

1.2. “From CSCE to OSCE”

Speech at the Conference
“Twenty years of the Helsinki Final Act – Towards
a new European Security Model”

Moscow, 17 July 1995

I.

The title of this conference reflects the spirit in which the OSCE community is marking the 20th Anniversary of the Final Act. We all realize that, five years after the Charter of Paris, the OSCE participating States are still trying to cope with an extremely difficult transition period. Many, if not all, are challenged with finding and defining their place in the post-Cold War environment. A brief look back at Helsinki might provide some of the strength and inspiration that are so urgently needed to create new stability in the OSCE area.

We are all grateful to Foreign Minister Kozyrev for his initiative in convening this conference. Russia has a crucial role in the OSCE and is a strong supporter of this organization. Therefore, Moscow is an excellent place to discuss the important questions relating to a security model for the 21st century.

Our assessments of the CSCE process and its results could be very different. The subject is not yet one of distant history. The CSCE has contributed to fundamentally changing **our** lives and the geopolitical situation in which **we** live. Furthermore, many of us have been actively involved in the process, so that my judgment cannot avoid being somewhat subjective.

I am fundamentally convinced that the CSCE has played a key role in bringing about positive change. I can base this conviction on a number of CSCE summit declarations.

What has been the secret of the CSCE’s success? How has it managed to avoid the fate of so many political declarations: ignored and forgotten? Why did the CSCE become a factor that has left its imprint on history? In trying to answer these questions, I wish to touch very briefly on some of the milestones in the transformation from CSCE to OSCE.

II.

The Beginning

A decisive element of the pre-conference phase in the late ’60s and early ’70s was the inclusion of the United States and Canada in the CSCE context. A mere “all-European” conference would have ignored the geopolitical realities.

Furthermore, an important precedent was set for later stages of the CSCE process: real problems cannot be solved simply by exclusion. After the dissolution of the Soviet Union, it would have been a fundamental mistake to limit artificially the CSCE area. It

is becoming increasingly clear that stability in the participating States in the Caucasus and Central Asia is intrinsically linked with stability elsewhere in the OSCE area, and vice versa.

As to the substantive scope of the CSCE, two aspects were important: it was crucial to go beyond the military aspects of security, but at the same time, it was essential to address, with an innovative approach, the task of confidence-building in the military field. This linkage of non-military and military aspects of security prepared the ground for developing, at a later stage, the concept of comprehensive security.

The introduction of the first elements of what we today refer to as the human dimension gave the CSCE its increasingly dynamic character. The Helsinki Final Act did not “establish” any **new** human rights and fundamental freedoms; it mainly reaffirmed provisions already laid down in UN conventions. But the Helsinki negotiations did make human rights and fundamental freedoms a central and legitimate subject of East-West relations and – more important – an element of security. Some modest but concrete and specific commitments, such as the readiness to facilitate the issuance of exit visas for persons wishing to marry, made it possible to insist on and monitor the observance of human rights. Not all of these specific commitments have become obsolete. In the first phase of the CSCE, western countries and many from the neutral and non-aligned group worked hard for freer movement. Today the Helsinki Commitment “gradually to simplify and to administer flexibly the procedures for exit and entry” continues to be relevant, but the addressee has changed.

The provisions in the “third basket” served as the point of departure for non-governmental organizations, groups and individuals to act in defence of their rights and freedoms. As the former Soviet Deputy Minister Anatoly Kovalev recently observed in his memoirs, “With the Helsinki Final Act, the people – all of us and each of us – became subjects of international law and acquired the status of active participants in interstate relations”. The Helsinki Final Act thus provided political and moral support for the champions of democratic change in the East, such as Charter 77 in Czechoslovakia, Solidarity in Poland, and the academician Sakharov and “dissidents” in other central and eastern European countries.

III.

The Madrid Follow-up Meeting (1980-1983)

The Madrid Follow-up Meeting highlighted the importance of the transition of the CSCE from a conference to a process. Against the background of the establishment of martial law in Poland in December 1981, the Madrid Meeting provided a safety net during a period of new and dramatic deterioration of East-West relations. It allowed for clear and unequivocal reactions without destroying totally the progress achieved since the beginning of the CSCE process.

The Madrid meeting had a particularly turbulent and dramatic end, marked first by “the month of Malta” and later by the downing of a Korean Airlines plane by a Soviet

interceptor. But in the Concluding Document major achievements were made in the area of military aspects of security. Starting from the extremely modest and limited confidence- and security-building measures set out in the Helsinki Final Act, the results of the Madrid Meeting opened the door to an elaborate system of instruments to ensure transparency with regard to military potentials and predictability of military activities and planning. As in the field of the Human Dimension, the step-by-step approach was successful in this area as well.

IV.

The Vienna Follow-up Meeting (1986 - 1989)

The Vienna CSCE Meeting provided the possibility for translating the new policies of *glasnost* and *perestroika* into concrete progress over the full spectrum of CSCE issues. Of particular importance was a proposal made by Foreign Minister Shevardnadze at the outset of the conference. He suggested that a special CSCE meeting devoted to human rights be convened in Moscow. Few at that time understood the relevance of this far-reaching project, which ultimately led to agreement on a "Conference on the Human Dimension of the OSCE", held in three consecutive phases from 1989 to 1991.

In 1990 the meeting of this Human Dimension Conference in Copenhagen adopted a very substantial document on human rights, democracy and the rule of law. In particular, the rights (and obligations) of persons belonging to national minorities were elaborated in great detail. Today there is perhaps no multilateral international instrument that covers this important and difficult area more extensively than the Copenhagen Document. This remarkable success was possible only because the Copenhagen Document, like other CSCE commitments, took the form of politically binding obligations. In this way, entry into force was not subject to the very cumbersome ratification procedures of 35 participating States necessary for fully-fledged legal instruments. On the other hand, CSCE experience has shown that politically binding obligations are no less likely to be implemented than legally binding instruments under international law.

The last phase of this Human Dimension Conference, held in Moscow in September 1991, led to another breakthrough in the human dimension area. Against the background of the aborted coup that had taken place in Moscow immediately before the meeting, the Soviet Union asked for a clear statement legitimizing the "interference" of many CSCE participating States in this internal situation. In the end, all participating States agreed to "categorically and irrevocably declare that the commitments undertaken in the field of the Human Dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned". This was the basis on which the Russian Federation and the OSCE agreed on the OSCE's contribution to a solution of the crisis in Chechnya. I think this was a particularly farsighted decision of the Russian Federation that has set a precedent, the importance of which can hardly be overestimated.

At the Vienna Follow-up Meeting, the first indications of fundamental change became apparent. This facilitated agreement on a major Conference on Economic Co-operation in Europe, held in Bonn in the spring of 1990. The “second basket”, or the Economic Dimension, was a traditional CSCE “trade-off” area. It was therefore not surprising that, after the fall of the Berlin Wall in late 1989, major progress was achieved on a broad spectrum of economic issues. In less than four weeks, the participants agreed on the “relationship between political pluralism and market economies” which, at this time, was really a sweeping statement. The efforts of the Conference to achieve practical results were underlined by the participation of representatives of the business community.

V.

The Paris Summit Meeting (1990) and the Helsinki Follow-up Meeting (1992)

The Paris Summit marked the end of the “era of confrontation and division of Europe”. It fully developed the essential elements of a comprehensive concept of security. Participating States not only agreed on terms such as human rights, democracy and market economy; they also agreed on the substantive content of these terms, thus creating the basis for a new relationship.

As early as the negotiations leading to the Charter of Paris, some participating States had pleaded for a resolute turn towards transforming the Conference into an organization. The result was a typical CSCE compromise. The Charter speaks about “institutions of the CSCE process”. Although these institutions were weak, they allowed room for development.

The real breakthrough towards institutionalization was achieved at the Helsinki Summit in 1992. By this point it had become clear that the management of change was a qualitatively new challenge that could not be met with the old structures and unchanged institutions. The urgent need for developing a CSCE potential for conflict prevention and crisis management was the driving force in the progress towards becoming an organization.

The CSCE structures and institutions were developed with a view to performing specific tasks or specific groups of tasks. Accordingly, there is a constant need to assess what the OSCE can and cannot do.

VI.

Some Conclusions

The OSCE inherited from the CSCE an often polarized understanding of its role. The CSCE has suffered since its inception from being perceived by some as good for nothing and by others as good for all. Looking back over the CSCE’s history can help to realistically assess of the OSCE’s strengths and weaknesses. The CSCE was just

one element in a very complex and comprehensive process. It was as much an instrument of change as a result of changing realities.

Twenty years after the Helsinki Final Act, we are facing fundamentally different challenges. In the 1970s the task was to build bridges and introduce dynamic elements into an icy and, for that matter, stable confrontation. The OSCE's task today is to develop stability and avoid new divisions. Surprisingly, the responses to the new challenges are not very different from those that helped us to deal successfully with the old ones: we have to build and increase confidence, and we must develop all elements of a truly comprehensive security structure in which all States of the OSCE have their place. Such a structure must allow all participating States to work for their legitimate interests. At the same time, however, everyone must make their contribution to stability by accepting the principles and commitments of the OSCE as the binding rules of the game.

Today the OSCE is still on its way. It became an organization at the beginning of this year, but it may not yet have acquired its final structure and form. For this reason, it should preserve one of its most valuable assets: its high degree of flexibility.

This flexibility will allow the OSCE to adapt to the role it will be given within a security model for the twenty-first century.