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# Not a Concert of Powers, But an Ensemble of Peace: What We Can Learn from Helsinki for European Security in the 21st Century

## *Peace Orders in Europe Yesterday and Today*

"The Congress is dancing, but it's not moving forwards."[1] This soon to be famous quip was made 200 years ago about the negotiations among the states of Europe in Vienna. For ten months, from September 1814 until June 1815, the crowned heads of Europe had gathered there to create a new order for peace in Europe after the devastation of the Napoleonic Wars. While the diplomats traded horses in the back rooms, emperors, kings, and princes abandoned themselves to the balls and other amusements of the Habsburg capital. Incidentally, the Viennese waltz, that ubiquitous feature of the most glamorous receptions to this day, was still considered indecent at the time, and was coyly relegated to the late-night programme.

The political achievements of the Congress were also generally conservative, focusing on an agenda that sought the restoration of the balance of power in Europe, to be guaranteed by a "concert" of great powers. While the Vienna system did contain co-operative arrangements and even embryonic humanitarian undertakings, such as those concerning the freedom of navigation on the Rhine and other rivers and the abolition of the slave trade, in the coming years, the conservative great powers co-operated largely on jointly suppressing national and democratic initiatives, until the fragile peace in Europe broke down once again with the outbreak of the Crimean War after just four decades.

The Vienna Hofburg, where the most splendid balls and soirees were held at the time of the Congress of Vienna, is now the home of the Organization for Security and Co-operation in Europe (OSCE), an organization that emerged from another European peace conference. But at this conference there was no dancing. At least, the 1,000 plus dispatches that West German diplomats sent from the negotiations in Geneva and Helsinki to Bonn between 1972 and 1975 made no mention of lavish entertainments during the negotiations of the Conference on Security and Co-operation in Europe (CSCE), the conclusion of which saw, for the first time since the Congress of Vienna, an assembly of a majority of European heads of state and government. Yet these two epochal conferences were distinguished not just in terms of leisure activities. The Vienna Congress and the Helsinki Conference also

1 This and all other translations by the author.

gave very different answers to the challenge of re-establishing a stable peace in Europe following a devastating war.

Today, the security architecture assembled in Helsinki 40 years ago is directly under fire. The crisis in Ukraine confronts us with the question of how we wish to preserve and organize peace and security in Europe in the coming years and decades. In response to the shock to the European security order, there are those who are calling for a fundamental renewal of the architecture, a kind of "Helsinki 2.0". Others favour creating a totally new structure for European security, a structure that purports to be modern and innovative, but which often appears to hark back to the era of the Cold War or even the Vienna system of states. A look back at the history of the CSCE and the OSCE that emerged from it can provide us with perspective on this question, perspective regarding the challenges of the time in which the foundations of our contemporary European order were created, perspective regarding the alternatives that were considered then and ultimately discarded, perspective regarding the transition from the CSCE to the OSCE, which these days plays such an important role in keeping the peace in Europe.

## *Communication instead of Confrontation – A Leitmotif of Brandt's "Neue Ostpolitik"*

Contemporary witnesses of the conferences held in Vienna and Helsinki were surprisingly unanimous in dismissing their achievements. The elderly Goethe opined that it was not even worth recounting the events of the Congress of Vienna, as it had no substance and had achieved no tangible results. Something very similar appeared in the New York Times just before the signing of the Helsinki Final Act in August 1975: "Never have so many struggled for so long over so little as the conference's 100-page declaration of good intentions in East-West relations". This was mistaken, as we know today, but it was a view that many shared at the time. Even the otherwise sagacious Henry Kissinger initially ascribed little significance to the CSCE negotiations, though, with typical magnanimity, he was later willing to admit how wrong he had been: "Rarely has a diplomatic process so illuminated the limitations of human foresight".

The significance of the CSCE was underestimated by so many because the results of the conference, which had taken such an enormous effort to organize, at first appeared to be less than concrete and not very far-reaching. After almost three years of negotiations, the conference was not even able to produce a legally binding final document. Only a few people considered it possible that the real value of the conference was the negotiations themselves – the fact that that a non-violent exchange had been initiated between East and West after years of confrontation. No one saw more clearly than Willy Brandt that détente between the Cold War blocs had to be built on the re-

sumption of communication, on the willingness to enter into talks. Above all it was "his" city of Berlin that provided painful evidence of how the confrontation between the blocs could divide the European continent, tear families apart, and deliver endless suffering to people on both sides of the Iron Curtain, despite the absence of open hostilities. Even before he was elected mayor of Berlin in October 1957, Brandt had expressed the view that, given the political and ideological divides between East and West, there should be a deliberate effort to intensify human, cultural, and scientific links and contacts rather than to let them be curtailed. Only in this way, he was convinced, could further alienation be prevented, everyday life in the divided city be improved, and the basis for rapprochement further down the road be established.

The genesis of Brandt's *Neue Ostpolitik* can be traced to 13 August 1961, the day work began on the building of the Berlin Wall, although this initially appeared to put the seal on the division of both Europe and Germany. Willy Brandt and Egon Bahr, the "architect" of détente, who died in 2015, drew conclusions from this that were ultimately to be reflected in the principles of the Helsinki Final Act and the subsequent pan-European détente process. The heart of their policy was what has been accurately described as "de-escalation through communication" (Gottfried Niedhart). This policy was not devised and implemented from the rarefied heights of grand strategy, but rather in response to quite specific everyday problems of a divided city and its people. Thus one of the first results of these efforts to achieve détente through dialogue was a success that would make the Berlin Wall a little less impassable: Shortly before Christmas 1963, the first agreement allowing travel between the two Germanies was signed (known as the Permit Agreement), which allowed many Berliners to spend the holidays with their friends and families after more than two years of separation. In this way, "de-escalation through communication" revealed its practical ability to transform both ordinary lives and the world of diplomacy. Another example is the establishment of the first direct communication links between the capitals of Western and Eastern countries for the exchange of information, the clarification of positions, and the avoidance of misunderstandings and misinterpretations.

Brandt and Bahr then translated these communicative improvements into a foreign policy in which "dialogue takes the place of monologue" in order to "establish links through meaningful cooperation among states beyond inter-bloc frontiers" and "in the search for solutions to those problems which, in spite of continuing differences, affect common interest" (Willy Brandt). However, pursuing dialogue and co-operation despite differences required agreement on fundamental principles for mutual relations. The architects of German détente policy agreed that without such principles the recently revived dialogue would have been fragile and co-operation would have remained sporadic and limited. In this way, small-scale rapprochement was followed by solutions to the big diplomatic questions: The regulation of

the Federal Republic of Germany's relations with its Eastern neighbours in the Treaties of Moscow, Warsaw, and Prague, the Four Power Agreement on the status of Berlin, and – once again tellingly including specific agreements on communications and human contacts – the agreements between East and West Germany on transit, traffic, postal services, and telecommunications, which were crowned by the Basic Treaty on relations between the two German states in December 1972.

*More of a Jazz Ensemble than a Classical Concert: The Helsinki Final Act as the Beginning of a New European Security Order*

In the absence of these agreements on the German question, it is unlikely that the CSCE and the Helsinki Final Act would have come about. Indeed, it was the experience of the long and difficult path from small-scale compromises to major breakthroughs, from the 1963 Permit Agreement to the Basic Treaty of 1972, which then fed into the negotiations in Geneva and Helsinki. These negotiations were not a well-conducted symphony with a clear underlying melodic theme, as had been the case more than a century and a half earlier in Vienna. This was no longer a case of great powers bargaining away the fates of smaller states, defining spheres of influence, or high-handedly dictating the basic elements of other countries' internal politics. In the CSCE, all states had equal rights and were aware that their voices had weight and they could make their interests heard.

The negotiations in Geneva and Helsinki thus resembled a large jazz ensemble with many individual voices more than a classical orchestra. The 35 participating States each brought not only their own interests to the CSCE process, but also their historically developed experiences and skills. The proposed schedule of an initial meeting of foreign ministers, a "working phase", and a concluding conference attended by heads of state or government was made by France. Neutral Switzerland argued strongly that the topics of the peaceful settlement of disputes and freedom of information should be included. For obvious reasons, West Germany showed significant interest in the improvement of travel opportunities and the observance of human rights, while the Warsaw Pact countries focused on economic exchange and disarmament. This multiplicity of interests complicated and extended the negotiations in Geneva and Helsinki, which ultimately lasted three times as long as the entire Congress of Vienna. Yet the proliferation of perspectives and the long discussion process also generated a spirit of innovation and creativity and helped each side to better understanding the other's point of view and expectations. In the end, the complexity of the Helsinki Final Act corresponded to the increased complexity of a world in which ensuring peace and security demanded not only the demarcation of borders, but also and simultaneously the promotion of co-operation across these borders.

The Soviet leadership around Communist Party leader and head of state Leonid Brezhnev hoped above all to strengthen their domestic legitimacy by achieving success in the field of foreign policy and guarantees for the borders drawn in Eastern Europe after the Second World War. The Eastern states were thus particularly interested in issues of security policy bundled together and negotiated in the first of Helsinki's three "baskets". This interest was bound together with the common desire of all European states in a robust security architecture. This new architecture was no longer to be based on the use or threat of force but on respect for the sovereignty of neighbouring states and the inviolability of their frontiers. However, in contrast to the system created in Vienna more than 150 years previously, the Western states did not seek to entrench the status quo, but rather to make change possible via civil means. On the urging of the West German government, the negotiators in the CSCE process sought to balance the right to self-determination of peoples with the interests of the states in stability, and after a lengthy struggle, a compromise was found: Changes to existing borders were to remain possible, but only in accordance with international law, without violence, and in consideration of the freely determined will of the affected population – in fundamental contrast to the state-centric approach taken by the statesmen at the Congress of Vienna.

The second of Helsinki's three "baskets" was the consequence of interest in closer co-operation on economic and environmental issues – a desire held above all by states in the Eastern Bloc, but also an expression of the general awareness that treaties on the demarcation of borders and arms limitations by themselves would not be enough to guarantee security, stability, and peace reliably and in the long term. Lasting security – and this is another aspect of Helsinki's legacy – can only be built on trust, trust established by means of dialogue and transparency, as well as co-operation in the interest of the prosperity and wellbeing of people. There was also awareness from the start of the Helsinki Process that there exist threats to common security that can only be overcome by means of co-operation. In 1971, Willy Brandt put it as follows: "We need peace not only in the sense of the absence of violence; we need it as the basis for that redeeming cooperation" in view of "hunger, the population explosion, environmental hazards, and the dwindling of natural resources". This list could easily be extended to include contemporary common challenges that can only be met by means of common action, such as international terrorism, transnational crime, or refugees and migration.

The agreement reached on guarantees for human rights and fundamental freedoms – including freedom of opinion, assembly, speech, and movement – in the third Helsinki "basket" followed the insight that stability and security require a normative foundation, not only in relations between states, but also in the ways states relate to their citizens. One fundamental lesson of the turbulent 1960s was that it is in the interest of internal and external stability when citizens are more closely involved in political decision-making pro-

cesses, as this increases the legitimacy of government action and its ability to generate consent.

At the end of this process, a document was generated that introduced a concept of security whose breadth was unprecedented. One of the great achievements of the CSCE was to balance so many different interests and priorities in a single agreement. Such an agreement became possible thanks to a new approach that was fundamentally different from the confrontational politics of the 1950s and 1960s. "The basic philosophy of the CSCE", according to Hans-Dietrich Genscher, the West German foreign minister and therefore the Federal Republic's representative during the conclusion of the Helsinki negotiations, lay in the fact "that all the participants were able to draw benefits from it", that "the politics of all or nothing" that had previously dominated East-West relations were abolished. The weaknesses that many initially diagnosed in the Helsinki Final Act – its non-binding nature, its linking of diverse aspects of security, the many details it left open to be concretized in later talks – have turned out to be its great strengths in the long term. The concluding remarks of the Helsinki Final Act, in which the states reaffirm their determination to "continue the multilateral process initiated by the Conference", and to organize additional meetings at expert and ministerial level to continue an exchange of views on the implementation of the provisions of the Final Act, already indicated that the conference was becoming an "institutionalized permanent dialogue" (Peter Schlotter). The Helsinki "Final Act" was thus anything but "final". In fact, it was merely the beginning – the beginning of the end of the Cold War.

### *From Discordant Permanent Dialogue to New Harmony in Paris: The CSCE Process and the Overcoming of Divided Europe*

The negotiation process that began in Helsinki was continued over the subsequent years and decades, even if, up to the end of the Cold War, discord frequently predominated, and the constructive underlying melody first sounded in Helsinki could only be perceived in the background. This was already evident at the First CSCE Follow-up Meeting in Belgrade just two years later. The Eastern states pressed for further progress in conventional disarmament, while the West called for the implementation of the human rights commitments contained in the Final Act. Little progress was therefore made in Belgrade. At the same time, neither side wanted to damage the CSCE, which had only so recently been established as a form for the free exchange of differing viewpoints among equals. Consequently, the diplomatic negotiators agreed to continue the expert-level consultations and arrange a second follow-up meeting to be held in Madrid two years later. In this way, a permanent channel for communication was established in the form of regular follow-up meetings. Anyone who knows from their own experience of diplomacy just

what difficulties are involved in getting such hostile and mistrustful partners to sit at the same table at all will recognize that this is no inconsiderable achievement.

Up to the 1980s, such movement as there was on the front between the blocs (which had soon rehardened) was not achieved principally through negotiations between governments, but rather as a result of grassroots initiatives, particularly in Eastern Europe. The role of music in this should not be underestimated. In 1976, the members of the Czech rock band "Plastic People of the Universe" were arrested and imprisoned for several months. However, their arrest had unforeseen consequences, and lent the group more notoriety than they had could have achieved if they had not clashed with the authorities. As a consequence, hundreds of intellectuals signed the famous "Charter 77", which demanded that the government uphold the commitments it had undertaken by signing the Helsinki Final Act, including the right to freedom of expression. Charter 77 became a symbol and inspiration for many other "Helsinki Groups" throughout Eastern Europe and even in the Soviet Union itself. With the publication of the Helsinki commitments in all the signatory states, their populations now had an international standard they could refer to in order to place pressure on governments in East and West to observe their guaranteed rights and freedoms.

The OSCE's human dimension commitments remain a bone of contention among participating States to this day. In recent years, a frequent complaint is that the OSCE concentrates its criticisms on restrictions of human rights and fundamental freedoms one-sidedly on the states "East of Vienna", while also demanding that they introduce Western-style democratic standards, which many states oppose. Yet a consideration of the history of the CSCE process teaches us that all the current OSCE States, even those that joined later on, have entered into these commitments voluntarily. Moreover, Western states also considered the protection of human rights and fundamental freedoms to be above all a contribution to the internal stabilization of the states of Europe, and hence of the European security order as a whole. Spontaneous outbreaks of protest and unrest, civil wars, and conflicts involving minorities would inevitably lead to international tensions and raise the danger of a confrontation between East and West. The prospect of democratic participation and convergence in terms of human rights standards are intended to prevent such conflicts in the interest of peace.

From a specifically German point of view, making cross-border visits easier and removing other barriers to human contact across the internal German border were preconditions for accepting the division of Germany pending a final resolution. In the form of the Basic Treaty and the Helsinki Final Act, the government of the German Democratic Republic (GDR) received the security guarantees it desired as well as extensive, though not complete, recognition. However, to maintain internal stability in the long term, it would have had to implement the commitments it had entered into in Helsinki con-

sistently and on its own initiative. Maybe that could have stemmed the growing dissatisfaction of the population, which ultimately led to the end of Communist rule throughout Eastern Europe and the Soviet Union, while increasing the degree of identification between citizens and governments. Certainly, the fact that the GDR government strengthened its efforts to monitor and repress that country's citizens after 1975 in order to neutralize the effects of the Final Act did not contribute to the regime's popularity and stability in the long term. And if anyone thinks that it was only the signals given out by Helsinki that triggered the desire for freedom of movement, information, and expression in Eastern Europe, they are exaggerating the power of international treaties, and underestimating the natural desire of people throughout the world to live in freedom and enjoy good government.

The end of the Cold War was supposed to have brought to an end the division of Europe into areas where human rights and democratic freedoms were applied differently. This desire for an "era of democracy, peace and unity" was expressed most optimistically in the OSCE's Charter of Paris for a New Europe of 21 November 1990. This document declared that the "era of confrontation and division of Europe" was over and that democracy was now the only system of government of all participating States. The CSCE States reaffirmed human rights and fundamental freedoms and gave the human dimension pride of place in the Charter of Paris, ahead of the other dimensions of security. At the same time, the Charter laid the foundations for the transformation of the CSCE, which up until this time had been a series of conferences and follow-up meetings, into a fairly unique kind of organization – what is now the OSCE.

At that time, there was a general consensus among the participating States of the then CSCE, which included the successor states to the Soviet Union, that the Helsinki Final Act was far from having been made redundant by the end of the Cold War. On the contrary – precisely its contribution to overcoming the confrontation between the blocs confirmed the relevance of the concept of comprehensive and co-operative security. Now there was an opportunity to fully exploit this concept and to adapt it to the new circumstances. In the economic and environmental dimension, in particular, in which very little had been implemented prior to 1989/90, significant progress appeared possible, not only to improve security, but also in raising the prosperity and standard of living of the people of Europe in the long term. In the politico-military dimension, there were also plans to grasp this historical opportunity by intensifying co-operation to further deepen mutual trust. Now was the time, as Willy Brandt had put it 20 years earlier, to shift from conflict prevention to "the organization of co-operation".

The participating States of the then CSCE also recognized that they would face new kinds of challenges now that the confrontation between blocs was over, challenges including disagreements over borders and territories, conflicts involving ethnic minorities, or as a result of infringements of human

rights and fundamental freedoms. In the final document of the 1991 Moscow Meeting of the Conference on the Human Dimension of the CSCE, the participating States declared "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". Ever since then, this has been a basic component of the concept of common and indivisible security that all the OSCE participating States reconfirmed at the Astana Summit in 2010.

### *The OSCE Moves to Vienna – the Future of Our Security Lies in Helsinki*

The CSCE responded to these challenges not only conceptually, but also by transforming itself into a more capable organization in operational terms with the development of specialized organs and instruments. After the foundation was laid in Paris, and following an intensive discussion process at subsequent meetings, it was at the Budapest Summit in 1994 that the CSCE States finally resolved to stop meeting as an ad hoc ensemble and instead to reconstitute itself as a permanent and institutionalized orchestra. The permanent home of this orchestra, which had been formed in the spirit of a new harmony, was to be the location where the diplomats of the Vienna Congress had negotiated and danced. Incidentally, the OSCE has never entirely discarded the "jazz" – that ability to be surprisingly innovative and to reinvent itself – that had characterized the CSCE. Since it was first established, the CSCE/OSCE has often developed in leaps and rapid adaptations to unexpected events. Perhaps it is the mixture of patient, long-term work to build trust and create compromises and the willingness to act rapidly and decisively in critical situations that is the key to the success of the OSCE, which has never rejected its character as a permanent negotiating format, a conference, and a platform for dialogue, but has rather retained this as its unique selling point.

Even before the organizational restructuring agreed in Paris was complete, the CSCE already had to react rapidly and effectively to new crises. In 1991, under the Chairmanship of Germany, the CSCE, as it still was, adopted a new "mechanism for consultation and co-operation with regard to emergency situations" as part of a comprehensive parcel of new conflict prevention and conflict management instruments. When the wars of Yugoslav succession broke out that same year, this mechanism was activated for the first time, even before the relevant agreement had formally taken effect. This was the first time that it became apparent what added value the later OSCE could offer in times of crisis: impartial and independent monitoring and documentation of current events to create transparency and information equality, an inclusive forum for the evaluation of information with the participation of the affected parties, and a wide range of instruments for building confidence and defusing tensions, which continue to be developed.

The OSCE took on further similar tasks starting in 1998, when it undertook its largest monitoring mission thus far in Kosovo (the Kosovo Verification Mission). At its greatest extent, up to 1,400 men and women were deployed in this mission to observe and document military action and alleged attacks on the civilian population – once again with the aim of gathering objective information as a means of contributing to the verification and stabilization of the recently concluded ceasefire and thus to a political resolution of the conflict. The OSCE was also asked to support the establishment of democratic institutions, to supervise the holding of free elections, and to facilitate the return of refugees and displaced persons. If the OSCE was unable to prevent the aggravation of enmities and end the suffering of the civilian population, it was not because the measures it took were ineffectual. The problem was far more that the OSCE participating States and the international community were unable to agree on a determined and united response to imminent threats to peace, stability, and human security in the case of Kosovo and in other conflicts. Things were not helped by the fact that in the 1990s, after a phase of harmony and collaboration, the disharmony that had appeared to have been overcome with the agreement on the Charter of Paris returned to the OSCE concert.

Understanding the precise causes of this disharmony and discussing it with each other in the spirit of open dialogue that enabled the Helsinki Process and kept it alive will be a key prerequisite for the restoration of trust, trust that has suffered serious long term damage as a result of events in Ukraine over the last year. In retrospect, we can already see that the understanding reached in Paris on the equal significance of the three dimensions of the OSCE for the stability of European security only held for a short time. It was not possible to overcome the reflexes and threat perceptions that had been fostered over decades during the Cold War so rapidly. Perhaps all sides had failed to fully grasp one lesson that should have been drawn from the Helsinki Process: Building trust always requires time and effort as well as a willingness to balance interests.

Yet this does not mean that the basic pathway defined by Helsinki is no longer relevant today. A historical retrospective is precisely the right place to recall that the Helsinki Process of the 1970s and 1980s and the OSCE's activities since the 1990s are paradigm cases of the patient, long-termism that diplomacy often requires. Following the final collapse of the Vienna system in the trenches of the First World War, it took Europe decades to return to stability and lasting peace. Only after a further world war was the balance of nuclear deterrence able to restore a kind of fragile stability in Europe. Yet the continent remained far from a robust and genuine peace. For over 40 years, the Cold War influenced the political thinking of several generations of Europeans and their perceptions of each other. Not only history, but also all the conflicts and crises of our time teach us that trust can be broken quickly but only slowly reconstructed. We should therefore not be disheartened by

the crisis of European security that we currently face. Though we are called to prevent the foundations of European security from being damaged further.

It is my firm belief that these foundations remain relevant and correct. The OSCE may be headquartered in Vienna today. But for the future of European security, we should also look back to Helsinki, the lessons that were learned there and the foundations laid. We cannot go back to a time before the comprehensive concept of security was established in Helsinki, including the three dimensions of politico-military, economic and environmental, and human security. Our societies will only be able to maintain stability and prosperity in the long term if this goes hand in hand with respect for human rights and opportunities for genuine participation in decision-making. Co-operation between our states will only function if it is built on recognition of the sovereign equality and territorial integrity of all states. Our world is too complex for models of European order that were developed 200 years ago and that, even in their own time, proved unable to keep the peace between European powers for more than a few decades.

The Helsinki Process teaches us that security is not only built by agreeing on fixed principles for mutual relations. It also requires the trust that such principles will be observed. Today, this trust needs to be restored through dialogue and strengthened through co-operation. Yet we can still learn from the history of previous attempts to create a European peace order: Principles and declarations of intention on their own are no guarantee of peace and stability – we also need institutions that are capable of action to ensure that these principles are observed, to bring violations to light, and to actively pursue "the organization of co-operation". In this regard, the OSCE has proved itself to be an indispensable institution.

I am certain that we do not need new principles, but perhaps we do need a new harmony in Europe, a harmony for the complex world of the 21st century. No finished musical score exists that we can draw on for this. Instead, we have first of all to listen to the individual voices and then to consider how they can be arranged in order to return to common security and stability in the OSCE area. If we are to achieve this, we must be ready to listen to good proposals, even if they – to extend the musical metaphor – initially might sound too strange, too modern, or too grandiose.

To me, one thing appears essential to any diplomatic process concerned itself with European security: We need to preserve and carry on the experience of more than 40 years of CSCE and OSCE and not abandon these achievements. Security is built on principles, on institutions, and on trust; and trust is built on the willingness to engage in dialogue, particularly in times of crisis and estrangement.

In such times it is particularly important that we are ready to talk about all aspects of common security, especially those that have the most relevance for the OSCE area – both now and in the future: returning to confidence-building, guarding against transnational threats, economic co-operation and

connectivity, as well as respect for human rights and fundamental freedoms both within our societies and in relations between them – particularly in view of the major challenges our societies face in terms of integration and mutual respect among cultures and religions as a result of the current influx of refugees. Germany's OSCE Chairmanship in 2016 will take up this challenge, while drawing on the experiences and lessons of the last four decades for guidance and as the melody underlying all efforts to ensure harmonious interplay in Europe.