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Germany's *Ostpolitik* and the Road to Helsinki

To some extent, it is a miracle that, 30 years after the Helsinki Final Act, there is anything to commemorate at all.

Previous events made it appear unlikely that a conference would ever be founded in the first place. In 1954, Vyacheslav Molotov, the then Soviet Foreign Minister, had proposed a pan-European security conference. This proposal, which aimed in part at disrupting the accession of the Federal Republic of Germany to NATO, set to take place the following year, could easily be rejected, as it – quite unrealistically – did not provide for the participation of the USA. In 1964, when Poland proposed to the United Nations that discussions should be held on a system of European security, this was considered to be a reflection of that country's interest in *détente*. Two years later, the Warsaw Pact adopted a "Declaration on Strengthening Peace and Security in Europe", which was approved by the Communist parties at a meeting several months later. NATO now reacted by producing the Harmel Report, which asserted the complementarity of *détente* and defence.

After the erection of the Berlin Wall, Willy Brandt had consistently argued that co-operation with the East needed to follow West Germany's integration in the West. In his view, there were several reasons why it was in the interest of both Germany and the peoples of Eastern Europe to promote economic co-operation and facilitate human contacts. He saw closer European links as necessary for improving Germany's prospects. Furthermore, Brandt was not willing to accept that the West should leave the "peace initiative" entirely to the East, arguing rather that the West needed to take up the challenge by interpreting the word "peace" in its own way and making its own proposals. He had therefore already argued in favour of "active coexistence" in the USA in the 1960s and believed that a European conference would be feasible if the USA were to participate and the West could agree on unified and distinctive positions.

In 1969, two new factors changed the situation. In the summer, the Soviet Union proposed a conference to improve East-West relations. Because the proposal envisaged the participation of the USA, America was now called upon to respond. In the autumn, Brandt became Chancellor, having expressed his determination to pursue a deliberate policy of *détente* and *rapprochement* with the East (*Ostpolitik*). Germany's European allies did not want to leave Germany alone in this. Or, to put it undiplomatically: It was easier to control German-Russian talks when Europe acted collectively. This was especially true for Washington. Once the Germans had taken the initiative, the road to Helsinki was open.

In Bonn, people started to believe that the conference would become a reality. While this was welcome, it was also dangerous, as it naturally entailed East Germany becoming an equal partner in discussions, allowing it to achieve its international breakthrough while remaining obdurate with regard to all of our wishes. It was therefore necessary to conclude the treaty on basic relations between the two states (Basic Treaty) and the agreement on civilian transport links with Berlin (Transit Agreement) in advance. Bonn had to work to ensure that the conference did not come about too quickly. The three Western occupying powers understood this. In addition, they calculated that it was far from certain that West Germany's bilateral treaties would be concluded, and that Brandt would remain Chancellor. In this case, all the risks associated with *détente*, including the conference, would be avoided. This aspect of the vote of no confidence Brandt had to face in April 1972 was clear to only a very few.

After this obstacle had been overcome, the Treaty of Moscow ratified, and the Berlin transit question answered so effectively that it never again became an acute issue while Germany remained divided, the way was clear for the signing of the Basic Treaty and preparations for the conference could begin. Brandt had already found an acceptable formula for conventional force reductions with Leonid Brezhnev in Orianda in 1971. Negotiations on mutual and balanced force reductions (MBFR) commenced in 1973. The start of these negotiations smoothed the way for the conference; it received the name CSCE, being renamed the OSCE in 1995.

However, at this point, there was still no certainty that this process would finally result in a joint document. The West began to get a taste for the topic, made its own substantive contributions to the negotiations, and pressed the Soviet Union – which wanted to ensure that “its” conference was a success – to make compromises that neither Moscow nor Washington had expected at first. The core issue within the “security basket”, namely the status of the borders of all states in Europe, had already been decided by the Treaty of Moscow. This declared that they were not “inviolable”, nor “sacrosanct”, nor “unchangeable”, nor “immovable”, but that they could be amicably and peacefully changed in accordance with the principle of non-violence. This was a key legal and political prerequisite for German unification.

The discussion of human rights and fundamental freedoms turned into a marathon series of negotiations which were carried out with great subtlety and could only be followed by experts. This led a frustrated Brandt to comment that the Communists could not be induced to negotiate themselves out of existence. His preference would have been for more easily achievable, simpler wordings, especially since his aim was to set in motion a process and he did not consider the Kremlin to be merely kind of district court. The eventual outcome allowed Lech Walesa and Václav Havel – and, with some delay, also civil rights activists in the German Democratic Republic – to appeal to the Helsinki Final Act. Only with the conclusion of this document did

the word “dissident”, whose use had previously been restricted to a religious context, take on a political meaning. It is not possible here to examine the extent to which Helsinki is responsible for overcoming the division of Europe, but it certainly played an indispensable role.

In retrospect, the resistance to the Final Act is astonishing. Although the USA, Canada, and 33 European states (including the Holy See, and excluding only Albania) were gathered together, the German opposition rejected the result on the grounds that it would cement the division of both Germany and Europe. The opposition in the USA was more important. Ronald Reagan, who was to stand for the Republican presidential nomination in 1976, criticized incumbent President Gerald Ford, saying: “I’m against it and I think all Americans should be against it.” The New York Times wrote that the conference should not have taken place, arguing that Ford had crossed the line between *détente* and appeasement, while Aleksandr Solzhenitsyn made a public attack on the USA, claiming that Eastern Europe was effectively being abandoned to its fate by Western Europe. Under this barrage of public criticism, the US President hesitated considerably over whether he should travel to Helsinki at all. On their arrival, they found that Brezhnev was clearly suffering from the after effects of his recent stroke.

There is no doubt that the participants had differing expectations of the Final Act. Some – and clearly not only those from the East – expected a consolidation of the *status quo* and long-term relief from the *querelles allemandes*. Bonn was banking on a process favourable to German and European development. The amazing thing was that the majority were wrong. But equally amazing were the effects of a document that was not even a valid treaty under international law, but merely a statement of intention with some ceremonial trappings.

When founding the United Nations in San Francisco in 1945, President Harry S. Truman declared that the organization could bring peace to the world “if the governments are willing”. The comparison with the OSCE is obvious. It may be weaker than the UN, but it is no less dependent on the wills of governments. And they left it weak and without the powers, the means, or the personnel that would have enabled it to perform its tasks and achieve its goals. This was the result of the shifting interests of the “great powers”. Although the Soviet Union sometimes pushed for progress, Russia was later less well disposed towards interference in its sphere of influence. There was but a single area in which the interests of all the parties involved could be united – and it was no coincidence that this was arms reduction. On the basis of a process that – following years of effort – appeared to have run out of steam, Mikhail Gorbachev was able to get the ball rolling again. In November 1990, the heads of state or government of the two alliances agreed on measures to reduce conventional forces and signed the CFE Treaty. This led to the largest reduction of conventional armed forces in history. Over 50,000 weapons systems were destroyed, and 2,400 mutual inspections have

taken place. The desired “balance” – the effective inability to attack by means of conventional weapons – was achieved, putting in place a key precondition for German reunification. However, this balance was calculated on the assumption that Germany would remain divided, which meant that later developments rendered this success obsolete. Little thought was given to the possibility of German reunification, and, more critically, even less to the end of the Soviet Union, which was soon to follow. The result was something no one had sought: The 3:1 superiority enjoyed by the East was transformed, in the space of five years, into a 3:1 superiority for NATO over Russia. The East German National People’s Army paid the price of Germany’s arms reduction commitments with its dissolution.

At the end of 1990, this hardly impinged upon German consciousness. The same was true of the Charter of Paris, which was passed in November of the same year. It adopted the formula on the peaceful change of all borders regardless of when they were established any by whom directly from the Final Act, turning this principle into a cornerstone of peaceful stability in Europe. It was neither the CSCE’s nor the OSCE’s fault if governments did not act appropriately when Yugoslavia collapsed into a state from which it will be unable to return to stability as long as there are no internationally recognized and guaranteed borders.

Without any means of applying pressure, without the ability to impose sanctions or to enforce solutions to matters of its concern or to demand compliance with its decisions, the OSCE has produced impressive results. To do so it has had to engage in persuasion and win over its partners with arguments. Its activities are low-key and quiet. It makes no headlines. War is noticed, but the avoidance of war, the peaceful resolution of a conflict, garners little attention. The successes of the OSCE occur in the lee of world politics. In our noisy, excitable times with their lurid colours and hysterical disputes, this further disadvantages peoples and states that could receive more help from the OSCE if governments would allow the Organization to act or use it accordingly.

The most outstanding success story, one worthy of a Nobel Peace Prize, if only it were granted the international recognition it deserves, is the work of the OSCE’s High Commissioner on National Minorities. When the position was conceived and voted into existence in 1992, it was at first debated whether it would even be necessary to provide the holder with a secretary. The first task faced by the High Commissioner was to establish a foundation to raise money to support his work. That, despite the fact that more than 90 per cent of military conflicts in the last 25 years were caused by the escalation of problems associated with minorities. The High Commissioner has discovered that extreme demands for self-determination target national and religious minorities, creating new conflicts by creating new minorities. The same applies to autonomy arrangements when these are understood as or can be feared to be a stepping stone to secession.

In the meantime, the strategy of seeking to reach agreement on the integration of minorities in the states in which they live by defining rights and duties that are acceptable to the majority while offering good prospects to the minority has proved itself many times over. Such arrangements are so successful because they promise every citizen the opportunity for peaceful development and prosperity. All minority rights ultimately derive from my human right to decide what ethnic identity I feel I have and to express it freely, including in terms of the language my children learn and the schools they attend, while remaining loyal to my state. The formula that needs to be found is the right combination of these elements – a different formula in each case.

Anyone examining the potential conflict hot spots within the territory of the OSCE States where violence has not already broken out will be struck by the extent to which the OSCE's historical legacy is under-utilized and a potential exists that is provided with inadequate support. The consequences have still not been drawn from the insight that prevention is better and cheaper than UN peacekeeping efforts and that both are better and cheaper than using force to end a conflict – quite apart from questions of blood, suffering, and devastation. Weapons can end violence, but cannot compel the creation of peace.

Strangely, the end of the Cold War also created difficulties for the work of the OSCE. The new situation should have enabled pan-European cooperation to replace the armed balance of terror. But the habits of thought formed during 50 years of East-West conflict has still not been overcome, not by states and societies, nor by governments and individuals. Time is needed for the European body to expel the poison with which it was injected – in the West as well as the East. This process is continuing.

As the Soviet Union collapsed, its successor republics assumed its obligations under international law, including the goals and principles of the Final Act and all the rules agreed upon since. That was a positive development. It promised stability and predictability in the form of a pro-European attitude on the part of the new subjects of international law. That these obligations and rules were only adopted at a formal level became clear when it emerged that the new republics did not always associate the concepts and values of the OSCE with the content they were assumed to contain by the founding states. The new states, from the Black Sea to the Chinese border, developed rather different interests and orientations depending on their environments, histories, and religious orientations.

This variety of approaches was unwittingly encouraged by the failure of the established OSCE States to give the new participants a feeling that they were welcome additions to an expanding family. The existing OSCE States should have seen more of the new republics' duties in terms of rights, while the new participating States should have understood more of their rights as obligations. This did not come about, as the problem was simply not recognized by the governments of Europe, who failed, both individually and col-

lectively, to formulate a policy on Central Asia. The OSCE missed its historic opportunity to play a decisive (European) role in this region. Today, it is no longer possible to overlook the fact that these states, to various degrees, and in line with the ironclad laws of geography, are aligned with either Russia or America, and, with the exception of the countries of the Black Sea region, look more to China than to Europe. The task facing Europe – including Russia – in addressing these regions is consequently more significant.

These days, the question of Russia's involvement is rarely considered in terms of the Soviet Union's key role as a founding member of the CSCE. Instead, Moscow appears as a defender of its own interests and a competitor in these potentially explosive regions, and as a partner in the NATO-Russia Council. This entails the risk of forgetting that, without Russia, there can be no security and stability in Europe. The idea, also tied up with the name of Helsinki, of building a common security space between Lisbon and Vladivostok is hardly discussed any more. These days, there would be little concern over the possibility of America being excluded. Nowadays, that is simply unthinkable. The "E" in OSCE stands for Europe and the European interest in common and self-determined security; new life needs to be breathed into this idea, which should be put to work again – together with and by means of the OSCE.

There is one major lesson we can learn from that which was created at Helsinki: The diplomacy of 30 years ago gave birth to a model of the enormous power that non-violence has to redraw borders and that co-operation, human and minority rights have for peaceful change. This is directly related to the contemporary debate over *hard power* and *soft power*. The use of force could not have achieved what has been realized using non-violence. Soft power can in fact be harder than hard power. The stable development of the CSCE that was guaranteed by two superpowers would now have to be provided by the sole remaining superpower. In any case, it must remain the natural interest of all weaker parties to replace might with right, to use preventive diplomacy and treaties to avoid preventive wars, in short, to strengthen soft power so that the use of force becomes unnecessary. If Helsinki has a single key legacy that remains relevant today, it is the strengthening of Europe's peaceful power.