

Borbridge writes from Yugoslavia on rights

John Borbridge, Jr., President of Sealaska Corp. of Juneau, was selected late last year to be an official member of the United States delegation to the Conference on Security and Cooperation being held in Belgrade, Yugoslavia. The purpose of the conference is in part to monitor progress in human rights across progress in human rights around the world.

BY JOHN BORBRIDGE, JR.

The Conference on Security and Cooperation in Europe has been meeting in Belgrade, Yugoslavia, where 140 delegates from the United States, Canada and 33 European countries have been engaging in a comprehensive review of compliance with the provisions of the Final Act (Helsinki Accord) and negotiating the terms of a conference report and an agreed-on future course of action. The Final Act of the CSCE is divided into three main questions, often called "baskets": (1) Questions relating to Security in Europe; (2) Cooperation in the field of Economics; of Science and Technology; and of the Environment; (3) Cooperation in Humanitarian (Human Rights), and Other Fields.

As an official member of the United States delegation and the first American Indian to be appointed to a U.S. diplomatic mission, I have had the privilege of being an active participant, as I was for three weeks in November, and an observer, which I have been since that time. The aspirations of the conference are considerable. The Final Act not only sets forth a framework for the promotion of more stable and mutually beneficial relations between the East and West, but it also provides a multilateral mechanism through which the United States can "...honor and promote the rights of individuals, the human rights of all peoples, no matter what their political or social origins and affiliations."

The posture of the Carter Administration in its commitment to the support of human rights has been heartening and consistent. The appointment of Justice Arthur J. Goldberg as U.S. Ambassador-at-Large and Chairman of the U.S. delegation greatly enhanced the status of U.S. participation in the Conference by adding the considerable reputation enjoyed by the Justice as a tough negotiator and a man well-acquainted with the international scene. That commitment and that appointment has enabled the United States to emerge with a narrow advantage in the sophisticated give-and-take of CSCE diplomacy.

Issues not generally the focus of diplomatic negotiations—human rights; a free flow of economic information; unimpeded businessman-potential customer contracts; repression of dissent; persecutions of religion; restriction of emigration—received equal billing with discussions on security, the environment, and international trade. Thus, it was clear that the legitimacy of human rights questions within the framework of detente had been established.

And this despite obdurate Soviet-Warsaw Pact resistance on the basis that discussions of their domestic conduct in the field of human rights constituted interference with their internal affairs. And this despite a threatened Soviet walkout following a U.S.-Soviet confrontation in December relative to the arrest of three prominent

dissidents in Moscow. Significantly, the Hungarians, Poles and Romanians refused to join the U.S.S.R. in condemning such inquiries as an interference in internal affairs. The Soviets stayed.

Under Ambassador Goldberg's shrewd combination of patient pre-negotiation preparations and calculated toughness, the United States has persuaded the Soviets that questions of possible closer economic ties must be accompanied by discussions of human rights and that the suppression of personal liberties—as well as other matters covered by the Final Act—can no longer be considered solely as matters of domestic jurisdiction.

The Final Act of CSCE is not a treaty, nor does it have the effect of law—but it has developed a moral momentum that cannot be ignored. CSCE has been described as a "process" in which the pace is gla-

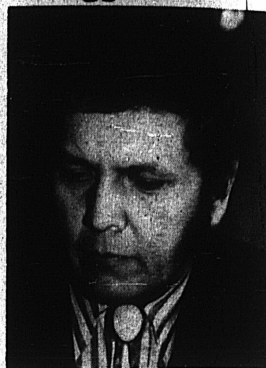
cial and progress is almost imperceptible. But the important point is—a continuing and structured dialog is ensuing. The Conference operates on the basis of consensus—unanimity is required—thus posing an element of equality that further complicates functions relating to agreements and drafting. One country can block a proposal. This appears to be an instance in which form and format are transmogrified so that form becomes substance.

The United States has not flinched from criticism of some of its own human rights implementation. The Soviets referred to the case of the "Williamington 10." By the same token, the tolerance level of the Warsaw Pact countries has been increased as they have gradually accepted larger doses of criticism and evaluation of their policies concerning personal liberties.

Some State Department of-

ficials regard the story of the Alaska Native Claims Settlement Act as one that warrants telling and re-telling to other CECE participants as an example of the commitment by the United States to justice and equality. I anticipate telling that story again when I return to Belgrade on February 16.

As the conference proceeds to its windup, it appears that the resulting document will indicate more of the potential for future gradual progress rather than to indicate immediate action. The meetings at Belgrade can only be regarded as one step on a long road which



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participating nations must travel together. The current impasse, with the Soviets taking a hard stance on their submission of a proposed skeletal report that ignores much of what has happened thus far in the Belgrade meetings and procedural limitations, make it clear that any report or set of recommendations will be limited in scope. While it appears that certain practices have been modified, in response to Belgrade pressures, the final document is unlikely to condemn a particular country or to adopt a great deal of what the West and its allies are proposing.

But discussions have taken place and are taking place with respect to issues that were once met with diplomatic silence. Ambassador Goldberg and the Carter Administration have led the way in the establishment of a valuable precedent. Persistence and realistic expectations must continue to govern our thinking. International diplomacy has assumed a human dimension that managed to reach from Bulgaria and Belgrade into Alaska. The accomplishments are worthwhile and participation is a unique and challenging experience.