

# Forty years later, the signing of the Helsinki Final Act continues to have an impact on European security

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*The Ukraine crisis dramatically raised the profile of the Organisation for Security and Cooperation in Europe (OSCE), with the OSCE playing a role in discussions between Russia, Europe and the United States. It also provided an opportunity for the organisation to demonstrate its continued relevance to European security, forty years after the signing of the so called 'Helsinki Final Act' in 1975, which served as the foundation for the establishment of the OSCE. **Martin D. Brown** and **Angela Romano** provide an overview of the significance of the Final Act, its original aims and how its contents shaped future security developments up to the present day.*



The [fortieth anniversary](#) of the signing of the [Final Act of the Conference on Security and Cooperation in Europe \(CSCE\)](#), concluded in Helsinki, was marked on 1 August. The CSCE is not simply of interest to historians; recent events in Ukraine and the Russian Federation's annexation of Crimea have brought this relatively obscure Cold War relic [back into the headlines](#).



After Helsinki, five follow-up [conferences were held](#) creating a 'CSCE process'. At the 1994 meeting in Budapest the CSCE morphed into the [Organisation for Security and Cooperation in Europe \(OSCE\)](#). They also produced the [Budapest Memorandum](#), which defined Ukraine's newly established frontiers that Moscow is now accused of violating.

Today the OSCE [remains](#) one of the few forums for communication between Europe, the US, and the Russian Federation. Some even suggest that a '[Helsinki 2.0](#)' is now required. But what were the original circumstances behind the creation of the Final Act and how does this history impact upon its role today?

## **The Final Act of the Conference on Security and Cooperation in Europe: who, when and where?**

Thirty-five states [participated in the negotiations](#): all of Europe except Albania and Andorra, but including the Vatican, Liechtenstein, and San Marino, plus the Soviet Union, the United States, and Canada. The superpowers were preeminent players, but by no means the most significant. Much more influential were the nine members of the European Community. Also pro-active was the informal group of neutral countries such as Austria, Switzerland, and non-aligned Yugoslavia.

The Final Act was signed in the [Finlandia Hall in Helsinki](#), at a summit convened from 30 July to 1 August 1975; [a grand ceremonial occasion for state leaders](#), following three years of gruelling diplomatic negotiations. From 22 November 1972 to 8 June 1973 delegations met to set the rules and agenda for the CSCE. The first phase took place in Helsinki from 3 to 7 July 1973, at ministerial level. Then, on 18 September 1973, more than 600 delegates and experts descended on Geneva for the second phase – the negotiations.

It had taken two decades for the concept of a CSCE to gain traction. In the absence of a peace treaty following the Second World War, the USSR had repeatedly asked for a European security conference to be convened. But it was only with the emergence of détente in the late 1960s that a pan-European gathering was considered viable.

The Warsaw Pact asked for a conference on [17 March 1969](#). NATO accepted the idea on 5 December 1969, but set some preliminary conditions: a successful conclusion of the [Ostpolitik treaties](#), a quadripartite agreement on the status of Berlin, and the start of negotiations on conventional force reductions in Europe ([MBFR](#)).

## **What was agreed?**

If these crucial issues were dealt with in advance, what exactly did the CSCE agree upon? The Helsinki Final Act is a non-legally binding international agreement that comprises three main sets ('baskets') of recommendations.

The first 'basket' was the Declaration of Principles Guiding Relations between participating States (known as the 'Helsinki Decalogue') including the all-important Principle VII on human rights and fundamental freedoms; a section on confidence-building measures and other aspects of security. The second basket comprised economic, scientific, technological, and environmental cooperation. Finally the third basket, later referred to as the 'Human Rights basket', consisted of cooperation in humanitarian and other fields, i.e. free movement of people and cultural and educational exchanges.

Principle VII and Basket III together have come to be

known as "The Human Dimension" of the Helsinki accords, with human rights becoming increasingly [important during the 1970s](#).

By agreement the Final Act was translated and published domestically by all participants. Much of the western media reported the Final Act as a Soviet victory, in particular on territorial issues, Poland's borders, annexation of the Baltic coast, and recognition of East Germany. Western governments were blamed for their concessions made in exchange of mere declarations of goodwill on human contacts. However, by December 1972 all borders had been recognised in legally binding bilateral treaties and mutual recognition. In fact, the Final Act affirmed the inviolability of frontiers, not their immutability; and featured a (West-conceived) specific clause on peaceful change.

Nor did the Final Act legitimise the Soviet hold on Eastern Europe; on the contrary, the Decalogue amounted to a clear rejection of the Brezhnev doctrine. Moreover, the Final Act adopted the Western thesis upon which *détente* was not merely a question of good relations between states, but granted benefits to individuals. The Final Act gave both states and citizens legitimacy to claim the modification of certain governmental practices. This provision was an innovation of international law, asserting the idea that the way states treat their citizens was now a matter of international jurisdiction.

## Why?

Discussion about who gained most from the CSCE invariable starts from questioning why the CSCE was convened. Quite evidently the USSR's main goal at the conference was gaining legitimisation of its post-1945 territorial enlargements and its sphere of influence. The Nixon administration agreed, it had little interest in the CSCE and regarded it as a mere bargaining chip in wider bilateral negotiations with Moscow.

Historians now agree that *détente* between the superpowers differed from, and often conflicted with, *détente* between Western Europe and the Socialist bloc. The former aimed at stabilising the continent in the bipolar partition, the latter hoped to overcome the Cold War by deepening mutual interdependence between the two halves of the continent.

Western Europe's goal at the CSCE was to promote the idea that economic cooperation and more frequent contacts among individuals across the Continent were necessary to improve relations among states, and to agree on practical provisions to make it happen. This would then change European order gradually.

OSCE Secretary General Spencer Oliver in July 2015. Credit: OSCE (CC BY-NC-ND 2.0)



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Close reading of the Final Act reveals that it is imbued with these Western European ideas. Rather than crystallising the status quo, it was both the symbol of and a step towards changing the status quo in Europe. While the Helsinki Final Act did not directly help 'win' or end the Cold War, it probably made its peaceful resolution far more likely.

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*Note: This article gives the views of the authors, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.*

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