for full relaxation of restrictions. One long-term goal might be the development of a code of good conduct for scientific and technological relations dealing with such matters as are embodied in paragraph 142 below.

136. Paragraph 130 described two possible areas of joint East-West co-operation: (1) basic research dealing with problems common to both East and West and (2) large-scale research projects. As a limited goal, group visits in fields of the kind noted above might be proposed with a view to studying programmes aimed at solving problems common to both East and West. For example, the following topics could be included: earthquake prediction, protein chemistry, air-sea interaction mechanisms, other basic oceanography and meteorology, and cancer and cardiovascular diseases (international co-operation in these two medical areas was called for by Soviet leaders).

137. In the large-scale research area, while some signs of willingness to co-operate have been manifested by Eastern countries, there is an obvious need to check to what extent Eastern countries are ready to co-operate, in large part because of the tremendous expenditures involved, in setting up and operating the necessary facilities. The suggested group visits might be a useful device to sound out the disposition of the Eastern countries in that respect. These fields could include:

- (a) High energy accelerators;
- (b) Plasma physics;
- (c) Astronomy - radio and optical;
- (d) Space sciences;
- (e) High magnetic fields.

138. In most of the specific areas listed in paragraphs 136 and 137 above there are already varying degrees of contact or co-operation, and therefore, any intensification of such co-operation should avoid duplication of efforts already underway. It is obviously impossible within the confines of a paper such as this to provide full details of existing East-West co-operation, but a general description based on information currently available is given in the following three paragraphs.

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139. East European countries are, of course, members of the various specialised bodies of the United Nations, and in this framework there is some exchange of information and effort in various fields - e.g. in the World Health Organization on health problems, in the Food and Agricultural Organization on agricultural practices, hydrology and soil chemistry, in UNESCO on scientific information and various aspects of pure science and oceanography (through the latter's Intergovernmental Oceanographic Commission), and in the World Meteorological Organization on atmospheric sciences and weather forecasting. There has been co-operation in the field of high energy accelerators through the links between CERN and Serpukhov. In addition, co-operative work takes place on metrology through Eastern European countries' membership of the International Organization of Legal Metrology.

140. Furthermore, the Eastern countries are members of the specialised Unions of ICSU (the International Council of Scientific Unions). Within this framework a considerable amount of joint planning, research co-ordination, agreement on standards and exchange of information on basic scientific questions takes place. Global programmes, such as the International Geographical Year, the Year of the Quiet Sun, the Upper Mantle Project, the World Weather Watch and the International Biological Programme have been structured and stimulated through the work of the ICSU unions and its specialised committees (e.g. SCOR - Scientific Committee on Oceanographic Research; SCAR - Scientific Committee on Antarctic Research; SCOPE - Special Committee on Problems of the Environment).

141. In addition to East-West membership in many specialised international organizations, dealing with such widely disparate fields as information processing and dam construction techniques, there are also a number of bilateral arrangements which allow for co-operation in specific fields. These agreements differ greatly in formality, in content and in degree of implementation, ranging from simple declarations of friendship to detailed listings of reciprocal steps to be undertaken in furthering scientific and technical co-operation.

III. LISTING OF IDEAS FOR FORMULATION OF POSSIBLE WESTERN PROPOSALS

142. An eventual Western proposal for co-operation in pure science should aim at the following:

- (a) improving existing forms of individual and group exchanges;
- (b) facilitating scientific exchanges by:
 - reduction of restrictions on travel and on association with host nation scientists;
 - promoting translation, export and import of scientific literature;
 - honouring of copyrights.

It is not inconceivable that in the longer term such co-operation could lead to the creation of common research teams, common research projects or even common research establishments between East and West in pure science, for example in the fields mentioned in paragraph 137. It should be noted that within the NATO framework steps have already been taken to permit enhanced East-West co-operation. In July 1971(1), the Council noted the significant participation of non-Alliance country scientists in the NATO Advanced Study Institutes Programme, and agreed that NATO funds could be used partially to support such participation.

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Chapter 4 EAST-WEST CO-OPERATION TO IMPROVE
THE HUMAN ENVIRONMENT

I. DESCRIPTION OF THE PROBLEM

Introduction

143. The problem of the human environment occupies a rather special place among the range of issues that could possibly be tackled under an expansion of the East-West co-operation. By their very nature, environmental questions call for solutions which transcend national frontiers. Furthermore, as these nuisances directly affect the everyday lives of people in the East and West, the political implications are less pronounced than in the other possible fields for negotiation. Most important of all the East European countries have, on several occasions, expressed interest in taking concerted action with the West to protect the environment. The Soviet leaders did so at the 24th Party Congress and again in subsequent statements. The recent ECE Symposium in Prague also provided an opportunity for the Eastern countries to demonstrate their interest and express their views on this problem.

144. It may therefore be assumed that common ground will be more easily found early on in discussions with the East in this field than in the case of more politically sensitive issues. It will probably be easier to identify the concrete benefits likely to stem from East-West co-operation.

145. The special nature of environmental questions is also the reason for the fact that the considerations outlined below do not follow exactly the same pattern as that adopted in the other sections of the report.

Allied point of view

146. [In any discussions with the East, Alliance members should highlight the steps already taken in the search for an improvement of the environment, either nationally or in co-operation with other members of the Alliance, in particular within the CCMS, whose activities in the careful preparation of a large number of studies have proven to be extremely useful. There is much to be gained from emphasising in this way the painstaking preparatory work which has been carried out over the last few months, not only within the Alliance, but also by the national authorities.]

OR

146. [In any discussions with the East, Alliance members should highlight the steps they have already taken in the search for an improvement of the environment, both nationally or internationally, including in the CCMS. There is much to be

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gained from emphasising in this way the painstaking preparatory work which experience has shown to be essential if solutions are to be found for environmental problems with international implications.

147. Within the general context of East-West negotiations, environmental questions provide the Allied countries with an opportunity of furnishing additional proof of their goodwill and their desire for fruitful co-operation, from which in actual fact the Eastern countries will derive most benefit.

148. In framing Western proposals, it will also be necessary to take account of the Eastern viewpoints which are summarised below.

Point of view of the Eastern countries

149. General considerations

- (a) The fields of the environment on which the East places the greatest emphasis are the problem of pollution and the preservation of natural resources.
- (b) In contrast to Western proposals, East European statements on this matter appear to be vague and undefined. One reason for this could be that research and action programmes in the East are less advanced than they have been in recent years in the West.
- (c) It is clear that the East would favour a regional approach rather than the so-called global approach. For example, Mr. Kosygin confined his proposals to the European region.
- (d) It is also noteworthy that Soviet leaders do not draw a clear distinction between environmental co-operation and purely economic projects, such as the development of power, transport and communications(1).
- (e) The high cost of corrective measures against pollution seems to be of major concern to the East. Presumably for this reason, the ECE Prague Communiqué favours a preventive rather than a remedial policy.

(1) Kosygin's remarks at the 24th CPSU Congress are also illustrative of this point. He stressed that the holding of a CESC "could create conditions for solving such problems as the organization of transcontinental carriages, the building of large power transmission lines and establishment on this basis of a single European power grid, leading up to cardinal advances towards solving the problem of the fuel-and-power balance".

- (f) Another matter of concern to the East seems to be the impact of environmental policies on foreign trade. The Prague Communiqué stressed specifically that environmental measures should not interfere with international trade.
- (g) Further information concerning the views of Eastern European countries is contained at Annex II: Eastern European Interest in Environmental Questions.

Prague Symposium Proposals

150. At the Prague Symposium on environmental problems, the participating nations put forward several proposals concerning the possible forms of international co-operation:

- (a) Co-operation could be realised on a national basis directly between Eastern and Western countries through:
- exchange of information;
 - consultations (if conflicts of interests arose between nations);
 - agreements between neighbouring countries (when an environmental problem goes beyond national borders; in this case, practical measures would be particularly desirable; in fact, they would be indispensable);
 - development of a system of generally accepted principles in the social and economic fields.
- (b) Co-operation could also be pursued on a multilateral basis within the framework of the ECE:
- the senior environmental advisers of governments of ECE countries might undertake sector studies on ways and means of diminishing pollution and begin some inter-disciplinary studies in that field;
 - the ECE might study the possibilities of creating an information centre on the environment;
 - attention was drawn to the need to create teams for inter-disciplinary research on environmental problems and to provide for close co-operation among the scientists of various countries.

II. POSSIBLE FORMULAS FOR CONCRETE EAST-WEST CO-OPERATION

151. Until more sustained contacts have been established between East and West in order to provide a basis for co-operation on the environment, it is probably difficult to determine the framework, within which such co-operation can evolve. Therefore, the following ideas, which have been based on existing practices, either within the Alliance or in other bodies, are presented merely as examples. Only during multilateral talks in connection with a Conference, will it be possible for the Western countries to put forward their suggestions and to ascertain if an overall agreement is feasible on one or other of them. Nevertheless it should be noted that the Eastern European countries have also contemplated working within the ECE. Finally, the Alliance countries, applying their experience gained in CCMS projects, could have a considerable influence on the activities planned within the framework of East-West co-operation.

Fora

152. A CESC could play an important rôle in adding high-level political support to East-West environmental co-operation. A CESC itself would not, however, become actively involved in the actual carrying out of specific projects in this field, but would look to competent international organizations.

153. In seeking appropriate channels for environmental co-operation, a CESC should be guided by the proven effectiveness of an organization or method in identifying timely solutions to concrete problems.

154. Depending upon the nature of the environmental co-operative activity which CESC participants decide to pursue, a number of forums could be used, including: ECE; IMCO; World Meteorological Organization; FAO, WHO and other UN specialised agencies; ad hoc multilateral arrangements, as appropriate; any machinery resulting from the Stockholm Conference on the Environment.

155. Pilot studies may be developed, following the format of CCMS, and may be associated as appropriate with CCMS if the countries concerned so desire.

Possible rôle of the Economic Commission for Europe (ECE)

156. The Economic Commission for Europe is an existing, UN-affiliated organization with long experience in this field. As noted above, it has established a new subsidiary body, the Committee of Senior Environmental Advisers of ECE governments. The Allies suggested in their last report (paragraph 111, C-M(71)40(Revised)), that at a CESC it might be agreed to call

upon the ECE to deal with specific questions related to environmental co-operation. Under such an arrangement, participants in the CESC could, in the ECE, request study of certain specific topics connected with the human environment, in accordance with procedures to be worked out. Such suggestions arising from a CESC could well strengthen the work of the ECE and improve its capabilities to deal meaningfully with some environmental problems.

Pilot nation initiatives

157. The pilot nation concept as developed by CCMS offers potential flexibility in organizing international co-operation on environmental subjects. Pilot projects, although CCMS approved, are primarily national rather than NATO undertakings. Following approved consultative procedures, non-NATO countries (including those of Eastern Europe) have been invited to participate in pilot country activities. Some non-NATO countries have accepted and participated, although none as yet from Warsaw Pact countries. The potential always exists, depending upon the nature of the subject matter, the willingness of the countries involved and the necessary co-ordination within the Alliance, to expand co-operation with Warsaw Pact countries through pilot country projects.

Action by the CCMS

158. Reference has already been made (in paragraph 146) to the active rôle of the CCMS in the study and careful preparation of a large number of environmental questions. Technically, the following alternatives are possible after a Conference on European Security, provided a genuine interest and a willingness to attend have been demonstrated by the East Europeans which might open up perspectives for concrete co-operation:

- (a) The CCMS could invite observers from Eastern Europe to its meetings, together with observers from other appropriate countries and organizations. CCMS meetings are unclassified and take place in a non-secure area.
- (b) CCMS representatives could be authorised to take part in environmental activities held by neutral countries, international organizations and even by Eastern European countries (although this possibility will require further study in the Alliance).

159. With respect to the ideas contained in paragraphs 155 and 158 above, some delegations were of the opinion that it was inappropriate to envisage any rôle at all for the CCMS as such because of the danger that the environmental question would then

become burdened with political implications. Given the fact that the CCMS is embodied in the NATO structure, they considered it unlikely that at least the Warsaw Pact countries would be interested in participating in the work of the CCMS. Accordingly, they would foresee that this body would limit itself to promote and stimulate, within the Alliance, wider ranging projects, the implementation of which is left to other organizations.

III. LISTING OF IDEAS FOR FORMULATION OF POSSIBLE WESTERN PROPOSALS

General principles

160. As an introduction to the Western proposals, it will be necessary to define the basic principles underlying the desired East-West co-operation. Most of the points to be included in such a definition have already been listed in C-M(71)40(Revised).

Choice of issues

161. It would seem logical to start with issues in which both Eastern and Western countries have already shown interest. Other topics for co-operation which the Allied countries have a special interest in tabling could be added later to the initial list. The following listing of subjects should not, therefore, be considered as limitative. On the other hand, in considering subjects of negotiation with the East in the environmental field, a pragmatic approach should be adopted to take account of specific problems relating to East-West co-operation: these subjects could be taken up in the framework of the CCMS, or in another forum, depending on circumstances.

Areas of co-operation of interest to East and West

(1) Ocean pollution

Comments by the Eastern countries

162. In his 6th April, 1971 speech at the 24th CPSU Party Congress, Soviet Prime Minister Kosygin expressed interest, inter alia, in co-operation in order to preserve the purity of the seas bordering Europe.

Western proposals

163. The pilot country - Belgium - might consider whether and if so, how, one or several Eastern countries could participate directly in any of the three present projects:

- establishment of a mathematical model of the North Sea;
- evaluation of technologies for reducing pollution;

- implementation of oil spills elimination policy.

164. Turkey might consider re-opening the question of the technical participation of Western experts in a Black Sea programme, which is being undertaken by the USSR, Bulgaria and Rumania. Member countries of the Alliance, in particular those of the Mediterranean region, might have an interest in such participation.

165. The dumping of toxic and solid wastes in recognised and potential fishing grounds, in shallow areas or in the high seas could also be included.

Advantages for the West

166. Such proposals would offer the advantage of building on the already considerable success the CCMS has enjoyed in this field.

(2) Public health

167. A new CCMS project on Health Care Delivery Systems is under preparation. This project is concerned with the use of modern technology in order to improve the day-to-day health service for a steadily increasing population with steadily increasing demands for medical care. The object in this case is essentially to improve the organization and the technological basis for widespread public health services.

(3) Air pollution

Comments by the Eastern countries

168. The East European countries believe that air pollution problems, including specifically the desulphurisation of fumes, are likely to be more readily resolved through international co-operation. According to press reports, the Soviets are pursuing studies in air pollution measurement and control; these seem to be similar to those currently under way under CCMS auspices in various member countries.

Western proposals

169. The suggestions set out in paragraph 58 of C-M(71)40(Revised) could be put forward. It might be added that the European air pollution survey carried out by the OECD could usefully be expanded to include Eastern countries.

Other areas of co-operation of interest to the West

(1) Inland water pollution

Advantages for the East and West

170. One of the aims of the CGMS study directed by Canada is to draw attention to ways in which countries can co-operate in reducing inland water pollution to their mutual benefit. It will develop improved techniques, concepts and principles for fresh water quality management - with special reference to spheres of legal competence.

171. A number of large rivers in Europe flow through several countries. Moreover, the dispersion of the effluents has an immediate bearing on the problem of coastal water pollution. This is therefore likely to become a most fruitful field for East-West co-operation. High Soviet officials, in recent talks with Western scientists, have shown interest in clearly defined problems such as the pollution limit in inland waters when all vegetable and animal life is destroyed, or the pollution of major waterways. Such clearly defined problems might be, for example, phosphates and PVCs related to inland and coastal waters pollution. These problems could provide a basis for co-operation. Furthermore, in the recently published programme for intra-CEMA co-operation, one of the aims is to guarantee that the quality and quantity of COMECON water resources - with special reference to the Tisa and Danube basins - are adequate.

Western proposals

172. Canada, the pilot country, may want to invite Eastern experts to participate in aspects of the study where exchanges of information and know-how may prove mutually beneficial.

173. Contacts could be established between scientists and experts in inter-state bodies which administer or supervise the utilisation of international rivers, such as the Rhine, the Danube or the Elbe.

174. A link might be created with the pilot study on Environment and Regional Planning. Here, useful exchanges could take place about French experience regarding the setting up of the "Agences de Bassin" and the management of river basins.

(2) Highway safety

Advantages for East and West

175. The Soviet Union and the Eastern Allies are on the verge of developing large-scale car production. Consequently, the volume of traffic, which is still light, is likely to become greater. Any preventive measures that can be taken to

reduce the level of casualties to be expected as a result of the increased traffic should be welcomed by the East. Moreover, should new safety laws be adopted in the future, they will undoubtedly have an impact on the development of international trade and, therefore, should also attract interest from the East. Road safety is one of the areas in which CCMS work has progressed fast, and considerable information of great interest has already emerged. Various international agreements have also been concluded, especially as regards the development of an experimental safety vehicle.

Western proposals

176. Consideration could be given to the following suggestions contained in paragraph 61 of C-M(71)40(Revised): drunken driving and road safety, accident investigation, experimental safety vehicles, pedestrian safety and emergency medical services.

IV. OTHER POSSIBLE FIELDS FOR EAST-WEST CO-OPERATION

(1) Disaster assistance programme

Advantages for East and West

177. Large-scale natural disasters are increasingly disruptive and costly because of urbanisation and economic specialisation. Generally, they cannot be avoided, but prevention programmes can be designed to mitigate their effects. Natural disasters do not normally affect several countries at one time, and therefore remain essentially national in character. International scientific co-operation is indispensable for the research and identification of preventive techniques, and is highly desirable for the development of these techniques and the assistance to be provided after a disaster has occurred. Eastern countries are also facing increasingly rapid urbanisation and economic specialisation; this entails correspondingly greater risks from natural disasters and makes it all the more necessary to prevent them or mitigate their effects.

Western proposals

178. A first step was the invitation recently extended by the United States, pilot country, to several Eastern governments to participate in an earthquake meeting held in San Francisco under the aegis of the CCMS. Although, generally speaking, the preventive or mitigating aspects of environmental challenges should be considered first, the question of how to deal with natural disasters may be an exception, and the rehabilitation of the people's living conditions, housing, public facilities or land reconstitution would probably take precedence.

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(2) Urban problems

Advantages for East and West

179. Urban problems do not seem to be of major concern in Eastern countries where, among other things, adequate housing is still scarcer than in the West. However, the East may be willing to take stock of Western investigations into ways and means of improving and renovating the urban environment and of countering pollution by preventive rather than remedial methods.

Western proposals

180. It should be recalled that the French project on Environment and Regional Planning specifically aims at developing techniques to prevent pollution as from the inception of a new town. Furthermore, the future results of any pilot projects which may emerge from the Indianapolis Conference will need to be borne in mind in helping determine courses of action.

PART THREE: PROCEDURES

I. INTRODUCTORY COMMENTS

181. The Allies have continued to analyse the question of effective procedures for the preparation and conduct of a CESC, in the event of a satisfactory Berlin agreement. They reviewed their most recent report on this subject(1) and examined two papers containing further views (Annexes III and IV). These documents, together with discussions within the Alliance, have further identified the areas on which there appears to be substantial consensus among the Allies and have helped to identify points which have yet to be resolved.

182. Many of the "General Observations" contained in C-M(71)40(Revised) remain valid. The Allies continue to emphasise the necessity for careful preparations, involving substantive examination of concrete problems of security and co-operation in Europe. They wish to retain full flexibility to ensure that the results of a CESC will be satisfactory from the Western point of view. For example, the Allies want to preserve the option of not agreeing to the convocation of a Conference, if the Soviets will not come to terms with certain Western desiderata and negotiate only on items of major interest to them (e.g. on such questions as renunciation of force and borders).

183. In this connection, Alliance members have again noted that the aims of the Soviet Union, which might be shared by some of the other Warsaw Pact countries, and those of the West appear to be quite different. While the Allies believe a CESC should lead to enhanced security and East-West co-operation characterised by the gradual elimination of existing barriers with all that this implies for Eastern Europe, the Soviets see a CESC largely as a means to obtain Western recognition of the "realities" of Europe, i.e. the status quo in Eastern Europe, as well as propaganda benefits. Consequently, the Soviets will seek to ensure that the preparation of the Conference be brief and pro-forma and that the Conference itself would confine itself to the adoption of very general declarations on borders, renunciation of force, etc.

184. As discussed below, there was also a general view that a thorough step-by-step process will be required before a Ministerial-level CESC could formally adopt texts. Allied views diverge principally on the point during this process at which the opening of the conference by Ministers would take place. Also noted below is that the Allies need to examine in greater detail a range of substantive and procedural issues connected with the initial phase of multilateralisation.

(1) Part Two, C-M(71)40(Revised)

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II. SOME ELEMENTS OF A STEP-BY-STEP PROCESS

185. C-M(71)40(Revised) and the annexed papers all share the concept that a thorough, step-by-step process will most likely be required when multilateral discussions begin in order to prepare texts for formal adoption by Ministers. Some of the elements of this process might include:

- (a) Initial exchange of views among prospective participants to: determine whether an Agenda can be agreed upon; determine through detailed discussion of each substantive point, whether sufficient accord can be reached to provide advantageous results for all the parties; reach agreement on the date, place and procedures for the next phase; and decide whether to move to that phase. It is evident that the nature of this decision would be different according to whether that next phase would be a further preparatory phase or the conference itself. The views of the Allied countries on this question are tied to their concept of the way in which they wish the conference itself to unfold.
- (b) The drafting of texts, probably in separate working groups or specialised commissions in each major area. As discussed in Section III below, there were two different approaches among the Allies on the framework in which these texts would be drafted: one approach is that this work should take place in a separate preparatory phase prior to a CESC itself. Another approach is that the "exploratory" and "preparatory" phases would be blended into a single preliminary phase and redrafting work should be done within the framework of a CESC, following a first Ministerial session.
- (c) Adoption at Ministerial level of texts which had been largely worked out in advance. Ministers might also at this point decide on the advisability of a further conference and on the utility of permanent machinery for East-West negotiations.

III. THE CONFERENCE

186. The area of principal difference among the Allies lies in the relationship between multilateral contacts and the formal commencement of the Conference itself. Two alternatives presently favoured are as follows:

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One Approach: A short conference preceded by thorough multilateral preparations including the drafting of texts.-

The CESC would begin only with a Ministerial-level meeting which would convene to approve texts, i.e., only after the successful completion of work by specialised working groups or commissions in drafting texts. As outlined in C-M(71)40, there could, therefore, be separate "exploratory" and "preparatory" stages before a CESC. There would be a gradual escalation of both the substantive content and extent of engagement. Some delegations noted that a senior level (but no higher than Deputy Minister) meeting might be useful at some point in this process and prior to a CESC.

Second Approach: A long conference meeting at several levels -

The CESC would begin with an 8-10 day meeting of Foreign Ministers, after detailed consideration of each Agenda item during the preliminary phase had previously demonstrated that there was sufficient accord to provide advantageous results for all parties. The first Ministerial session would not approve texts, but would establish specialised commissions to draft texts for adoption at a second Ministerial meeting. During this Ministerial session, Ministers would present their views on the range of problems concerning security and co-operation, table their proposals, and refer them to specialised commissions. The work of these commissions would be the second phase of the Conference and would consist of the drafting of texts. In a third phase, Ministers would meet again to adopt these texts and conclude the Conference.

187. The principal arguments made by those who favour the first alternative are:

- (a) Once the Conference convenes at Ministerial level, the Soviets will have largely achieved their CESC goals of creating the impression of greater security, gaining implicit acceptance of the status quo and enhancing the international position of the GDR.
- (b) A gathering of Ministers before participants had drafted agreements would weaken possibilities for achieving meaningful Soviet concessions in those agreements, inasmuch as this first Ministerial phase would have achieved most Soviet aims.

Moreover, it might tend to give public opinion in Allied countries the mistaken impression that a major turning point in East-West relations was at hand, with a heightening of public euphoria and consequent erosion of support for Allied defence efforts.

- (c) Since the initial phase would not complete work on agreed texts, the Allies would have less assurance that the Soviets would not pose major unforeseen difficulties when Ministers meet. In that case, Allied Ministers would have to break off discussions without agreement, thereby souring the climate of East-West relations, and possibly damaging the prospects of other negotiations as well as the Western image.
- (d) In contrast, initial discussions at official level would hold open the option of allowing the talks to lapse, with a minimum of damage, if it should become apparent that agreement cannot be achieved. Moreover, as the recent Berlin negotiations have shown, the achievement of constructive results is also possible at a sub-ministerial level.

188. The principle arguments made for the second alternative are:

- (a) Once a satisfactory agreement has been reached on Berlin, the West must not appear to be laying down additional pre-conditions for the holding of a Conference. Should they make this Conference conditional on the finalisation of drafts, they would be accused of excessive caution and delaying tactics. Therefore the multilateral contacts, though important, should not be unduly prolonged and the Conference should begin as soon as there are reasonable prospects of success.
- (b) Since the multilateral discussions will take place below Ministerial level and will not be held in public, Western opinion may not understand the issues involved and may not accept, in the event of failure, that the responsibility rests with the other side. Moreover, the Western negotiators will be placed in a disadvantageous position during these contacts, owing to the pressure of public opinion in favour of the convocation of the Conference.
- (c) The initial phase of the Conference would not lead to the adoption of any text and the only decision taken would be to set up specialised commissions. The Communist countries would consequently be unable to

use it to create a false impression of security. It would be clear that concrete progress could only be the outcome of the detailed negotiations in the second phase.

- (d) Once the Conference is under way, and detailed negotiations are being pursued on various levels, international attention will be focussed on them and the positions of all the parties will be fully exposed. If the Conference should fail, the responsibility will be clear.
- (e) Multilateral discussions conducted below the Ministerial level are likely to produce only meagre results. A Ministerial meeting would give greater solemnity and a higher degree of commitment to obtain results in the subsequent work of specialised commissions.

189. These two alternatives are conceived in terms of the process required to reach the stage at which a Ministerial level CESC would adopt texts. The possibility that after this meeting, further conferences could take place, with or without permanent machinery, is not excluded under either approach. Indeed, some delegations find that this would be a likely course of events.

190. Several delegations expressed the opinion that it was not necessary to reach a decision at this point on the type of conference. These delegations thought that this decision could be taken later, perhaps even during the preparation of the conference, in the light of the discussions during this phase. The eventual decision might draw on elements of the two approaches.

IV. THE INITIAL PHASE

191. It should be noted that the Allies have not yet examined in detail how initial multilateral contacts, the "opening round", would be conducted. There are a number of important procedural questions still to be worked out among the Allies on this initial phase. Many of these were identified in Annex I of C-M(71)40(Revised). Inter alia, there is no final Allied judgement as yet on:

(a) Level of Representation

The Allies have not yet come to a common position on whether representation during the initial phase should be by resident Heads of Mission, by senior officials from capitals, or left entirely to the discretion of individual participating governments.

(b) Place of Meeting

Helsinki is the most discussed site for the initial multilateral phase, but some Allies want to keep their options open on this point. Several Allies also wish to keep open the possibility of using meeting places other than Helsinki as the CESC process develops. Other possibilities mentioned include: Geneva, Vienna, alternate neutral sites, alternate NATO and Warsaw Pact capitals; different sites for meetings at different levels.

(c) Convocation of the First Multilateral Meeting

It is still an open question as to how the first multilateral meeting should be convened and by whom.

(d) Participation

Some delegations consider that the question of participation has not been finally settled.

(e) GDR Representation

The question of GDR participation is a separate one requiring special attention.

(f) Other organizational arrangements for the multilateral meeting, such as chairmanship, rules of procedure, conference services, funding.

(g) Information

Arrangements for keeping public opinion informed.

ECONOMIC ASPECTS: GENERAL LEGAL PRINCIPLES AND PRACTICE

A. COMMERCIAL CO-OPERATION

1. As far as commercial relations between non-Communist countries are concerned these are broadly governed by the General Agreement on Tariffs and Trade (GATT). However, within this general agreement a number of regional agreements such as the Common Market and EFTA have been created to give a framework for regional trade.

2. As regards relations with Eastern countries, these have been up to now generally governed by bilateral trade agreements, the duration of which is between three and five years(1). In such agreements most Western countries have agreed to include the most-favoured-nation clause. However, in some trade agreements, this clause has been interpreted in a restrictive manner by the Western countries inasmuch as they consider that it only applies to tariffs and not to quotas. On the other hand, the Eastern countries and, in particular, the Soviet Union's contention has been that the MFN clause entitles them to all the advantages which Western countries grant to each other, either under the GATT or under specific regional agreements such as the Common Market or EFTA.

3. When considering relations with Eastern countries, a difference must also be made as between those which do not belong to GATT and those which are in that Organization, i.e. Czechoslovakia, Poland and recently Rumania (Hungary is currently negotiating its accession). In the case of these three countries the situation again differs: for instance, Czechoslovakia, which has been in GATT since its inception, does not get any of the GATT advantages from the United States, neither does it get the full GATT treatment from the other Western countries. In the case of Poland, specific arrangements were negotiated between that country and its GATT partners to allow some reciprocity between the advantages it would obtain under GATT and those which Western countries could hope to gain in a country where foreign trade is entirely run by the State.

B. FINANCIAL CO-OPERATION

4. Financial co-operation between non-Communist countries is in principle based on the tenets of the International Monetary Fund: fixed parities and free convertibility of the currencies. The Eastern countries do not belong to the IMF and financial co-operation with them is therefore governed by special

(1) In order to facilitate the commercial contacts and the development of trade, a number of "joint commissions" have been created between the USSR and other East European countries on the one hand and most Western countries, on the other hand.

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payment agreement which generally refer to a Western currency, so that in dealings between an Eastern country and its Western partners only the Western currency in question will be used. There are, however, a number of cases where the transactions are based on clearing accounts and only the balance settled in convertible currency. It should also be recalled that Warsaw Pact countries have free access to commercial credits in Western countries and that such credits are guaranteed by most Western governments without discrimination. In addition, they have access to Western capital markets through their own banks in the West or through Western intermediaries.

C. INDUSTRIAL CO-OPERATION

5. Industrial co-operation between Western countries is not governed by any specific rules except those which already exist for trade and payments and any internal legislation in each of the countries concerned. On the other hand, industrial co-operation between East and West is governed by specific bilateral agreements.

EASTERN EUROPEAN INTEREST IN ENVIRONMENTAL QUESTIONS

1. The question of East-West co-operation in the environmental field presents a rapidly changing picture. The first meeting (in November 1971) of the senior advisers to ECE member governments on environmental problems, current bilateral contacts, and preparations for the Stockholm Conference, may provide more definitive information on Soviet and Eastern European interest and capabilities in East-West environmental co-operation. The following background represents information currently available on East European interest and capabilities.

Eastern European Interest

General Comments

2. Some doubt has been expressed as to the genuineness of Eastern interest in the environmental field and in environmental co-operation with the West. This viewpoint cites Eastern unwillingness - in part ideological - to recognize the magnitude of the problem; the lack of existing and effective anti-pollution programmes, and the willingness to sacrifice environmental considerations to the goal of economic growth or, as in the case of the Prague meeting, to subordinate them to political objectives.

3. Even so, there is considerable evidence that East European countries and the Soviets are confronted with an ecological problem of increasing magnitude. Every East European country is faced with serious water pollution. In the USSR this problem is reaching crisis proportions. (One source estimates that only 20 per cent of the annual total of 70 million cubic metres of waste water in the USSR is decontaminated. The remaining 80 per cent, representing millions of tons of pollutants, is dumped into Soviet rivers.) Air pollution is a major problem in most East European cities, and has come to afflict whole regions of Czechoslovakia, Poland and the GDR. Moreover, highway safety, urban planning, and such social issues as drugs, alcoholism, use of leisure time, job satisfaction, etc., are problems of growing urgency in all East European countries.

4. East European countries are increasingly disturbed by these developments. For example, recent analysis of the Soviet Press treatment of the environmental issue revealed that beginning in 1968, there has been a growing volume of articles, increasingly alarmist in tone and critical of plant managers and other responsible officials for failure to abide by Soviet laws designed to protect the environment. United States Delegates to international conferences have noted what they believe to be a genuine environmental concern on the part of their East European counterparts. Papers touching on environmental questions presented at international fora by East European

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experts are gaining in precision and indicate an awareness of the complexity of the problems. The new CEMA programme adopted at the 25th CEMA Session includes three separate references to CEMA co-operation in the environmental field, along with several additional references to CEMA co-operation on other problems of developed societies such as auto-safety. An additional indication of growing interest is the reorganization which has taken place in the governments of several East European countries to give greater attention to protection of environment.

5. There is growing evidence, in addition to the Kosygin speech of 6th April, that the Soviet Union is willing to co-operate with the West on environmental questions. The 16th July Sixth Dartmouth meeting of Soviet and United States public figures in Kiev, e.g. called for better bilateral relations and specifically cited joint work projects in fields such as ecology. The United States-Soviet and United States-Rumanian exchange agreements which contain environmental clauses (signed 10th February, 1970 and 27th November, 1970, respectively) are working smoothly, and American experts believe both countries are interested in furthering bilateral exchanges in this field. Poland has recently approached the United States expressing interest in co-operation in the road safety field. Understandings have recently been reached between the United States Department of Housing and Urban Development and its counterparts in several Eastern countries on co-operation in the urban affairs field, and the United States Department of Transportation is in the process of concluding agreements with its counterparts in several Eastern countries on rapid transit, including its environmental aspects. The Soviets and, to a lesser extent, the other East European countries are taking a more active rôle in environmental activities of such international organizations such as the ECE and IMCO, and in non-governmental bodies such as SCOPE (Scientific Committee on the Problems of the Environment) and SCORE (Scientific Committee on Research on the Environment).

6. While there is evidence of growing Soviet and other East European countries' concern for the environment and willingness to co-operate with the West in dealing with these questions, there is little doubt that questions of national prestige (such as the SST), economic growth (except where pollution threatens economic growth, e.g. in the fishing industry), and political considerations (e.g. the preparations for the Prague Symposium) take precedence over environmental considerations in all East European countries. It is also true that East European interest in co-operation with the West is not exclusively motivated by an interest in the world's environment. The East European countries probably hope, through a CESC, to obtain greater access to Western technology in the environmental field (thus reducing the cost of developing their own expertise). East-West environmental co-operation, in the context of a CESC, would also serve certain obvious Eastern European political objectives, including a desire to make a CESC

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more attractive to the West, a desire to create an impression of progress in the environmental field (thus improving their image in the West), the wish to add further to the international status of the GDR, and - in the case of several smaller East European countries - a desire to reduce their dependence on the Soviet Union. The evident conflict between Eastern European interest in environmental considerations on the one hand and political factors on the other probably stems from a split in Eastern European societies between the scientific-intellectual community and some elements of the political leadership.

Individual Countries

Soviet Union

7. As the most industrially advanced East European country, the Soviets are faced with severe problems in the environmental field, especially water pollution due to industrial waste and sewage, and the related problems of water resource management such as salinization, siltation and erosion. Soviet scientists are also concerned that their programme to divert water to the South may be drastically altering the environment and climate of their Arctic regions. The Soviets recently established a high-level body within the scientific community called the "Joint Council on Problems of the Environment". This project reportedly had the blessing of Prime Minister Kosygin, who directed that the group report directly to the USSR Council of Ministers. In spite of this step, however, the Soviet leadership still clearly places priority on economic growth at almost any cost. The Soviets have been quite active in international bodies, e.g. their co-operation in IMCO in furthering the CCMS/generated oil spills ban. Thus they are willing to act in concert with the West on a multilateral basis when it is in their interest. Even so, they have shown a marked preference for dealing with environmental questions on a bilateral basis. The Soviet-American Exchange Agreement contains a section on "Man and his Environment" which includes oceanography, urban transportation and environmental impact of urban transportation; air pollution; management systems; social security; agricultural economics; and treatment of water in industry.

Czechoslovakia

8. The Czechs have demonstrated a level of concern, and a willingness to deal with environmental questions, perhaps greater than any other East European country. This may be due in part to magnitude of their water and air pollution problems. The Czechs have taken steps to reduce air pollution, and have taken an imaginative approach towards assessing delinquent factories for exceeding maximum authorized levels of pollution of various types. The Czechs have been particularly active in international organizations in dealing with environmental questions.

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Poland

9. Like Czechoslovakia, Poland is faced with severe air and water pollution problems. The Poles have also shown concern for flooding and for such other major problems as auto-safety, work performance and fatigue, alcoholism, urban and regional planning, etc. The Poles recently approached the US to explore the possibilities of co-operative ventures on these and other projects. An agreement with the US Department of Housing and Urban Development already exists, and an agreement with the Department of Transportation seems likely.

Hungary

10. The Hungarians' main concern has been with water pollution, especially of the Danube. Air pollution is a major problem in major cities and some industrial districts. The Hungarians have developed some expertise on the question of pollution of agricultural and forest regions. Hungary's interest in East-West co-operation in the environmental field may be greater than the Hungarians' efforts to date would indicate. If so, their relative inactivity may indicate a reluctance - for political reasons - to get too far ahead of the Soviets in this field.

German Democratic Republic

11. As the most industrially advanced country in Eastern Europe (excluding the Soviet Union), and with the greatest concentration of industry, the GDR faces severe problems with air pollution and especially with water pollution. The East Germans are of course interested in any subject which might be used to enhance their international status, and they evidently sense in the environmental issue an area of Western concern which they can exploit. The sincerity of East Germany's own concern in the environmental area is unknown. However, the available evidence suggests that, as with most other issues in the GDR, the environment is subordinate to the goals of greater international recognition and greater industrial production.

Bulgaria

12. Bulgaria has devoted more attention to questions of the environment recently, although the push for rapid industrialization still takes top priority. In the government reorganization of July 1971, the former sub-cabinet committee for the protection of the environment became a part of a new Ministry of Forests and Protection of the Environment. Whether Bulgaria will agree to joint programmes with the West in this field will depend on the attitude of the Soviet Union.

Yugoslavia

13. Yugoslavia has an active interest in environmental matters, with particular stress on how environmental protective factors can be structured into industrial development. In the field of environmental health, Yugoslavia has co-operative projects under way with both the US Department of Health, Education and Welfare and the US Environmental Protection Agency. The latter Agency now projects a research budget in Yugoslavia of two million dollars for Fiscal Year 1973. Yugoslavia can be expected to enthusiastically endorse increased co-operation with the West in this field.

Albania

14. Albania's attitude towards co-operation with the West is generally negative and Albania has been wary of the CESC proposal. There has been no indication that the Albanians have devoted attention to environmental questions. Their economy is the most rudimentary in Europe.

Rumania

15. Rumania's interest in both CESC and in environmental co-operation with the West is strong. Water pollution is a particular field of interest, and two United States water pollution experts will visit Rumania in the near future, under the US-Rumanian Exchange Agreement of 27th November, 1970. Rumanian interests, of course, in this and other fields transcend the environmental issue. They seem to see in fields such as environmental co-operation with the West the possibilities of further asserting their independent position in international affairs.

Capabilities

16. In general, East lags far behind West not only in terms of the priority placed on environmental questions but also in their capabilities for dealing with the question. Level of environmental technology - except for a few fields - is unsophisticated when compared with that of the West, although less so in the cases of the Soviet Union, Czechoslovakia, and East Germany. The Soviets have made considerable progress in the field of solid waste disposal. They are also quite advanced in oceanography and some of this technology may be directly applicable to the problems of coastal water pollution, ocean dumping, etc. Soviet capabilities in seismology and anti-seismic construction are also rather advanced. (The Institute of Earth Physics in Novosibirsk, for example, has developed a computerized system of estimating the frequency of earthquakes and the economic loss due to them); these might be applicable to

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co-operative efforts in dealing with disasters, including disaster relief, although to date they have shown relatively little interest in discussing this question with the West. The Soviets also have advanced space technology, some of which might be useful in an earth applications programme in detecting pollution and other environmental disruptions.

17. While the level of Eastern technology in dealing with the environment is substantially below that of the West, the Eastern countries have somewhat more to offer in the field of technological applications. Experts at the Department of Housing and Urban Development, for example, believe that the Soviets and other East European countries have made considerable strides in utilizing the technology at their disposal and in organizing their productive facilities to deal with urban problems. The same holds true for rapid transit. Several Eastern European States have good programmes for emergency medical assistance. The Czechs have a unique programme of disincentives against polluters which has the effect of taxing pollution. Similarly, for several years Czechs and Poles have had ongoing programmes aimed at drunk drivers.

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PROCEDURAL ASPECTS OF A CONFERENCE ON
SECURITY AND CO-OPERATION IN EUROPE(1)

I. GENERAL CONSIDERATIONS

1. It is of paramount importance that the governments of member countries should give careful prior consideration to the substantive issues which could be discussed at a Conference on Security and Co-operation in Europe; however, it may be that procedural considerations will be equally important for the achievement of their aims. In particular, whether the Conference will simply provide a forum for general statements or whether it will, on the contrary, lead, in some spheres, to down-to-earth decisions which could bring about a real improvement in the situation in Europe will depend to a large extent on the decisions which are taken regarding its form, duration and working procedures and, more generally, on the thoroughness with which it is prepared. Before going to the conference table, the Western countries should ensure that it will be possible to raise and discuss the issues which they regard as essential and that the procedures adopted are those which are most conducive to a thorough-going examination of these issues.

A. Policy considerations

2. On the assumption that at a European Conference, the Western countries will set their sights on lowering, insofar as is possible, the unnatural barriers in Europe - without, however, jeopardising Western security and with the full participation of all countries concerned with the shaping of Europe's future - it is clear that they will have to strive to ensure that the Conference itself takes, or facilitates the subsequent adoption of, concrete measures in connection with exchanges and co-operation and with the freer movement of people, ideas and information. To a fairly large extent, therefore, it is the palpable content of the decisions finally taken which will carry weight with the West in assessing the outcome of the Conference. The aim of the Soviet Union, on the other hand, is mainly to create an impression of security and of acceptance of the status quo in Europe. It believes it can achieve this by the adoption of broadly-phrased texts on the renunciation of force and the recognition of existing frontiers; however, the mere fact of holding a European Conference invested with a measure of solemnity and attended by all the European countries and in particular, the German Democratic Republic, will enable it, at least partly, to achieve the same objective. The whole weight of Western effort will therefore be concentrated on moving from general considerations to specific and down-to-earth arrangements.

(1) Working Paper of the French Delegation circulated on 21st October, 1971.

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B. Rôle of public opinion

3. The Russians will attempt to impress public opinion in Europe with the spectacular nature of the Conference which they will try to present, simply because it has been held and regardless of its actual results, as a major step in the development of European relations. The governments of the non-Communist countries, on the other hand, will attempt to bring it home to the public that although the process of negotiation between East and West holds out real hope for the future, it will not necessarily be successful and that this undertaking must be judged on its results. Consequently, it would be in the interest of the Western countries to ensure that the procedures adopted are such that public attention is drawn more to the genuine negotiation work on specific problems than to the general speeches and statements. In this respect, it will be easier to centre attention on the work of the Conference itself than on the preparatory work preceding it.

C. Practical considerations

4. The Foreign Ministers themselves will be unable to enter into detailed negotiations at the Conference. These will have to be conducted by experts during the preparatory phase, during the Conference itself or during both the preparatory phase and the Conference.

5. The above-mentioned considerations should guide us in selecting an appropriate procedure for the preparation and conduct of the Conference. The Alliance's studies have so far been concerned solely with the preparatory work and the question of the modalities of the Conference itself has been passed over. However, the choice of a procedure for the preparatory work is itself dependent to a large extent on the decisions which are taken about the type of conference that is desired. Consequently, the nature of the Conference itself will now be considered before any conclusions are drawn regarding arrangements for the preparatory phase.

II. POSSIBLE TYPES OF CONFERENCE

6. As regards whether there should be one or more conferences on security and co-operation in Europe and how they should be organized, a wide range of solutions are possible. In order to simplify matters, only three of these options will be considered hereunder.

A. A single short Conference

7. This was the original proposal by the Eastern countries. The Conference would meet at Foreign Ministers' level - the Warsaw Pact countries would probably like an even

higher level - it would consist of a series of speeches and a number of very general texts confined to points of principle would be approved. This form of conference would give the Communist countries essentially what they want without entailing any corresponding advantages for the Western, neutral and non-aligned countries.

8. The Western countries could, of course, attempt to offset the drawbacks of this solution by stipulating that an exhaustive study must be made of all the items on the Agenda and that the results of this study will determine whether a Conference can in fact be held. In this event, the Conference would meet simply to endorse the results achieved essentially during the preparatory phase. However, in view of the growing pressure there will be for a Conference, a procedure of this kind is most unlikely to provide fully adequate guarantees for member countries and the other countries which wish to see a genuine improvement in intra-European relations. Whether or not the public's wish for a Conference was satisfied would depend on the outcome of discussions between experts, which would be conducted in the wings and which it would be difficult to explain satisfactorily to the public. There is therefore a danger that a purely formal Conference, such as is desired by the Soviets, would become inevitable, even if the experts had made little progress in bringing about a genuine increase in exchanges, co-operation and freer movement.

B. A series of short conferences

9. It may be felt that, should the progress made at a first Conference fall short of expectations, a series of European conferences might bring about a gradual improvement. Thus, for example, a number of general principles could be adopted at a first meeting, and at subsequent conferences, more practical arrangements could be made for their effective implementation. This solution is now being considered by the Eastern countries, and is especially favoured by those who regard the establishment of permanent machinery for East-West negotiations in Europe as one way among others of safeguarding themselves against Soviet pressure.

10. The main drawback to this formula is that once the first conference was over, the West would be in the position of a postulant since by then the Russians would probably have obtained part of what they hope for, i.e. in particular, a statement concerning the renunciation of force and the inviolability of existing frontiers, and it is only in the subsequent phases that the West would try to obtain compensations. In addition, the prior establishment of a regular timetable of meetings could lead to difficulties for the West should the trend of East-West relations after the first conference not live up to their expectations or should event recur in Eastern Europe jeopardising the climate of détente.

C. A single extended conference meeting at various levels

11. Under this third formula, the West would agree to the holding of a single conference, it being understood that whether or not subsequent meetings were to be held would depend on the results achieved at this conference and on the general trend of international relations. It would also stress that the Conference on European Security and Co-operation must not be simply a rubber-stamping exercise to approve abstract principles or endorse arrangements made during the preparatory phase, but that it should provide a forum for detailed consideration of the main problems bearing on security and co-operation in Europe. In view of the considerable time needed for detailed negotiations, the Conference would take place in successive phases. First, the Ministers would inaugurate the work; next, a number of specialized commissions of experts would examine the various proposals submitted to the Conference; there would then be a third phase, during which the Ministers would review the results achieved and adopt the relevant conclusions.

12. This solution would mean that the first meeting of Ministers would not be a ceremonial occasion, whereas, if the other solutions were adopted, this would enable the Russians to secure general advantages from the Conference without having to compensate for them in terms of practical agreements. It would also enable the work of the Conference to be subjected to the full weight of European public opinion. Whereas under the first solution the public would be invited to agree that the decision to hold a Conference should depend on the outcome of "back-room" technical studies by experts, this alternative solution would attract public attention - since the Conference would in fact be convened - but it would be made clear that the success achieved should be assessed only in terms of hard facts once the Conference was over. The impact the Communist countries hope to make simply because the Ministers have met would thus be delayed in some measure until the results could be evaluated.

13. The adoption of this formula would not mean that no preparatory work would be done on the substantive issues. The Conference should meet only once the participating countries have agreed on an Agenda and held a thorough-going preparatory discussion to clarify what each of them considers to be the significance and implications of the proposed agenda items. However, it would not be necessary, as with the first solution, to prepare down to the last detail the resolutions to be adopted or the agreements to be reached on each of the topics discussed.

III. ARRANGEMENTS FOR A SINGLE EXTENDED CONFERENCE MEETING
AT VARIOUS LEVELS

A. First Phase

14. The first phase, at Foreign Ministers' level, would last approximately eight to ten days. Ministers would outline their general ideas on European security and co-operation. The delegations would submit draft resolutions, or possibly draft agreements or arrangements corresponding to the various agenda items, as previously agreed. The Conference would establish ad hoc committees to consider the delegations' proposals.

B. Second Phase

15. The second phase could last, for example, two or three months(1). It would be taken up with the work of the ad hoc committees, which would normally comprise experts from all countries attending the Conference, although perhaps in some cases only countries with an interest in the specific subjects under discussion would be represented. Several solutions are possible with regard to the number of ad hoc committees. The most useful formula would, no doubt, be to create bodies with a fairly restricted mandate (e.g. environment, press and information, scientific co-operation, etc.).

16. The work of these bodies could be reviewed at regular intervals - e.g. every two weeks - by a Committee of Ministers' deputies or Heads of Delegations, which would examine the progress made and, perhaps, provide guidance.

17. On certain matters, the Conference might decide not to create an ad hoc committee but to call upon an existing body, such as the UN Economic Commission for Europe, to study the delegations' proposals; alternatively, it might decide that these proposals should be reviewed by a CESC ad hoc body in close consultation with existing bodies.

18. Tactically speaking, the Western delegations will of course be anxious to ensure that the consideration of issues on which they hope to achieve their objectives will not lag behind the study of problems where the decisions taken by the Conference are likely to meet the wishes of the Communist countries. This task will undoubtedly be facilitated for them by the fact that the NATO countries, together with the other European nations which share their aims and preoccupations, will find themselves greatly in the majority of the ad hoc bodies.

(1) Naturally, this is only a rough estimate, which can be adjusted according to the pace of discussions when the time comes. However, even if this estimate turns out to be too tight, it would be useful to spur on the work of the ad hoc bodies by setting a time-limit.

C. Third Phase

19. Assuming that the work carried out in the second phase produced satisfactory results from the Western standpoint, the Ministers would meet again in a third phase when, after a final discussion and any amendments that were felt to be necessary, they would approve the drafts drawn up by the ad hoc bodies. This final meeting of Ministers could also take place if the results - even if they are not in line with our expectations - are not entirely negative.

20. During the final phase, the Ministers would also have to take a decision on the desirability of convening a second Conference and on the establishment, where necessary, of whatever permanent institution(s) it is deemed expedient to create as a result of the work already carried out and the decisions that are taken by the Conference on the various agenda items.

IV. PREPARATIONS FOR THE CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE

A. General Considerations

21. Clearly, the preparatory approach will vary somewhat, depending on which of the models for the conduct and duration of a Conference, as described in Chapter III above, is selected. Should the CESC be of short duration, it would be highly advantageous if the preparatory negotiations on substance were as detailed as possible. If, on the other hand, the procedures adopted for the Conference were conducive to genuine negotiations without endangering the Western position, there would be no need to examine these problems in such detail prior to the Conference. The French Delegation considers that, in practice, it would be very difficult to make such progress with preparations that the CESC would merely be a rubber-stamping exercise; it is precisely for this reason that it believes the best formula to be an extended conference meeting at various levels.

22. Consequently, it is with a view to a conference of this type that consideration will now be given to the factors which should be borne in mind in preparing for a CESC. It will still be essential for the Western delegations to maintain the highest degree of tactical flexibility. CESC procedures will themselves constitute one of the subjects for preparatory negotiations. The outcome of these negotiations cannot be predicted with certainty. Thus, if, during the preliminary talks, it emerges that the Communist countries refuse to provide guarantees enabling the CESC itself to engage in detailed negotiations, it would be appropriate to respond by pressing for a broader consensus on all the substantive issues before the CESC is convened.

B. Preparatory negotiations with a view to an extended conference meeting at various levels

(1) Aims

23. It may be considered that where a country decides to engage in multilateral negotiations to pave the way for a CESC, this is tantamount to an agreement in principle to attend the conference, subject to the proviso - and it is an important one - that the multilateral negotiations not only lead to an agreement on procedural questions relating to the form and agenda of a CESC but also ensure, by means of a detailed examination of each agenda item, that there exists a sufficient measure of agreement on these items among all the future CESC participants to provide a reasonable basis for a solution beneficial to all parties concerned.

24. Consequently, the multilateral negotiations prior to a CESC will entail a complex process of discussions on both substantive and procedural issues. During these negotiations, it is suggested that the Western nations should be guided by the following considerations:

- (a) they should endeavour to make no definite commitment on attending the CESC before obtaining the guarantees they consider desirable as regards both substance and procedure. In this respect, they will doubtless feel that the dates for a CESC should not be discussed until the final phase of the negotiations;
- (b) they should decline to agree to the inclusion of items on the agenda until they have received an adequate assurance that the views of the various parties concerned have enough in common to offer a reasonable prospect of a mutually profitable agreement. Consequently, the discussion on the agenda should lead to a review of each of the substantive issues that it contains;
- (c) they should endeavour to secure a balanced agenda - i.e. one which comprises subjects on which the Western countries can anticipate satisfactory results at the CESC, and not only items through which the Warsaw Pact countries are seeking advantages;
- (d) they should try to ensure that the Eastern countries agree to working procedures which will enable the Conference to engage in genuine negotiations - dealing as far as possible with concrete measures - on all the agenda items.

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(2) Form of the preparatory work

25. It has been proposed, especially in document C-M(71)40(Revised), that the preparatory work should be divided into two distinct phases, an exploratory phase and a preparatory phase. It is true that the purpose of the CESC preliminary negotiations will be to determine finally whether the Western countries can agree that a conference should be held and to carry out the necessary groundwork. However, it is difficult to separate these two ideas. If the preparatory talks develop satisfactorily, i.e. if they enable some consensus to be achieved gradually on both substantive and procedural issues, the agreement in principle given ipso facto by the governments that have consented to participate in the multilateral negotiations will become increasingly sharply defined until eventually the degree of harmony is such that the agreement in principle will become a hard-and-fast commitment. To separate the preliminary negotiations into two phases would mean that, before a Conference could take place, three independent decisions would be needed: first, to start the exploratory phase, next to move on to the preparatory phase and lastly, to hold the CESC itself. It is reasonable to believe that this approach would be over-cautious and could have an adverse effect on the public, which might feel that, as successive Western pre-conditions for a conference are satisfied, the NATO countries are seeking to create new obstacles to prevent it from taking place. Without abandoning any of the safeguards which the preliminary talks must provide for the NATO governments, it should be possible to view these efforts as a single process, which is both exploratory and preparatory; subsequently, if the negotiations make satisfactory headway, the exploratory aspect could gradually give way to the preparatory aspect.

(3) Nature of the preparatory work and procedure

26. Document C-M(71)40(Revised) analyses several suggested approaches. So far, the proposal that has attracted most attention is that of the Finnish Government which suggests that multilateral talks should be instituted in Helsinki between representatives of all the countries concerned. In view of the practical advantages of this formula and the considerable efforts that have been made by the Finnish Government to facilitate the preparatory work for a CESC in a universally acceptable manner, it seems desirable to adopt the Finnish proposal.

27. One advantage of the Finnish suggestion being its flexibility, the multilateral preparations under the Finnish Government's auspices might themselves take diverse forms as the talks progressed. Initially, there could be occasional meetings confined to the Ambassadors or representatives in Helsinki of the countries concerned and the Finnish Government. Once substantive issues were to be examined in detail, experts from capitals could assist the Ambassadors. At a given time, the occasional meetings could be replaced by sessions extending over several days.

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PREPARATORY ARRANGEMENTS FOR A CONFERENCE(1)

1. It is impossible to decide on the best preparatory arrangements for a CESC until the objectives of the Conference have been clearly defined. Although it cannot be claimed that this preliminary question has been exactly bypassed during exchanges of views between the Western powers, the fact remains that those concerned have often been content to make rather general assertions. It has been stated that a CESC should lead to an all-round improvement in the East-West political climate, or a reduction of tension. Concurrently, it is stressed that a CESC should, at least to some extent, result in a tangible strengthening of security on the Continent of Europe. On the other hand, it is maintained that the Soviet Union's main objective at a CESC is the consecration of the status quo in Europe, especially in Eastern Europe. This is precisely an aim to which the Western nations do not wish to subscribe.

2. Consequently, when studying the preparatory arrangements for a CESC, it seems both useful and desirable to consider specifically the question of CESC objectives. The point of departure should be the Western nations' contention, in subscribing to the idea of a CESC which was launched by the East European bloc, that such a conference should, as far as possible, further the broad aims of their policy towards the East European countries.

3. NATO Council discussions in previous years have shown that a fundamental agreement exists among the Western nations on the dual nature of these aims. It is unanimously felt, first and foremost, that care must be taken to guarantee Western security. The constant extension, strengthening and improvement of the Soviet and Soviet bloc military potential means that there can be no question of a unilateral force and arms reduction by the West. Obviously it would be a source of satisfaction if, by means of acceptable rules relating to arms control or reduction, it nevertheless proved possible to raise the level of security in Europe or at least to curb the arms race.

4. In the first place, every endeavour must be made to provide adequate security, not merely because it is vital for the survival of the Western world, but also because maintenance of the current balance and relative stability between East and West is an essential condition for the achievement of better understanding between the two blocs. This sentiment was expressed as follows in the December 1967 report of the NATO Council on the future tasks of the Alliance:

"Military security and a policy of détente are not contradictory, but complementary".

(1) Working paper of the Netherlands Delegation distributed on 27th October, 1971

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5. There is no objection whatsoever to the idea that the Western nations should, on the basis of the current balance of forces, pursue a policy towards the USSR and its partners leading to détente and a reduction of tension. Nevertheless, it seems that Western policy must look beyond this stage, i.e. it must attenuate and ultimately eradicate the causes of opposition between East and West which are in fact behind present tensions.

6. It is outside the scope of this paper to analyse fully and in depth the causes of this opposition and possible ways of dealing with them. It will confine itself to the following general observations. The current antagonisms between East and West are essentially due to the fact that these two blocs not merely pursue different foreign policy objectives, but also differ fundamentally in their ideological thinking and their political systems. This situation is complicated by the fact that the smaller East European countries, which are within the Soviet sphere of influence and - like the Soviet Union itself - governed by Communist dictatorships, nevertheless expect some measure of support from the Western nations or, at least, some show of sympathy in their efforts to obtain greater independence of the Soviet Union. By contrast, Russia is anxious, above all, to keep the East European countries under its thumb and, consequently, is interested primarily in obtaining a confirmation of the status quo.

7. However, the effect of such a consecration of the status quo would be precisely to block off the road towards a genuine improvement in East-West relations. It should be remembered that not only could this consecration heighten the tension between the USSR and the smaller East European nations but - and this is the primary consideration - there can also be no question of a real East-West rapprochement unless the dictatorial Communist régimes in all these countries become progressively more humane. This does not mean that the Western countries should resist at the outset a confirmation of the purely geographic status quo (although in this context a reference to the right to self-determination of peoples would be most apposite). By contrast, these nations have a definite interest in resisting any attempt to confirm the political status quo. It would seem that in the East-West dialogue to be initiated on security and co-operation in Europe the West should seize the opportunity to influence the USSR, its policies and, ultimately, its social structure as strongly as possible. Clearly, tangible results should not be expected in the short term. Nevertheless, as already stated, it should not be forgotten that the Soviet empire, despite all its attempts to keep up appearances, is not basically homogeneous. What is more, in the long run no dictatorship - and this concerns the USSR itself - can resist pressures arising from the individual's need to give free rein to his intellectual faculties.

8. Obviously, from the standpoint outlined above, a CESC cannot bring about more than a modest lasting improvement in East-West relations. Moreover, the West will probably find it very difficult to reach an agreement with the Soviet Union on a final solution which is acceptable to both sides.

9. The Soviet Union's objective - the formal recognition of the status quo in Europe - will be best promoted by ensuring that the CESC is presented as a great historical event, preferably unique, at which solemn declarations of principle will be made. By contrast, the West must make every effort to emphasize the interim nature of such a meeting. It must also ensure that the CESC decisions include the largest possible number of specific commitments on subsequent measures likely to result in the achievement of Western objectives.

10. Consequently, the Western nations must strive to initiate a gradual evolution of the present situation by creating conditions which will facilitate attempts to liberalize and humanize the East European régimes. This is the background against which must be viewed the Western proposal for laying the foundations at a CESC of measures designed to promote the free movement of persons, ideas and information. In this connection, the West must not be satisfied with vague, general promises but insist on definite and meaningful commitments. Furthermore, full account must be taken of the desire among the smaller East European countries to achieve greater independence of Moscow. It is for this reason, among others, that the Western nations must not be content with a solemn declaration of non-recourse to violence, as the USSR would wish but instead invoke in general terms the principles on which international relations must be based. These principles will have to be formulated in such a way as to emphasize clearly the illegal nature of interventions based on the Brezhnev Doctrine.

11. Finally, during a CESC, or in the course of separate discussions, clearly linked, nevertheless, to a CESC, it would seem vital to hold serious talks on measures aimed directly at strengthening security or at least at arms reductions without jeopardising security. These measures, in particular, concern Mutual and Balanced Force Reductions (MBFR) in the Central Europe region.

12. Although the Soviet Union has stated its willingness to begin negotiations with the West on MBFR, it is unlikely - as in the case of the two problems referred to above - that the two sides will reach agreement easily. Although the highly controversial issues concerning a CESC have not yet been examined in depth during bilateral contacts so far, clearly there are already thorough-going differences of view. Consequently, some degree of tension exists over these issues

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between the two sides. The Soviet Union is particularly anxious to gain as quickly as possible the psychological advantage of a spectacular meeting of more than thirty Ministers. By contrast, the West places less value on appearances than on practical negotiations and results.

13. The CESC preparatory arrangements should be considered in the light of this analysis of East-West policy objectives. Account should also be taken of the rôle and significance of a CESC in this connection. The fact is that the preparatory arrangements are geared to the results to be expected.

14. This preparatory phase must be planned down to the last detail, both because the Soviet Union's primary objective is to convene quickly an impressive top-level meeting and because the West prefers down-to-earth discussions. If this means that the preparatory phase will also be lengthy, this is rather to the West's advantage. Nothing would please the Soviet Union more than to be able to suggest, even before the preparatory phase itself is initiated, that a CESC will, in principle, definitely be held and that it is due to be convened in the near future. Therefore, it is precisely on this issue that the West must wait as long as possible before defining its attitude. Only if, during the preparatory talks, it seems sufficiently certain that the CESC will produce results consistent with Western objectives in this field, will the moment have arrived to pay the price asked by the Soviet Union.

15. In the last analysis, the name given to the preparatory phase is of little importance. However, as the West during these preparatory talks must obtain a sufficiently high price from the Soviet Union in order to agree to the convocation of a CESC, it seems advisable not to hide from the Eastern bloc the care with which the West intends to plan this preparatory phase. Clearly, it is not necessary to make this a pre-condition. It is enough to stress that before committing itself to a CESC, the West wishes to be sure, first of all, by means of exploratory talks, that there is a sufficient area of common interest. This is why reference has so far been made to an initial exploratory phase to be followed by a preparatory phase proper, during which the texts will be drafted.

16. If the exploratory phase develops satisfactorily, there will be no reason to separate it sharply from the preparatory phase proper. Nevertheless, it seems important to maintain in theory, a sharp distinction between these two phases, in order to stress that the West still insists on complete freedom of action during the initial, i.e. exploratory phase. Failure to do this would seriously weaken the Western

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position vis-à-vis the USSR. On the other hand if, during the exploratory phase, an agreement appears possible on all the issues which are vital for the West, it could apparently without too many complications pass on from the exploratory to the preparatory phase.

17. For the whole preparatory phase, the idea of the Ambassadors' "tea party" is still the best. There appears to be unanimous agreement on the need to provide these representatives, with the assistance of experts from capitals if not initially, certainly at a very early stage. It has been acknowledged that the topics down for discussion during these multilateral contacts in any case call for more specialized knowledge than is generally available to the diplomats accredited to Helsinki.

18. One point to emerge from these considerations regarding the importance of the CESC preparatory phase is the great value of this specialized knowledge. Highly confidential soundings in depth will be undertaken of attitudes on both sides. It has already been stressed that the rôle to be played by experts from capitals must be defined. The GDR might wish to make use of the preparatory contacts within the framework of multilateral talks to emphasize its rôle as a participant, for example, by appointing a deputy Minister as an expert.

19. There is no way of preventing the GDR from doing this. However, this is not an argument in support of a shorter preparatory phase. Nevertheless, it should be possible to nip this GDR move in the bud by agreeing, before the Helsinki meetings, that the experts will not themselves speak at the Ambassadors' "tea party". Moreover, the effect produced by the presence of a GDR deputy Minister as an expert would be far weaker than that of Ministerial-level participation by the GDR in the first CESC.