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## Forty Years of the Helsinki Final Act – A Cause for Celebration?

### *From Helsinki to the Fall of the Berlin Wall*

When one looks back, as someone who was involved in the drafting of the Final Act, over the 40 years that have passed since it was signed, one has to admit that the ambitions entertained then by the delegates in Helsinki and Geneva regarding the developments that this document could trigger – whether directly or indirectly – appear rather modest. Even the younger diplomats, those between the ages of 30 and 40 at the time, could not in their wildest dreams have imagined that they would live to see German reunification, the end of the communist regimes in Europe, the break-up of the Soviet Union, the disintegration of Yugoslavia, the restoration of the Baltic states, the dissolution of the Warsaw Pact, and the bulk of its former members going over to join the EU and NATO. Depending on their political views, they had either hoped or feared that some of these developments might have come about, but none of them would have wagered that change would come to Europe so rapidly and comprehensively. Not even the keenest “cold warriors” among them were seeking to bring about “system change”, let alone revolution; with their diplomatic street smarts, they were too realistic, too attached to the idea of politics as the art of the possible. The delegates from the Western and Neutral and Non-Aligned (N+N) states were rather thinking of evolution in the sense of a slow and gradual liberalization within existing structures, perhaps along the lines of the “Prague Spring”, which did not lie so very far in the past. Its achievements, such as freedom of the press, freedom of opinion, and the freedom to travel to the West, though they proved ephemeral at the time, served as blueprints for many proposals, including a Swiss initiative on the dissemination of information. After lengthy and hard-fought negotiations, co-ordinated by the Neutral states, many of those proposals were included in the “third basket” of the Final Act. Incidentally, the use of the word “basket” for the various sections of the Final Act was also a Swiss innovation. For its part, the suppression of the Prague Spring by troops from the Soviet Union and other Warsaw Pact countries in August 1968 gave the impulse for the inclusion of Confidence-Building Measures (CBMs) within the Final Act. By requiring the notification of military manoeuvres, the CBMs sought to ensure that troop exercises could never again develop overnight into a crisis of this kind. Many of the relevant proposals were made by the group of N+N states, three of which (Finland, Austria, and Yugoslavia),

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Note: The views contained in this contribution are the authors' own.

shared borders with Warsaw Pact countries. The “Brezhnev Doctrine” of limited sovereignty for members of this military alliance, which Moscow invented retrospectively to justify the invasion of the Czechoslovak Socialist Republic, was countered by the West, which insisted that all CSCE participating States had the right “to belong or not to belong to international organizations, to be or not to be a party to bilateral or multilateral treaties including the right to be or not to be a party to treaties of alliance; they also have the right to neutrality.”<sup>1</sup> The final clause was based on a Swiss proposal, introduced independently of the right to belong or not belong to an alliance, which sought to inscribe Switzerland’s neutrality in a multilateral document at the highest level for the first time since the Congress of Vienna in 1814-15. It was also Switzerland’s desire that neutrality would thus be recognized as “a specific instrument of European security and co-operation”.<sup>2</sup> Together with the clause on the freedom of states to belong or not to belong to an alliance, which was included word for word in the first principle of the Final Act’s Decalogue, the mention of neutrality could be interpreted as a veiled nod of encouragement to individual Warsaw Pact member states to leave that alliance at some point and declare their neutrality. Romania, which had refused to take part in the invasion of Czechoslovakia and had tried to take a line independently of Moscow in the CSCE, had expressed this, if quite indirectly, yet even in Bucharest, the possibility of leaving the Eastern military alliance appeared to be a wish for the very distant future.

The West and the N+N were only able to get their way on such far-reaching issues as the freedom of a state to belong or not to belong to an alliance because the Soviet Union was so deeply interested in the success of the CSCE that it was willing to pay a major price in the form of concessions. Moscow’s key motivation was to ensure that the principle of the inviolability of frontiers (the word used in Russian, “*nerushimost*”, is closer to “untouchable” in meaning) would be included in the Final Act, although the borders of Central Europe were already recognized in practice thanks to the treaties signed by the Federal Republic of Germany with Moscow and Warsaw (and later Prague) as part of its policy of rapprochement with the East (*Ostpolitik*) and the Basic Treaty signed by the two German states. Nevertheless, Moscow wanted this principle to be confirmed in a multilateral ceremony at the highest political level, as a kind of substitute for the peace conference that was never held in the 30 years following the end of the Second World War. Yet the West was unable to accept an absolute proscription of all changes of bor-

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1 Final Act of the Conference on Security and Co-operation in Europe, Helsinki, 1 August 1975, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 141-217, Principle I.

2 Speech by President of the Confederation Pierre Graber, Helsinki, 30 July 1975, in: *Bundesblatt Nr. 35*, 5 September 1975, p. 919 (author’s translation). For a detailed insight into Switzerland’s role at the CSCE, see Philip Rosin, *Die Schweiz im KSZE-Prozess 1972-1983 – Einfluss durch Neutralität* [Switzerland in the CSCE Process 1972-1983 – Influence through Neutrality], Munich 2014.

ders, as the European Economic Community (EEC) wished to retain the option of abolishing its internal borders one day, and the Federal Republic of Germany was obliged by its constitution to reject anything that would stand in the way of reunification. After lengthy and intense negotiations, a compromise was found in the following wording: “They [the participating States] consider that their frontiers can be changed, in accordance with international law, by peaceful means and by agreement.”<sup>3</sup> The compromise also meant that this clause was not included in the third principle on the inviolability of frontiers, where it naturally belonged, but in the first principle, immediately prior to the above-cited clause on the freedom to belong or not belong to an alliance.

This example illustrates the two contradictory approaches to European security that came face to face within the CSCE: on the one side, the static approach of the Soviet Union and its allies, which aimed to preserve the status quo of Europe as it had been since 1945 not only in territorial terms, but also politically and ideologically, and, on the other, the dynamic approach of the Western and Neutral states, which saw not only borders, but also political systems, as modifiable, though, of course, only by peaceful means in both cases. This approach was kind of a multilateral extrapolation of the German *Ostpolitik*, which was based on “change through rapprochement”, and its core idea of recognizing current borders yet making them permeable and ultimately superfluous. While the Eastern approach concentrated on the problems of the past, the Western one made it possible to deal with those of the future. The CSCE, which, as the first pan-European assembly in 160 years, relished the comparison with the Congress of Vienna, nonetheless avoided the key mistake made by its “predecessor”, which, though it granted Europe a 30-year peace, did so at the cost of suppressing any and all changes within and between the states, until the urge for domestic reform led to the revolutions of 1848 and the desire for external change to the equally dramatic rise of the nation state.

The compromise between these two approaches was reflected throughout the Final Act, most clearly in the catalogue of principles. Most of the ten principles were inspired to a greater or lesser degree by the Charter of the United Nations (UN) and the UN Declaration on Friendly Relations among States, which had been adopted shortly before the start of the CSCE negotiations. These principles tended to underline the static approach – as did the principle on the inviolability of frontiers – while the clauses on the peaceful change of borders and the freedom to choose alliances represented the dynamic approach, particularly the seventh principle, on respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief. While UN precursors also existed in this area – from the 1948 Universal Declaration of Human Rights and the twin Coven-

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3 Helsinki Final Act, cited above (Note 1).

ants of 1966<sup>4</sup> – the CSCE decided not to reiterate them, but rather to innovate, by declaring for the first time that respect for human rights is “an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation among themselves [the participating States] as among all States”.<sup>5</sup>

By raising human rights to the level of the principles that guide relations between states, the Final Act made a connection, for the first time, between the domestic and foreign conduct of states, and made human rights the yardstick by which their reliability could be measured. The ninth principle, on co-operation among states, though it received far less publicity at the time, included a clause that later came to assume major significance: “They [the participating States] confirm that governments, institutions, organizations and persons have a relevant and positive role to play in contributing toward the achievement of these aims of their cooperation.”<sup>6</sup>

This served to legitimize the activity of groups now generally referred to as “civil society”, and provided a foundation for the “Helsinki Groups” that spontaneously emerged in many countries in the wake of the signing of the Final Act. The first was founded in the Soviet Union in 1976, followed by others in Eastern European states. Helsinki Groups were also established outside the Eastern Bloc, with Switzerland becoming the first non-communist country to see a group created in February 1977. Together with other citizens’ movements, and despite repression and arrests, the Helsinki Groups in Central and Eastern Europe called upon their governments to implement the commitments they had ceremonially undertaken in Helsinki, and specifically those in the area of human rights and the provisions relating to their implementation in the areas of human contacts, information, culture, and education in the “third basket”. Most of these countries, even the USSR and the German Democratic Republic (GDR), had, to the astonishment of Western observers, distributed millions of copies of the full text of the Final Act, shortly after it was signed, as supplements in party and government newspapers. They completely misread the mood of the people by failing to predict that they would seize the opportunity this represented. For instance, the number of requests for permission to leave the GDR jumped rapidly in 1976 as a result of the provisions on the reunification of families. In Czechoslovakia, a year later, “Charter 77” made explicit reference to the CSCE, as, later still, did the Polish trade union “Solidarity” and the East German opposition. The Final Act took on a dynamism of its own and ultimately, alongside many other factors – not least the CSCE follow-up conferences and expert meetings – contributed to the holding of the first more or less free elections in a communist country in Poland in 1989, and the fall of the Berlin Wall, which, in

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4 The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

5 Helsinki Final Act, cited above (Note 1), Principle VII.

6 Ibid., Principle IX.

the same year, marked the beginning of the end of the GDR and the other communist regimes in the Soviet satellite states, and finally led to German reunification. The provisions of the Final Act on the peaceful change of borders and the free choice of alliance played a key role in this regard, as they legitimized the removal of the interior German frontier and gave the Federal Republic of Germany an argument it could use in the “Two Plus Four” negotiations in favour of continued German membership of NATO after reunification. The Final Act was thus a kind of “umbrella” that allowed the transformation of Europe in 1989-90 to take place in a peaceful and orderly fashion.

#### *From 1989 to the Present Day*

The fall of the Berlin Wall on 9 November 1989 now stands as the symbol of the transformation of Europe. This is correct to the extent that Berlin, the divided city of the Cold War, was always the barometer of East-West relations, and had more than one crisis to overcome during the time of its division. Yet anyone who had been involved in the Helsinki Process had experienced at first hand the shifting relations between the US and Soviet superpowers during the negotiations and their effects on Europe as a whole. The signs of possible changes to come could already be seen in that context. Following the death of Leonid Brezhnev in 1982, the world waited expectantly for a signal from Moscow. However, the first indications of a change in the political climate would have to wait for Mikhail Gorbachev, who introduced the policies of *glasnost* and *perestroika* following his election as Secretary General of the Communist Party of the Soviet Union in March 1985; the first summit with US President Ronald Reagan was held in Geneva in November that year, and the “*esprit de Genève*” gave a new lease of life to both multilateral diplomacy, especially in the UN and, of course, CSCE contexts, as well as bilateral disarmament talks between the two superpowers.

Nevertheless, the dismantling of the Wall that had cut through the heart of Berlin is considered the start of a new chapter in European history – one that has not yet been concluded. The people of Eastern Europe had great expectations of what the new Europe would bring them in political and economic terms. However, after decades of oppression, many first had to recover the powers of agency and autonomy. The strength of a democratic system under the rule of law to create a balance between competing interests had to be grasped and explored. Alongside all the positive developments, there have been many setbacks along the way. Nor are established democracies free from danger, if they do not take care of their democratic institutions and processes.

Those responsible for creating the new Europe were aware from the outset that this needed to be achieved within the framework of multilateral

structures. Yet there was no agreement on which organization should take the leading role in this process. This also signifies a failure to recognize at the start that each organization has its particular strengths, and that their co-operation would ensure the best results.

Immediately after the fall of the Wall, the CSCE assumed leadership, though there was a brief discussion of whether the Organization had fulfilled its role and should dissolve itself or could act as the forum for this new chapter in European history. All the states of Europe (with the exception at that time of Albania and Andorra) together with the USA and Canada had participated in the CSCE since 1973, and it had consistently conceived of security in comprehensive terms – understanding it to include not only external security via military means but also security in the domestic sphere via democracy, the rule of law, economic and social security, and respect for human rights.

At the same time, the Council of Europe, NATO, and the EU (then still the EEC) were reconsidering their various roles in the new Europe. Their contrasting ambitions led to rivalries – sometimes bitter – in the years to come, which were not exactly conducive to the performance of the work of rebuilding the continent politically and economically and avoiding potential conflicts. It was not until 1999, against the backdrop of the Kosovo War, that a document was adopted at the OSCE Istanbul Summit on security co-operation between the existing organizations.<sup>7</sup>

The CSCE set to work immediately in 1990, holding an economic conference in Bonn and a human rights conference in Copenhagen that very year. It was in Copenhagen that, for the first time, a negotiating group, which was chaired by Switzerland, put together a wide-ranging catalogue of rights of persons belonging to national minorities. To this day, minorities tend to suffer most in any conflict. In November 1990, a CSCE Summit meeting was held in Paris at which the Heads of State or Government of NATO and the Warsaw Pact states first signed the Treaty on Conventional Armed Forces in Europe (CFE Treaty), then the Heads of State or Government of all participating States adopted the Vienna Document on military confidence- and security-building measures (CSBMs), and finally – in a particularly solemn ceremony – signed the Charter of Paris for a New Europe. This charter had been negotiated between July and November in Vienna in an entirely different political climate than had prevailed during the negotiations on the Final Act in the 1970s. It was thought of as a follow-up to the Helsinki Final Act, taking stock of political events by drawing up guidelines for the future of the united Europe that was emerging, and creating instruments for their implementation. This was the last time that the ambassadors of the Neutral

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7 Charter for European Security, Istanbul, November 1999, in: OSCE, *Istanbul Summit 1999, Istanbul Document 1999*, January 2000/Corr., pp. 1-45, especially: Operational Document – the Platform for Co-operative Security, pp. 43-45; at: <http://www.osce.org/mc/17502>.



states were called upon to play a co-ordinating role by chairing the discussions and finalizing the texts. Switzerland was responsible for the chapter on the future programme of the CSCE (“Guidelines for the future”).

The negotiations were carried out in an atmosphere of incredible optimism. Many Eastern European countries had sent young diplomats whose thinking was not coloured by the ideology that had recently been overthrown, but whose desire was rather to contribute to the creation of an open and peaceful Europe. In many regards, the EU/EEC was a hesitant partner, as Brussels was already thinking about its own political instruments and did not want to place any barriers in its own way. The USA was reluctant to pursue institutionalization and to move on issues that could have placed restrictions on its own autonomy of action. Yet there was a unanimous desire to celebrate the end of the divided Europe and the united future whose dawn it heralded. No one wanted to think about smouldering crises and conflicts. A Swiss proposal to prepare for future conflicts that might break out in Europe following the fall of totalitarian regimes fell on deaf ears. In retrospect, this refusal to even acknowledge the reality of such threats demonstrates a short-sightedness on the part of both individual governments and the international community that is hard to understand in view of the armed conflicts that shook Europe so soon after this short period of euphoria – and continue to do so – and given how poorly Europe was prepared to deal with them, and how limited its capacities are as soon as a crisis widens to become a major threat for a whole region.

Nonetheless, the Charter united all participating States around a set of shared values, drew up a rich programme for future activities, and began a process of (consciously decentralized) institutionalization. A small Secretariat was established in Prague. Following the founding of the OSCE, whose headquarters – and hence the Office of the Secretary General – are in Vienna, the Prague Secretariat now functions as the Organization’s archive. The Office for Democratic Institutions and Human Rights (ODIHR), which was established in Warsaw, originally as the Office for Free Elections, has become one of the OSCE’s key pillars for field missions, election observation, and human-dimension meetings of all kinds. The annual rotation of the Chairmanship among the participating States can also be traced back to the Charter of Paris. However, it proved impossible to realize the intention of holding a Summit meeting every two years. After a positive initial phase that lasted until the 1999 Istanbul Summit (Helsinki 1992, Budapest 1994, Lisbon 1996), so far only one Summit has occurred in the 21st century, namely in Astana, Kazakhstan, in 2010. The Committee of Senior Officials (replaced by the Senior Council in 1994 in Budapest effective from 1 January 1995), which was supposed to meet in Prague to deal with crisis situations, was overwhelmed by the crises and even military conflicts that rapidly emerged. Only months after the Paris Summit, there were clear signs of the bloody war that would break out in Yugoslavia, tearing the country apart. The break-up

of the Soviet Union was also unavoidable and led to numerous conflicts that remain unresolved to this day. Since 1995, the Permanent Council of OSCE ambassadors in Vienna has assumed responsibility for the political functions of the Senior Council.

The CSCE was not strong enough to effectively counter the sometimes brutal events of the 1990s. The same is incidentally true of Europe's other organizations. However, all of them, including the CSCE, were seeking – preferably peaceful – ways and means of avoiding violent conflict. At the 1992 Helsinki Summit, with intensive Swiss participation, the CSCE was at least able to put together a programme for military peacekeeping, also declaring itself – with New York's agreement – to be a regional arrangement in the sense of Chapter VIII of the UN Charter. At the same time, it created the office of the High Commissioner on National Minorities (HCNM). Based in the Hague, the HCNM's cautious and discrete brand of diplomacy has proved indispensable to this day. Helsinki also laid the foundations for short-term fact-finding missions in conflict areas and long-term missions for conflict prevention or post-conflict rehabilitation. Both the creation of the HCNM and the establishment of the foundation for the deployment of missions were key priorities of Switzerland. Alongside its election monitoring activities, these field missions have become one of the trademarks of the OSCE, which, under Hungarian Chairmanship, was finally transformed into an organization in 1995, with its headquarters and an effective Secretariat located in Vienna.

The fact that the OSCE still has no founding treaty – an oddity of international law, yet one which suits the Organization's flexible character, allowing it to adapt to any situation, and to maintain a relatively inexpensive infrastructure – means that each Chairmanship is required to establish the infrastructure it needs and to assume more political responsibility than is the case in other organizations. This is something Switzerland experienced at first hand when it assumed the Chairmanship in 1996 and was faced with major challenges arising out of the war in Bosnia and Herzegovina. During the same year, the Swiss-led OSCE mission to Chechnya had to mediate in the conflict between Chechnyan separatists and Moscow, the conflict between Armenia and Azerbaijan over Nagorno-Karabakh escalated, and the lack of political will on the part of Moscow – which remains the case even now – to withdraw its forces from the pro-Moscow Moldovan province of Transnistria, which lies on the border to Ukraine, became increasingly evident. For its second Chairmanship in 2014, which it co-ordinated closely with Serbia, its successor in 2015, Switzerland also had to establish a fully staffed task force in Bern, tailored to the challenges it faced, and to suitably strengthen the Swiss delegation in Vienna. In addition, Switzerland has created numerous Special Representatives and Personal Envoys to deal with, for instance, specific crisis regions, such as the Western Balkans and now Ukraine.



The lack of a treaty is felt most keenly in the organization of the field missions, whose mandates must be continually re-established on an ad hoc basis. The OSCE's largest missions so far were set up in Bosnia and Herzegovina under the Swiss Chairmanship in 1996 and in Kosovo in 1999, shortly after the NATO bombing campaign. Both are still in operation today, alongside various mid-sized and small missions in Serbia, Montenegro, Macedonia, Albania, the Caucasus, and Central Asia. Switzerland has a tradition of supplying large numbers of staff to these missions, including, not infrequently, heads of missions. The Mission to Serbia is presently led by a Swiss diplomat, Ambassador Peter Burkhard. Switzerland's current ambassador in Berlin, Tim Guldemann, was the head of the missions to Chechnya, Croatia, and Kosovo. At the beginning of the crisis, he was also involved in Ukraine. Ambassador Heidi Tagliavini was a member of the OSCE's mission to Chechnya as well and a Personal Representative of the Chairperson-in-Office for the Caucasus before she took over the UN Observer Mission in Georgia (UNOMIG) in 2002. In 2014, she was appointed OSCE mediator in Kyiv and as such was instrumental in bringing about the armistice between the Ukrainian government and the separatist movements signed on 5 September 2014 in Minsk. Her mandate was prolonged beyond the duration of the Swiss OSCE Chairmanship into 2015.

In most cases, the key task of an international presence in a crisis region is to encourage local authorities and citizens to undertake their own reconstruction activities and to help build a sense of ownership. In parts of the Western Balkans, as well as in the Caucasus and Central Asia, this can be a protracted process. Nevertheless, it is crucial that the duration of international missions is not extended beyond necessity, as the non-violent status quo that this can produce can lead to an apparent stability that is only skin deep. The danger is that the dependency on the international community that can develop over years in such cases does not promote the development of a genuine democracy and indeed works against it.

In 2014, it was again a Swiss Chairmanship, under Didier Burkhalter, President of the Confederation and Foreign Minister, that was called to deal with a crisis, this time in Ukraine, which is more difficult and alarming than any crisis or conflict seen so far, not just for the OSCE but for the whole of Europe and far beyond. An attempt is being made to reverse an entire process from which many people consider there could be no way back. The annexation of Crimea was contrary to international law and breached fundamental principles of the Helsinki Final Act, particularly on the inviolability of frontiers – except by mutual agreement; furthermore, the conflict represents a direct provocation to a confrontation between Russia and the USA through NATO, whose members now include countries such as Poland and the Baltic states. Europe, the USA, and Canada need to react, but have to be careful that their reaction does not itself amount to a provocation. Instead they must seek to keep the peace and find non-violent ways out of the crisis.

Reading the speech given by Vladimir Putin after the annexation of Crimea, it is clear that its content could refer not just to Crimea and Ukraine, but also to other territories. There is a clear long-term plan behind everything that is happening now; this is not a situation that is inadvertently running out of control. The suspicion may also sometimes arise that Ukraine represents a tit-for-tat response for Kosovo, though the two cases are not really comparable in terms of international law.

As always, the OSCE has “only” political means for dealing with the Ukraine crisis – those of conflict prevention and peaceful conflict resolution. Yet it has to use the tools that are available if it wants to counteract the emergence of a new split in Europe and a new confrontation between Russia and the USA.

While the CSCE wrote European history with the 1975 Final Act of Helsinki, which is, incidentally, once more being cited frequently, and, following the end of the Cold War in 1989-90, carried the hopes of a “new Europe”, less has been heard from the OSCE in recent years. The states of Eastern Europe, which had initially believed that the CSCE would play a leading role after the fall of the Berlin Wall, were ultimately more interested in membership of the European Union and NATO. While their key motivations were economic and military, this was also a result of the OSCE’s failure to secure its position in international law by adopting a basic treaty. If it finds itself on the front line once again with regard to Ukraine, this is partly because it is still the East-West forum par excellence, while other organizations, despite their enlargement to the East, continue to be seen by Moscow as “Western” and as – to some extent – taking the side of the Ukrainian government. The Swiss Chairmanship experienced at first hand that the OSCE continues to have an important role to play, and it was vital to make the most of this.

### *Conclusion*

Today, the Final Act of Helsinki may appear superannuated in several regards. Yet this does not mean that it has failed. On the contrary, its current apparent redundancy has come about precisely because it has essentially achieved its main goal of overcoming the division of Europe into two “blocs”, thanks to the transformations of 1989-90. Considerable progress has been made in conventional arms control, military CSBMs, and, above all, in the former “third basket”, the current “human dimension” of the OSCE. Yet it would also be wrong to conclude that the Final Act has become the victim of its own success. For despite all the satisfaction at the results it has achieved, it should not be forgotten that the goals of the Final Act – and the Charter of Paris, which reinforced and extended them – are far from having been realized in all the OSCE States. Although the commitments undertaken

by the participating States have often been expanded in subsequent documents, many countries still display major shortcomings in the protection of human rights, fundamental freedoms, and national minorities. Consequently, it is still crucial that the balance between the OSCE's three dimensions is upheld, and that further progress is made in every area of its work, despite the fact that events in and around Ukraine have placed questions of political and military security very much in the foreground at present. Above all, these events have created a renewed awareness of just how vital the ten principles of the Final Act and the Charter of Paris are, as they have gained an unexpected relevance as guidelines for resolving the current problems. The same is true of the CSBMs, which have taken on a new significance as diplomatic "tools" far beyond the purely military sphere. In other words: The Final Act of Helsinki and the Charter of Paris, together with all the more recent documents that build on them, are more important now than ever. The relevant decision-makers in the OSCE participating States would be well advised to renew their acquaintance with the commitments contained in these documents, to which their governments unanimously gave their assent, and to implement them accordingly.

From the Swiss point of view, the last 40 years are a positive story overall. For Switzerland, whose deep-rooted policy of neutrality – exemplified by the lengthy debates it held over UN membership – had previously led it to cooperate in negotiations on "technical" matters while absenting itself from "political" negotiations, the CSCE was a key means of participating in negotiations on security policy and human rights in an East-West framework, and of bringing its own views to bear, from the very beginning. The mediating role of the N+N states, in particular, provided Switzerland with an entry into European political co-operation. However, the desired breakthrough on the country's two key goals was not achieved in 1975: Neutrality did not become, as hoped, a factor in European security, as, with the exception of Turkmenistan in 1995, not a single additional country declared its neutrality, and Switzerland's closest "allies" in the CSCE, Austria, Sweden, and Finland, though still neutral, are now integrated in the framework of EU political co-operation. After the end of the Cold War, the dissolution of the Warsaw Pact, and the increasing rapprochement between East and West, there was no more need for "neutral" mediation between the blocs. After the Charter of Paris was signed, the group of N+N states was dissolved. Shortly thereafter, both non-aligned Yugoslavia and the Soviet Union disintegrated. The reshaping of Europe in the era of globalization led to the emergence of new actors, and the increasingly dense networks of relations between states became more important than "remaining aloof". The Swiss answer to these challenges from the 1980s to the present day has been a policy of "active" neutrality, which once again showed its strength in Switzerland's second OSCE Chairmanship: A reasonable measure of political independence strengthens the ability to mediate.

Switzerland's second major CSCE-related goal, the system it proposed for the peaceful settlement of disputes, resulted after a tireless diplomatic effort in the creation of a Court of Conciliation and Arbitration in 1992. To this day, however, the Geneva-based Court has not once yet been convened, though there is certainly no shortage of conflicts in Europe. Its powers are extremely limited; furthermore, the International Criminal Court (ICC) and various other tribunals have since been established. Political conflict resolution has also undergone a revival.

After the transformations of 1989-90, Switzerland combined with other participating States to present its own proposals for the operational future of the OSCE. It decided early on to favour conflict management by means of civic engagement with local populations (i.e. what became the field missions), and election monitoring. In 1992, Switzerland co-operated with Finland, Sweden, and Norway in drawing up the outlines for CSCE/OSCE military peacekeeping missions. As a result of the geographical enlargement and the internal strengthening of the European Union and NATO during the 1990s, Switzerland strikes a more lonely figure than it did 40 years ago, yet it is not out of the picture. On the contrary, precisely thanks to its unique situation, it enjoys a particularly high degree of independence and credibility that made it easier to live up to the great responsibility of the OSCE Chairmanship.

Our answer to the question posed at the start, whether 40 years of the Helsinki Final Act is a cause for celebration, is a strong yes. Nevertheless, it is not enough to look back with nostalgia at the pioneers whose signatures in 1975 created the first bridge between East and West, and thereby set the course that led to the transformations of 1989-90. While the OSCE has not become the central organization of pan-European co-operation that many hoped it would in 1989, it remains the comprehensive forum, stretching from Vancouver to Vladivostok, with many committed participating States, that seeks, by means of political strategies and permanent co-operation, to preserve and promote peace and security on our continent, in the belief that political, economic, and social development are all equally important, and that democracy, the rule of law, and human rights are inseparable. In the absence of serious conflicts, it may seem, at least in the public perception, that things have been quieter around the OSCE. Yet Ukraine shows just how important this comprehensive forum is for stopping violence, providing protection, and launching negotiations. It is our hope that the double anniversary of the Final Act and the Charter of Paris in 2015 may serve to accelerate the implementation of the commitments undertaken by the participating States in OSCE documents, while raising awareness that this can prevent new conflicts from arising, thereby helping Europe to achieve its goal of becoming a peaceful continent.