

THE CANADIAN PARLIAMENTARY HELSINKI GROUP

By Jack Silverstone

The Helsinki Final Act signed by 35 Nations in August 1975 touched off a phenomena virtually unique among international conventions. In various East European countries, Helsinki "watch committees" were established. The Helsinki human rights provisions became the focal point for much of the dissident movement within the Soviet bloc. Human rights activists monitored implementation of the Act within their countries and published and protested vehemently when breaches occurred. Their governments responded with various forms of repressive measures in order to control these manifestations. A sympathetic reaction in the West produced a number of Helsinki-monitoring groups, including the American Commission on Security and Co-operation in Europe. In Canada, many concerned parliamentarians, both senators and MPs representing all Canadian political parties, banded together on an ad hoc basis to form the Canadian Parliamentary Helsinki Group. This article looks at the provisions of the Helsinki agreement and examines activities of the Canadian Group.

The document that was signed and given life in Helsinki in August of 1975 was an expression of broad principles for power bloc co-existence. The Final Act is divided into three, or in the view of some, four divisions or "baskets", as they are commonly referred to. The obvious vulnerability to arcane humour in using this latter nomenclature did not deter the jargonists who have fully legitimized the use of the term along with a number of other catchwords and acronyms associated with the document.

The first basket deals with security questions in Europe. After a long, repetitive preamble setting forth general statements hailing the value of peace and security in the European theatre, the text goes on to establish a number of fundamental principles such as refraining from the threat or use of force in transnational relations, and a call for the peaceful settlement of disputes. Two controversial provisions establish the inviolability of frontiers and the territorial integrity of states. The much-contested non-intervention in internal affairs clause is also contained in this basket. In addition, a significant section calling for respect for human rights and fundamental freedoms including freedoms of thought, conscience, and religion is included. From the

Western perspective, the call for inviolability of frontiers had the unattractive effect of confirming the post-World War II boundaries of Soviet conquests in Eastern Europe, while the non-intervention in internal affairs provision has often been used by the Soviets to rebut criticism of their national policies. On the plus side, article VI of Basket I, the human rights provision, has often been raised against the Soviets and their allies with respect to their treatment of political and religious dissidents.

The Act then goes on to speak of "confidence-building measures", the common abbreviation being CBM's, which call for notification of major military manoeuvres, an exchange of military observers and, generally, for the lessening of military tension in Europe through what has been described as "increased transparency" of intentions and objectives.

The second basket or division deals with economic matters as well as science, technology, and the environment. Signatory states are called upon to facilitate business contacts and to increase the exchanges of economic and commercial information. Industrial co-operation is urged and enhanced cooperation in areas such as agriculture, energy and transportation is

extolled. Similar calls for concurrence on environmental issues are made in the document.

The third major basket which has always been of capital importance for the Western signatory states and for the dissident movement in Eastern Europe deals with cooperation in humanitarian areas. The nitty-gritty of the provisions in this area are prefaced by stirring, albeit somewhat clichéd statements expressing an alleged communality of values with regard to the human condition in the political, legal and social context. The text itself speaks of reunification of families, facilitating of travel between states, an exchange of information and enhancement and circulation of data in various fields. The media are not excluded and improvements in journalistic working conditions are provided for in the text. Also called for are cooperative exchanges in the fields of culture, education and science.

A fourth division which actually precedes the human rights basket contains general statements with respect to matters of security and cooperation in the Mediterranean area. Although it is basically a statement of principles regarding good neighbourly relations and environmental concerns, this mini-basket has, to a certain extent, been the wedge with which the door to a Pandora's box of Middle East questions of the most cantankerous nature has been pried open. The constant deposition of these issues has been particularly effected by one or two surrogate European or quasi-European countries pursuant to the financial hegemony of certain littoral Mediterranean oil states.

The Act closes with a call for follow-up conferences to discuss the implementation of the agreement. It also specifically predetermined that a meeting for this purpose was to be held at Belgrade in 1977.

FOUNDATION OF THE CANADIAN PARLIAMENTARY HELSINKI GROUP

The Canadian Parliamentary Group was established on July 14, 1977 after a meeting of interested representatives of both Houses of Parliament. Under the direction of its first chairman, the Honourable Robert Stanbury, then the MP for York-Scarborough, and formerly Minister of National Revenue, and a steering committee comprising both senators and members of the House of Commons, the Group set to work. The stated aims of the Canadian Parliamentary Helsinki Group are to study, discuss and keep up-to-date on developments relating to the Helsinki Final Act and the Conference on Security and Cooperation in Europe (CSCE) process, as well as to function as a sounding board and processor of public and parliamentary opinion on the topic.

The Canadian parliamentarians' concern with the issues raised by the Helsinki Final Act is neither circuitous nor ethereal. Many MP's have as their constituents persons of East European heritage who are vitally concerned about the well-being of family members in these countries. An even more pragmatic preoccupation of a number of such Canadians is the issue of family reunification. This problem is categorically raised in the Final Act and is a matter of some significance in Canada's relations with several East European states. It is also an area that involves the efforts of Canadian parliamentarians.

Beyond the powerful humanitarian clarion sounded by the terms of the Final Act, Canadian legislators, and indeed all Canadians, have vital national and global interests that are inextricably connected with the European theatre. Peaceful relations and increased cooperation can produce tangible benefits to Canadians in the economic and cultural spheres, while the need to avoid cataclysmic war is too obvious to require discussion here. Thus, the issues associated with the Helsinki Final Act are most definitely within the purview of Canada's MP's and senators.

The Canadian Parliamentary Helsinki Group with its ad hoc character, as well as its objective of involving as many parliamentary representatives as possible, adopted the practice of forwarding notices of its meetings to all MP's and senators inviting universal attendance. In response, a relatively modest number of parliamentarians formed a core group of regular participants. The Law and Government Division of the Library of Parliament's Research Branch, as well as the Parliamentary Centre for Foreign Affairs and Foreign Trade have provided vital organizational, secretarial, and consultative services for the Group. Officers from these two organizations attend most meetings.

The Group began holding meetings for the purposes of taking testimony from various Eastern European and political and religious dissidents and their representatives. The Group also met with organizations of concerned Canadians, many of whom were of east European heritage, who presented briefs on thorny issues such as family reunification and the activities of embassy and consular officers of Soviet bloc states in Canada. The ad hoc committee also embarked on a close liaison program with officials of the Department of External Affairs who are connected with the Helsinki negotiating process. These officials, up to and including the ambassadorial level, provide valuable insights, particularly in relation to negotiating strategy and tactics.

The Belgrade Review Conference began in the fall of 1977. Long and arduous negotiations led to a rather anticlimactic conclusion; the only visible result was a rather innocuous communiqué indicating little more than the fact that the Review Conference had in fact been held. Negotiations were tough and agreement was virtually impossible on many, if not most issues. Canadian parliamentarians from both the House and Senate observed and participated in the Belgrade session. Problems of consistency dogged the Canadian parliamentary delegation in that most were only able to be present for a short time on a rotating non-partisan basis.

In the wake of the Belgrade Conference, many Canadian organizations expressed considerable dissatisfaction with the outcome and were critical of Canadian negotiating tactics. The Parliamentary Helsinki Group was and is deeply concerned about choosing the appropriate negotiating style in order to achieve the objectives which all the Canadian participants seek, particularly with respect to the human rights provisions of the Helsinki Final Act. However, the controversy over so-called quiet diplomacy as opposed to a more strident approach which would lead to a certain level of confrontation became a dominant theme during many Group meetings, particularly where non-government organs were involved.

The Canadian Parliamentary Helsinki Group continued its initiatives after the Belgrade Conference under the chairmanship of the Honourable Martin O'Connell. The duties of Group chairmanship were then taken over by Mr. Charles Caccia, Member of Parliament for the Toronto riding of Davenport following the appointment of Mr. O'Connell to the Cabinet in November 1978. The deputy chairmanship has been exercised by Senator Paul Yuzyk.

The pace of Group activities was temporarily lessened by the two federal elections that took place in 1979 and 1980. However, upon the reconvening of Parliament after the February 1980 election, the Group met to reassert its commitment to continue in its efforts, particularly with an eye to the next review conference to be held in the fall of 1980 in Madrid. To this end, and under the continued chairmanship of Mr. Caccia, the Group undertook a series of seminars in association with the Department of External Affairs. It held discussions with leading academics and government officials in order to prepare parliamentarians who might be in attendance at the Madrid conference, as well as those generally interested in the subject matter.

In July 1980, an interesting offshoot of the Helsinki process with regard to parliamentarians occurred when

External Affairs minister Mark MacGuigan announced the formation of a House of Commons sub-committee on Security and Cooperation in Europe in preparation for the Madrid meeting. The sub-committee is chaired by Mr. Caccia but it is a distinct body from the Canadian Parliamentary Helsinki Group. The vice-chairman is Mr. Robert Gourd. While the sub-committee is a creature of the Commons there has been provision for senatorial input. Senators Yuzyk, Haidasz and Bosa in particular have been active and regular participants. This formal sub-committee of the Standing Committee of External Affairs and National Defence undertook an extensive series of hearings to obtain testimony from various sources concerning various aspects of the CSCE process. The sub-committee has also solicited briefs from concerned groups and individuals who have a direct interest in The Helsinki Agreement. It is interesting to note that the purview of both the sub-committee and the Canadian Parliamentary Helsinki Group has recently been expanded to examine not only the human rights basket of the Helsinki Final Act, but also particularly in view of changing international climate has delved into the problems of East-West economic relations as well as questions associated with disarmament and the reduction of military tensions.

The substantive sessions of the Madrid Review Conference began in November, and Canadian parliamentarians have again been participants at the meeting alongside the permanent delegation from the Department of External Affairs. As at Belgrade most MP's and Senators have only been able to attend the negotiations for brief time periods. Again these delegates have been chosen from all three political parties represented in the House of Commons. The Canadian Parliamentary Helsinki Group has, and will undoubtedly continue to play an important role in ensuring that parliamentarians will be prepared for the difficult tasks involved in attempting to ensure the application of the terms and the spirit of the Helsinki Final Act in all its aspects. The sub-committee of the Standing Committee of External Affairs and National Defence will probably not continue beyond the Madrid Review Conference since its terms of reference are confined to preparatory and inquiry duties in relation to that meeting. However, the Canadian Parliamentary Helsinki Group will undoubtedly persist in its efforts beyond Madrid with regard to the many difficulties associated with Helsinki Final Act implementation monitoring. The Group will continue to be a primary informational instrument for legislators as well as a focal point for input by many non-governmental organizations.