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The Charter of Paris in Perspective

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Abstract

Initiated by the Soviet Union, the negotiations among the 35 signatories of the Helsinki Final Act led to the adoption of the Charter of Paris in November of 1990, in the context of multiple negotiations across greater Europe. It asserts that the era of confrontation and division in Europe has ended , based on an ambitious set of principles grounded in human values and in multidimensional cooperation in the fields of security , economics and relationships with other regions. It represents both a conclusion of the cold war period in Europe and the start of a complex period of building a new set of cooperative arrangements across the continent, including the strengthening of the CSCE.

"The era of confrontation and division of Europe has ended"
Charter of Paris, Paragraph 1.

The dynamic developments in international politics in 2025 recall in some ways the exceptional turmoil that reigned in 1990. It was one of those years where, after a period of slow developments on the world scene, momentous events rapidly overlapped with each other: the fragmentation of the eastern bloc, the reunification of Germany, the reconsideration of the European security order, rumblings in Yugoslavia, the occupation of Kuwait by Iraq. The succession of events fully mobilised leaders, whose frequent and intense interaction resulted in some remarkably positive and successful achievements.

In that year of turmoil and sustained diplomatic activity, there emerged a thread of constructive collective endeavour: the preparation of an ambitious package of commitments and principles setting the framework for a new Europe among the 35 states that had participated in the Helsinki process. It led to three interconnected and complementary texts, all adopted in Paris over the course of a few days in November of that year: the Treaty on Conventional Forces in Europe (CFE), the Joint Declaration of Twenty-Two States and the Charter of Paris. The Charter stands out as the most comprehensive and ambitious of the three, while reflecting the uncertainties and momentum of the times. Together, these three documents represent outstanding milestones for peace and stability on the European continent. Resulting from an exceptional convergence among the states party to the Conference on Security and Co-operation in Europe (CSCE), they reconfigured greater Europe and opened the way for further dramatic changes.

Although contemporary circumstances are different from those that prevailed in 1990, and the leadership across the 57 members of what is now the Organisation for Security and Co-operation in Europe (OSCE) differs from that of their predecessors, there are lessons that can be drawn from that extraordinary period for current developments across greater Europe.

When on November 29, 1989, in Rome Mikhail Gorbachev proposed to hold " A summit of the States that signed the Helsinki accord, some time in 1990"[1], he presided over a still-intact Soviet Union and was seeking to manage the consequences of the fall of the Berlin wall that he had consented to weeks before. He relied on the proposals he had previously made for a common European house, and probably had in mind the possibility of setting up a full pan-European security organisation to replace both the existing military alliances on the continent, NATO and the Warsaw Pact. He envisaged that the CSCE could provide a structure to accommodate the two Germanies, whose fate remained to be determined following the initial ten-point plan put forward shortly before by Chancellor Kohl.

1 Le Monde , 2 décembre 1989.

A few days later, at a meeting with French President Mitterrand in Kiev, Gorbachev convinced him that a "Helsinki II" meeting could be a key step in dealing with the transformations underway in Europe. Such a meeting may well have suited the interests of both leaders, giving time to prepare for the transition in Germany and providing an option for the forthcoming restructuring of the relationship between the Warsaw Pact and NATO. Thereafter, the process that led rapidly to the Paris meeting was driven by both leaders and served as an important (but not unique) component in an intense set of negotiations that took place over the following year, involving all the stakeholders in pan-European security.

The proposal for a CSCE summit reflected the common apprehensions of the Soviets and the French regarding the future of Germany, as well as their shared desire to create an inclusive, pan-European, stabilising framework to manage the transition towards a new set of peaceful relationships on the continent that would preserve their respective interests. For the French, this approach was combined with a strong desire to strengthen the European Community (EC) as a complement to the evolution of the German situation and with Mitterrand's own vision of a European confederation, outlined in his end-of-year address in December 1989. The approach also reflected the desire in French diplomatic circles to play an active role in shaping the major transformations happening in Europe, and so avoid a Yalta-like situation with major decisions made by only a few actors.

At the Ottawa meeting on Open Skies in February 1990, the EC pressed for a CSCE meeting to be set for the end of the year. The US and the Federal Republic of Germany did not want the CSCE to be the format in which the question of the future of the Germanies would be addressed, and thus this task was given to the two plus four negotiations, between the representatives of the two German states and the four allied powers. The US, whose priority was the finalisation of the CFE treaty negotiations, was initially reluctant to agree to a "Helsinki II", but consented after Secretary of State James Baker obtained from his Soviet counterpart, Eduard Shevardnadze, an equal ceiling for US and Soviet forces in the central area covered by the CFE negotiations. The decision to hold a November summit in Paris was taken by the 35 participating states at a CSCE meeting in Copenhagen on June 5, 1990, and it provided for a preparatory committee to meet in Vienna on very short notice.

Negotiators were encouraged to focus on the question of the future of Europe and the deepening of CSCE commitments and norms. Talks addressed the follow-up to the Helsinki process and set the stage for broad and open exchanges, with the Soviet Union playing a positive and willing role. With the German question set in the two plus four talks , the context of the discussions evolved very quickly and positively. The Vienna-based negotiations on CFE and confidence and security-building measures (CSBMs) underway respectively in formats of 22 and 35 participating states gathered momentum and were ready for a simultaneous adoption by the fall.

The task of preparing the substance for the Summit fell on the delegations of the 35 participating states already present in Vienna to work on CSBMs. They were given a broad mandate and fairly free rein. Delegations were reinforced by diplomatic high flyers sent from capitals such as Pierre Morel, John Maresca, Antonio Armellini, Brian Crowe and Yuri Deriabin, who set to work intensely given the short time-frame available. Debates took a creative turn, involving discussions on the principles which should inspire the 35 participating states in a context where, for once, each state could voice its views freely. The preparatory committee held only two sessions under time pressure, since the outcome of the Summit to come had to be shaped in a few months and not over two years, as had been the case for the 1975 Helsinki meeting. Negotiations were spurred on by the acceleration of the process of German unification throughout the year and may have accelerated

it in return. On a parallel track, in a different hall of the Hofburg palace, a statement amounting to a non-aggression declaration prepared by NATO was being negotiated among the twenty-two member states of the two military alliances in the context of the CFE treaty negotiations.

The work of the Preparatory Committee over five months proved exceptionally fruitful. The Soviet delegation demonstrated a remarkable flexibility and openness to dialogue.[2] Italy presided the European Community and provided most of the drafts. It found itself occasionally at odds with the US delegation which benefitted from a great leeway form Washington and thought to preserve the central role of NATO in European security.[3] France, as host for the summit to come, sought to combine its expectations for the summit with the proposal put forward by President Mitterrand of a "Confederation" of European states which would have complemented the CSCE.[4] Members from the neutral and non-aligned states served as coordinators of three working groups. A meeting of the 34 foreign Ministers, held in New York on 01 and 02 October, allowed for a first consolidation of the drafts and of the Joint Declaration of the Twenty two States which was essential for of the United States and the Soviet Union since it formally ended the second World War among all the states that had participated in it.

The resulting text, entitled "Charter for a New Europe" at the suggestion of Germany, was unusual in its structure and in its ambitious content. It opened with a solemn set of proclamations centred on human rights, democracy and the rule of law. It followed with a chapter on friendly relations among nations which outlined the modalities of conflict resolution expected among the 35 states and new perceptions regarding their security. It included an explicit endorsement of the Treaty of Moscow signed on September 12,1990, formally ending the Second World War, and celebrated the unification of Germany that came into effect on October 3, 1990. It recognized the role of North American states in the CSCE.

A second part of the text regarding future orientations covered eight separate themes reflecting specific concerns: the human dimension (including national minorities, an issue strongly supported by the central and eastern European countries and by Germany), further discussions on CSBMs and disarmament (to be held at 34 thus ending the exclusive dialogue between the two military alliances), economic cooperation based on market economy principles and focused on the transition of the formerly socialist economies, protection of the environment, cultural exchanges, migrant workers, the Mediterranean dimension and non-governmental organisations. The Helsinki baskets were thus extended and enriched, and the CSCE began to work in new domains.

A third part of the Charter laid the groundwork for a set of permanent structures and institutions to guide the CSCE process. It represented a compromise between those States that desired a full institutionalisation of the process (chiefly Germany and the Soviet Union) and those that were inclined towards loose consultative arrangements (like the US and France). The retained structure established a permanent system of consultations through a committee of senior officials to prepare the annual meetings of the Council of Ministers. These meetings were to be supported by a CSCE Secretariat and chaired by the member state hosting the Council. Follow-up meetings of the CSCE were expected to take place every two years to review the implementation of CSCE commitments. A Conflict Prevention Center was established to follow the

2 Antonio Armellini, L'Italia e la Carta di Parigi per una nuova Europa, Editoriale Scientifica, Napoli, 2022.

3 John J. Maresca , The unknown Peace Agreement, Ibidem Verlag, Stuttgart, 2022.

4 Reconstruire l'Europe apres Yalta, La Charte de Paris, Ministère de l'Europe et des Affaires Etrangeres, Paris, 2020.

military aspect of the process via a Consultative Committee, as well as an Office for Free Elections dedicated to facilitate contacts on elections. It was decided that a Summit meeting would take place in 1992 in Helsinki. A detailed supplementary document provided for procedural and organizational modalities of these arrangements.

The Summit in Paris on November 19-20, benefitted from the presence of all the heads of government of the 34 (following the unification of Germany)and turned out to have a strong symbolic and emotional value beyond the ceremonial event of speeches and signature. It was immediately preceded on November 18 by the signature of the CFE Treaty which sought a balanced and comprehensive reduction of the conventional weapons present on the European Continent. The declaration of 22 States was signed immediately after the CFE Treaty . These successive meetings, documents and the Charter set the stage for a Europe whole and free, endorsed at the highest level, sharing a number of fundamental principles and values and a determination to implement them jointly.

With the benefit of 30 years' hindsight, one is tempted to identify two separate strands in this remarkable construction. One part of the project aimed to consolidate the existing order by updating and formalising some of its key components, while the other laid the foundations and ambitions for a new order and a bold continental project.

The Charter of Paris explicitly referred to the Ten Principles of the Helsinki Final Act and was signed by Gorbachev on behalf of a Soviet Union that still deployed considerable military forces across central and eastern Europe. It established a set of arrangements which can be perceived as a form of the pan-European security that Soviet diplomacy promoted for decades and it makes no mention of NATO. It has been claimed that Gorbachev intended the CSCE process to help him domestically, reinforcing his authority over the whole of the Soviet Union, at a time when nationalist elements were asserting themselves both in the Baltic Republics of the Soviet Union and in its Russian component. If this was the aim of the Kremlin, one cannot help but recognize that things did not work as intended, since the process of disintegration of the Soviet Union gained momentum over the course of 1990. Representatives of the Baltic republics were discreetly allowed to be present on the sidelines of the Paris meeting.

The innovations and forward-looking dimensions of the Charter appear to be more significant. The Charter asserts that Europe is free and whole on four different occasions. Beyond endorsing German unity, it stresses the cultural identity of Europe and suggests that the CSCE had a world-wide dimension, open to other states and supportive of the role of the United Nations. The transatlantic link is described as grounded in shared values. The human dimension of the CSCE is a recurring theme of the introductory part of the Charter and the lead guideline, introducing the issues of national minorities and free movement of persons and ideas. The new Europe is described as democratic, peaceful, and united.[5] The next CSCE meeting was scheduled to take place in Moscow drawing on the advice of a committee of wise persons to advance the human rights mechanism. The Charter recognizes the Council of Europe as an important partner in this field, a significant break from previous Soviet reluctance towards this institution. A parliamentary dimension is envisaged for the CSCE.

5 Victor-Yves Ghebali, La Charte de Paris pour une nouvelle Europe, Revue Defense Nationale , Paris, 1991.

Similar dynamics for the future drive the security guidelines with the indication that future negotiations in this field would be held at 34 and cautious wording regarding dispute resolution which stresses the potential of mechanisms in conformity with international law. Last-minute Swiss and French efforts to introduce a court of conciliation and arbitration failed. The Charter opens the way for further security arrangements which would consolidate the status of the newly united Germany in NATO and address the status of the states of central and eastern Europe.

In spite of its limited toolbox, the guidelines on the economic dimension are notable in their assertion of the role of cooperation based on market economy. The concern of the central and eastern European states that they would be left behind economically had been a significant matter of discussion in the talks. The issue of energy was discussed at the preparatory stage extensively but failed to retain the attention of leaders.

The intensification of the consultative machinery and the setting up of limited secretariat capabilities were important steps forward in a context where several crises were looming on the horizon, particularly in Yugoslavia. The CSCE gained credentials as an organisation-in-waiting but the state in charge of the Council of Ministers retained a key role in case of crisis.

The remarkable achievements of the process that led to the Paris Charter clearly owed a great deal to the goodwill of the Gorbachev administration in retaining many of the proposals put forward by NATO at the London meeting of 06 July 1990. But they also embody a genuine example of collective thinking and give and take among the 35. In many ways, the Paris Charter represents the real end of the Second World War through the adoption of a shared perspective of cooperation and peace by the European and North American states who fought it. It struck a delicate balance among the different participants, accommodating the concerns clearly voiced in the context of the summit debate. As a peace package ending a major conflict, the Charter was milder and more consensual than the Versailles Treaty in 1919. The Paris meeting turned out to be the high point of the pan-European process, soon thereafter marred by the Yugoslav wars and the multiple conflicts at the periphery of the Soviet space.

The Charter was conceived to provide an orderly and progressive transition to a new framework in Europe, allowing States to choose their security arrangements while providing them with a shared safety net of stability, cooperation and security. However, events evolved much faster than expected, undercutting this balanced evolutionary perspective and fueling problems for the future.

The Charter of Paris thus did not live up to its potential as a lasting tool for peace. It was meant to anchor all the components of the Soviet Union in a peaceful European space but ultimately Russia, the main successor state, came to consider it flawed. This is regrettable but understandable; a peace package is extremely difficult to conceive and implement after a prolonged and deeply destabilising conflict.

Each historic situation has its own characteristics, but the opportunity at Paris to find compromises and innovative solutions through intense dialogue and compromise based on common values was unique. The culture and the toolbox of the OSCE, forged at the Paris and Helsinki 1992 summits and honed in the following three decades through thick and thin, remain a unique acquis, still at the disposal of states to help address the resurgent divisions in greater Europe. They also remain valid as links with Europe's transatlantic neighbours.

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