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The Helsinki Final Act Under the Burden of Time

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The 1970s witnessed a phenomenon of détente and practical application of the principle of peaceful coexistence. The signing of the Helsinki Final Act 50 years ago was a highlight of the CSCE conference. Later other major documents followed including the Paris Charter in 1990. The author looks back at the historical circumstances, which enabled these events, assesses the significance of the Final Act and the Charter and undertakes their conceptual comparison. He analyses the documents' inherent advantages and vulnerabilities and deliberates on the importance of risk reduction measures and de-escalation mechanisms produced in the course of the OSCE process.

1 August 2025 marked 50 years since the signing in Helsinki of the Final Act as an outstanding result of the Conference on Security and Co-operation in Europe[1]. On 21 November, the Paris Charter for New Europe turned 35 years old[2]. These two documents are the most important ones in the history of the CSCE (from 1 January 1995 — The Organisation for Security and Co-operation in Europe, OSCE). As the world has been evolving and changing in the course of decades, the attitude toward both documents broke up roughly into two opinions. The first — principles and approaches declared in 1975 and 1990 stay unshakeable and that should be observed to solve modern problems. The second — having declared remarkable things, the two documents

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[1] The Helsinki Final Act. August 1, 1975. https://www.csce.gov/wp-content/uploads/2016/10/Helsinki-Final-Act.pdf
[2] Charter of Paris for a New Europe. November 21, 1990. https://www.csce.gov/wp-content/uploads/2016/10/Charter-of-Paris-for-New-Europe.pdf

were the product of their times, and against the backdrop of cardinal changes a lot what was imbedded in them became outdated.

The second opinion contains certain truth. Otherwise, it would not have been necessary time and again in history of international relations to invent and to reinvent intergovernmental agreements to manage peaceful coexistence. Fundamental principles of interaction between human beings were contained in ancient scriptures. However, for centuries the state of war was looked upon as something not less natural then the state of peace. The Charter of the League of Nations and the Charter of the United Nations continued attempts to regulate relations among states. The CSCE and OSCE documents also were not the "lenders of the last resort" and in the future may be followed by a new generation of documents.

The reason for this never ending process is twofold. Firstly, as a generational change occurs, each time the human memory needs reminder and repetition of certain basic rules including principles of peaceful coexistence. One of the examples — the famous Reagan-Gorbachev statement of 1985 that a "nuclear war cannot be won and must never be fought"[3]. Since then it has been reiterated several times on a high level. In recent years it took place, for example, in a joint statement of the nuclear five (N5 — the nuclear states recognised under the Treaty on the Non-Proliferation of Nuclear Weapons, 1968) on preventing nuclear war and avoiding arms races in January 2022[4] and later in a joint declaration of Russia and China on global strategic stability in May 2025[5]. Secondly, any basic rules remain too abstract unless they are not applied and interpreted in concrete international circumstances and environment. The Final Act was concluded in the times of bipolarity and at the peak of détente. The Paris Charter was signed in November 1990 under the impression that the Cold War was over. However, in 2025 the world is a very different place — it is polycentric and is in the midst of escalation comparable to the years prior to the Cuban crisis.

The two opinions outlined above on the Final Act and the Paris Charter do not exclude each other, they are compatible. Both of the documents stay acute and in demand by international community but the principles, which underline them, need systemic promotion and explanation. This is exactly why it was so important for the OSCE member states in better times to conduct summits and to build on previous successes and statements, to recontemporise basic principles, for example in Istanbul Document in 1999 (including the Charter for European Security[6]) and then in Astana Declaration in 2010[7]. The same methodology is applicable to the UN process, when there is a deep-rooted tradition of the international community to launch each September a new Session of the General Assembly and to hold the High-level week. This is done annually to solve concrete problems and to discuss particular issue but conceptually the role of this process is to make 193

[3] Joint Soviet-United States Statement on the Summit Meeting in Geneva. November 21, 1985. https://www.reaganlibrary.gov/archives/speech/joint-soviet-united-states-statement-summit-meeting-geneva

[4] Совместное заявление лидеров пяти государств, обладающих ядерным оружием, о предотвращении ядерной войны и недопущении гонки вооружений. Январь 2022 г. http://kremlin.ru/events/president/news/67551

[5] Joint statement by the Russian Federation and the People s Republic of China on Global Strategic Stability. May 8, 2025. http://en.kremlin.ru/supplement/6310

[6] Charter for European Security. 18 November, 1999. https://www.osce.org/mc/17502

[7] Astana Commemorative Declaration: Towards a Security Community. 3 December, 2010. https://www.osce.org/files/f/documents/b/6/74985.pdf

states to recommit themselves to the principles of the UN Charter[8], to adapt them to the whims of times.

The continuity of the fundamental nature of the Helsinki Final Act does not mean that this is an automatic and straightforward matter. The structure of international politics undergoes major changes almost every half a century. The Eurocentric nature of international relations did not survive 1945 yielding place to bipolarity. Still, after the Second World War Europe remained one of the most important places in terms of global politics. Three of the five permanent members of the UN Security Council are located in Europe. However, the USSR fell apart, and the status of the US, France and the UK significantly diminished. The Final Act was mainly a European affair with two exceptions — the USA and Canada. Therefore, its impact on the world in 1975 was more profound then if it had been signed in the conditions of polycentrism. At the same time the Helsinki Final Act does not belong entirely to the Cold War era. The CSCE process, developed within the framework of the Yalta-Potsdam international system, rested on the postwar international law, in the centre of which is the UN Charter.

The symbolism of the Final Act as well as the symbolism of the Paris Charter is the reason why up to now these achievements are considered political and diplomatic milestones. In 2025 the role of symbolism in history is especially important as we mark the 80th anniversary of Victory in the Second World War and of the creation of the United Nations.

While recognising the continuity of the OSCE process and the overlap between its localisation in the period of the Cold War and its significance, which transcends time, it is important to see its inherent dilemmas. One of them is the interplay between "indivisibility of security" and a freedom of a nation to choose its own paths of internal and external development. Similarly, the UN Charter contains a dilemma of the principle of territorial integrity and the principle of self-determination. Notably, these dilemmas are not contradictions but different aspects of international law. They may co-exist or clash depending on the ability or impotence of international community to balance them.

Durability of the OSCE process is remarkable. The significance of the Final Act survived the new Cold War escalation in the first half of the 1980s, the break-up of the Soviet Union, the bombing of Yugoslavia, the expansion of NATO, the rise of new geopolitical tensions in the 21st century. The future of the Act — the philosophy of détente — is gloomy although there is a chance that it may overcome the present confrontational stage. The harbinger of future difficulties was already noticeable in the same year, when the Paris Charter was signed. It was done in the circumstances when the USSR, one of the key signatories, was already in its doldrums.

The Charter is full of inspiring wording: historic expectations, the end of the era of confrontation and division of Europe, a "new era is dawning", "Europe whole and free is calling for a new beginning", "a call from Paris today to all the nations". However, the text is not free from contradictions. For example, in one place it says: "Europe is liberating itself from the legacy of the past" and in the other it stresses the continuity with the Ten Principles of the Final Act. One of the achievements of the Charter was its application of the principle of "equal security for all our

[8] United Nations Charter. https://www.un.org/en/about-us/un-charter/full-text

countries". In the document the two counterbalancing principles go hand in hand: the "freedom of States to choose their own security arrangements" and "security is indivisible and the security of every participating State is inseparably linked to that of all the others". Already in 1975 the text of the Final Act included the "indivisibility of security in Europe". The Charter underlined that the Principles apply equally and unreservedly. That was a wholistic approach, which envisaged a possibility to balance both sides of "equal security".

With hindsight, it is obvious that 35 years ago the CSCE process and the Paris Charter became hostage to conflicting interpretations of the Cold War outcome: in the USSR and then in new Russia the understanding was that Moscow played a leading role in reconciliation and in bringing about a Europe "whole and free"; the West increasingly saw the end of the Cold War as a capitulation of the Soviet camp. Still, in 1990 the positive side of co-operation between the East and the West dominated. To some extent the situation was similar to 1975 when the signing of the Final Act was widely understood as a breakthrough on the matter of war and peace in Europe.

The European dimension was not exclusive in both cases. The documents of 1975 and 1990 were not only about Old Continent but about global security, opportunities to change the very nature of international relations. In 1975 the attempt was made in the framework of bipolarity to transform détente into a new quality of relations between the USSR, the US and the West in general. The signing of the Paris Charter in 1990 took place in more uncertain circumstances. Russia was eager to modernise and to some extent to westernise but clearly it was not prepared to diminish "equal security" just to one of its components. At the same time Moscow de facto was not against the narrative of the West-centred world under the condition that Russia was one of its equal players.

In the course of time the negative assessment of the Paris Charter gained popularity. Indeed, it was full of narratives, which reflected the lopsided nature of the Cold War ending. It should be noted that from the very beginning criticism was directed against the Final Act as well, especially against the "third basket" — humanitarian issues and human rights. For sceptics it was a Trojan horse, used later by the West to weaken the USSR. However, at the time of signing the Final Act was seen by the Soviet political leadership as an outstanding achievement, an intertwined set of agreements, reached due to rational compromises. It was considered not as a final step towards peaceful coexistence but as a stepping stone on the path to stable and strategic cooperation with the West.

At the same time it is obvious that the Charter differed significantly from was the Act. The structure of the latter was a sequence of security-economy-humanitarian issues. In the Charter the first and the third baskets traded places. The whole text is permeated with references to values and human rights, sidelining the problem of security. It was a document with a clear asymmetry in its semantic, which was a manifestation of major changes in the countries of the Soviet block.

In some of its aspirations the Charter looked into the future, which was not its weak point. However, the ideologisation of the document was on the surface. For example, the statement that "freedom and political pluralism are necessary elements in our common objective of developing market economies towards sustainable economic growth" looks as a guideline of how to reform the USSR and its former allies. The suggested scheme was simple — to develop market economy

and political freedoms, which in time will provide higher living standards. It is well known from history that it may occur the other way around and that attempts to impose market economy in a simplistic way may plunge a society into misery.

In retrospect some other declarations in the Charter look hollow, for example the statement that "ethnic, cultural, linguistic and religious identity of national minorities" should be protected. The history of the last 35 years of Russian speaking minorities in the Baltic states or in fact the Russian speaking majority in Ukraine and vagrant violation of their rights reduce the above statement to pure rhetoric. In the sphere of security the Charter proclaimed a principle that states have freedom to "to choose their own security arrangements". Although coupled with the "indivisibility of security", later on this idea was used to justify the eastward expansion of NATO ignoring numerous Russian requests and then demands not to do it. The Final Act was not so linear in this respect, saying about the "interrelation between the security of each participating State and security in Europe as a whole" and about "respect for the security interests of all States… inherent in their sovereign equality".

Both the Charter and the Final Act were the reflection of their times and a particular balance or imbalance of power. Up to now they stay a point of regular reference and debates. The CSCE\OSCE process played an unprecedented role in advancement of arms control and military risk reduction. The Treaty on Conventional Armed Forces in Europe (CFE) was signed on 19 November 1990[9], enabling a vast reduction of weapons stockpiles. In March 1992 it was followed by the conclusion of the Treaty on Open Skies (TOS, came into force in 2002)[10]. Both of them served European and global security well and would have continued to do so if NATO states had ratified the "adopted" CFE[11] in 2000s and the US had not left TOS in 2020.

Durable international treaties are a product of a systemic and piecemeal exercise. The idea of a European collective security was one of the highlights of the prewar 1930s. In 1954 Andrey Gromyko, then the first deputy minister of foreign affairs, was tasked by Vyacheslav Molotov, the minister, to prepare a draft of a treaty on collective security in Europe. In March 1954 the Soviet government submitted a proposal to the governments of the US, Britain and France on creation of a pan-European treaty on collective security and a possible NATO membership of the USSR. It came to no fruition. In September 1965 at the XX Session of the UN General Assembly foreign minister Andrei Gromyko in his plenary speech for the first time articulated the following theses: "The Soviet Union consistently advocates coordination and consolidation of efforts of European states in the interests of their security, development of cooperation among them on the pan-European basis"[12]. That was the time when the Soviet diplomacy launched confidential consultations on a European security conference. One of such consultations took place in Rome

[9] The Treaty on Conventional Armed Forces in Europe. 19 November, 1990. https://www.osce.org/files/f/documents/4/9/14087.pdf

[10] Treaty On Open Skies. 24 March, 1992. https://www.osce.org/files/f/documents/1/5/14127.pdf

[11] Agreement on Adaptation of the Treaty on Conventional Armed Forces in Europe. Istanbul Document 1999. https://www.osce.org/files/f/documents/6/5/39569.pdf

[12] Громыко А.А. Во имя торжества ленинской внешней политики. Избранные речи и статьи. Москва: Издательство Политической литературы. 1978. С. 26. (Gromyko A.A. Vo imya torzhestva leninskoi vneshnei politiki. Izbrannye rechi i stat'i. Moscow: Izdatelstvo Politicheskoi literatury. 1978. S. 26). https://inion.ru/site/assets/files/4321/gromyko_vo_imia_torzhestva_leninskoi_vneshnei_politiki-1.pdf

between Andrei Gromyko, Aldo Moro and Amintore Fanfani in April 1966. Nine more years were required to reach this goal.

One of the necessary ingredients for a success story in international relations is an accumulation of favourable conditions. The Helsinki process, which led to the Final Act, was stimulated by a number of events: the signing of the Non-Proliferation Treaty (1968)[13], the Moscow Treaty between the USSR and West Germany (1970)[14], SALT-1[15] and the Anti-Ballistic Missile Treaty (1972)[16], the Paris Peace Accords on ending the Vietnam war (1973)[17], the launch of negotiations on reductions of armed forces and armaments in Central Europe (1973). By 1973, when the Conference started its work, relations between Moscow, Washington, Paris, Bonn, Rome were on the up. At present the reinvention of the Helsinki process in literal terms is impossible if only because a near death of the European military neutrality institution.

In conclusion I would like to draw a citation from a speech of Andrei Gromyko at the XXX Session of the UN General Assembly in September 1975: «The Final Act of the Conference… is one of the outstanding documents of our times. European nations to a big extent laid their hopes on the Conference to letting the European continent escape a vicious circle of its history… The results of the Conference is an accurately weighted balance of interests of all participants and manifestation of generally acceptable agreements and justified compromises. There is every reason to declare that the experience of the Conference should find the broadest possible application for the settlement of urgent contemporary problems"[18].

The story of the CSCE/OSCE process, the symbolic importance of the Final Act stay a motivation for a professional application of arms control and conflict resolution mechanisms, invented in the past 50 years. The Old Continent succeeded in overcoming the catastrophes of the First and the Second World Wars. The competing parts of the West and the East managed to leave behind the existential risks of the Cuban crisis. It would be a tragic irony of history if the legacy of rapprochement and peaceful co-existence of the second part of the 20th century would be wasted in new geopolitical clashes.

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