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La Diplomatie de la Détente: La CSCE, 1973-1979

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La Diplomatie de la détente: La CSCE, 1973 - 1989 [Diplomacy of détente: CSCE, 1973 - 1989]. By Victor-Yves GHEBALI. Bruxelles: Etablissements Emile Bruylant, 1989. Pp. 444.

With this work Victor-Yves Ghebali, professor at the Graduate Institute of International Studies in Geneva, offers us an outstanding reference instrument, so badly needed for an understanding of the long and complex process of negotiations relating to security and cooperation in Europe, better known as the Helsinki process.

The author has integrated the Helsinki process into the global evolution of East-West relations, by outlining with first historical precedents of contacts between East and West in the 1955 Geneva Conference, a precedent which was accentuated at the beginning of the 70's and culminated with the signature of the Final Act in Helsinki on 1 August 1975. That year saw the opening of a new phase of long and difficult negotiations and it was only slowly that it managed to eliminate the pessimistic voices which accompanied its birth.

The author, a well known expert of international organizations and their history, could not have chosen a better date for this publication. The year 1989 was another milestone in the construction of a new Europe. It was probably only a few weeks after the book left the printing house that the Berlin wall fell and with it too the symbol of the division of Europe and of its peoples. Thus the new process of the construction of Europe started in November 1989. It was also the moment when the diplomats for détente were able to note with satisfaction the end of a historical epoch of division and confrontation and the beginning of a new one when the States of the new Europe would no longer be adversaries, but "build new partnership and extend to each other the hand of friendship" (Joint Declaration of Twenty-two States, Paris, 19 November 1990). The successful end of the "*diplomatie de détente*" opened the door to the construction of a new Europe.

Ghebali's book presents in a crystal clear way this long process of negotiation and helps the reader to understand the global negotiations framework (*espace négociatoire*) and the content of the negotiations and their evolution and progress. An explanation of each part of the book is given in conjunction with the political developments in Europe as a whole and in the different European countries.

The global framework of negotiations is presented in its structural, diplomatic and pragmatic dimensions. The structural approach is an indispensable step for an understanding of the whole process and the author has succeeded in giving a clear picture of the Helsinki process: the historical evolution of the idea from the first proposal of a treaty in 1954, the preparatory work, to the Helsinki Final act and the development of the process

through Belgrade, Madrid and Vienna meetings. He helps us to understand the mystery of many additional experts meetings which were in fact the workshops for the in-depth setting-up of the new policies. This played a great role in the success of the main "conferences". By following this structural pattern through the whole text, Ghebali shows the evolution and changes through all these years of negotiations. The diplomatic dimension (understanding of the positions of participating States, those from the West, those from the East as well as the neutral countries and non aligned States) is a condition for an understanding of the nature of the negotiations to which the author constantly refers throughout the whole book.

The examination of the international legal significance of adopted documents and their implementation is of particular interest to an international lawyer, which is also the case of chapter II on Decalogue, i.e. the Declaration on Principles Guiding Relations between Participating States. The author examines the value of ten basic principles in the European context [placing them in relation to the elaboration of universal principles included in the Declaration on Principles of International Law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations (resolution 2625 (XXV) of 24 October 1970)] and their practical significance (for detente, for frontiers in Europe, invalidation of the Brezhnev doctrine of limited sovereignty, democratisation of international relations), interpretation and implementation.

An important part of the book (Chapter III) deals with the Swiss initiative already presented during the preparatory work and relating to a peaceful settlement of disputes. This initiative was based on the need to adapt such settlement to the European context and to help contribute to an effective implementation of the prohibition of the use of force. The Swiss initiative passed through different stages of expert meetings: in Montreux (1978), Athens (1984) and Vienna (1989). The USSR, traditionally opposed to the intervention of the third parties in the disputes changed its attitude during the process of negotiation and a further step will be adopted this year at the new experts meeting in La Valette.

The chapters which follow set out in detail the process of negotiation and implementation of the three baskets. Chapter IV relates to the confidence-building measures and certain aspects of security and disarmament. The author analyses not only the adopted provisions, but their practical application, the continued change in the measures at the Madrid meeting, Stockholm conference and Vienna meeting. The explanation is accompanied by several detailed tables showing the implementation of these measures by NATO, the Warsaw Pact and Neutral and Non Allied countries.

The second - economic - basket has its origin in the proposals of Eastern European States included already into the 1966 Bucharest Declaration. The aim was to eliminate the restrictive practices, develop industrial, scientific,

technical and environmental cooperation. The author studies the national, bilateral and multilateral forms of such cooperation and their realization before and during *Perestroika*.

The third basket on co-operation in Humanitarian and other fields is the prolongation of the principle VII of the Decalogue concerning the respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief. The roots of these provisions are already contained in the discussions at the Geneva Conference of 1955. After long discussions a compromise was reached in the Final Act. The author provides a global picture of the evolution of the ideas relating to human contacts - freedom of movement and improvement of the circulation of, access to, and exchange of information, working conditions for journalists, cooperation and exchange in the field of culture and education. He shows the influence of the Helsinki process and of *Perestroika* in all these areas. Chapter VII deals with security and co-operation in the Mediterranean.

In concluding, the author underlines the vitality of the Helsinki process as a result of the meticulous preparation and dynamics on the continental level. The Vienna document gave a new elan to the Helsinki process and led logically to the fundamental changes in Europe which occurred at the end of the same year, namely 1989.

This instrument of reference is accompanied also by an excellent bibliography of sources: official documents of the main meetings, conferences and expert groups, governmental and para-governmental publications as well as studies and articles. This bibliography will be useful to all those who would like to study in depth different aspects of the Helsinki process. The book is also fully indexed.

This indispensable research instrument will be useful to a wide public interested in contemporary international relations and international law. The question can be raised why the English speaking reader should not have an easier access to this book? Would it not be a good initiative for an American or English publisher to offer to its public such a useful instrument which has no parallel—as far as we know—among the English publications.

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Documents on the International Court of Justice - Documents relatifs a la Cour internationale de justice (1st bilingual edition). Compiled and edited by Shabtai ROSENNE. Dordrecht: Nijhoff, 1991. Pp. xxi, 923. US \$310.00; Dfl 475.00; UK £162.50.

Shabtai Rosenne, a professor of public international law and an experienced diplomat, has directed the compilation of the most extensive set of docu-