

**ČETRDESET GODINA OD POTPISIVANJA
HELSINŠKOG ZAVRŠNOG AKTA**

**FORTY YEARS SINCE THE SIGNING OF
THE HELSINKI FINAL ACT**

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**INSTITUT ZA
UPOREDNO PRAVO**



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REČ UREDNIKA

Ove, 2015. godine Organizacija za evropsku bezbednost i saradnju obeležava 40 godina od potpisivanja Helsinškog završnog akta. Upravo na ovaj značajan jubilej, Republika Srbija, predsedava Organizacijom za evropsku bezbednost i saradnju. Istovremeno, u toku je proces Helsinki +40, koji je iniciran od strane Ministarskog saveta u Dablinu, a objavljen početkom 2013. pod ukrajinskom predsedavanjem. Dati proces je usmeren ka analizi pretnji, izazova i postojećih ograničenja u okviru prostora Organizacije za evropsku bezbednost i saradnju, kao i preciziranja oblasti u kojima bi Organizacija mogla da osnaži svoju ulogu na putu jačanja evropske bezbednosti.

Mreža OEBS-ovih istraživačkih centara i akademskih institucija, koja je osnovana u junu 2013. aktivno je uključena u reformu organizacije u okviru Helsinki +40 procesa. Njeno osnivanje su još 2013. godine podržali predstavnici budućeg srpskog predsedavanja OEBS-om. Iako Institut za uporedno pravo nije član pomenute mreže, potreba za pružanjem akademskog doprinosa rešavanju brojnih aktuelnih pitanja podstakla nas je da okupimo brojne uvažene strane i domaće stručnjake. Oni su u svojim priložima pokušali, a nadamo se i uspeali, da daju odgovore i predloge u pogledu niza aktuelnih pitanja. Potrebno je imati u vidu da su radovi pisani znatno pre objavljivaja Završnog izveštaja Panela eminentnih ličnosti, te ne uključuju njegovu analizu.

Posebna nam je čast da je direktor OEBS-ove mreže dr Wolfgang Zellner (*Wolfgang Zellner*), svojim prilogom značajno doprineo kvalitetu ovog zbornika.

Pored toga, želimo da zahvalimo Ministru spoljnih poslova i Predsedavajućem OEBS-a gospodinu Ivici Dačiću, koji je izdvojio vreme i napisao uvodno obraćanje za ovaj zbornik.

Posebnu čast za nas predstavlja činjenica da se u ovom zborniku nalaze i rado-vi uvažanih stranih profesora i stručnjaka iz oblasti bliskih OEBS-ovoj bezbednosnoj agendi kao što su Alis Akerman (*Alice Ackermann*), Kari Motola (*Kari Mötölä*), Roza Pati (*Roza Pati*) i Andrej Zagorski (*Andrei Zagorski*).

U tom svetlu, posebno zadovoljstvo nam čini i to da su nam predstavnici Ruskog saveta za međunarodne poslove (*RIAC*) dozvolili da objavimo prerađenu verziju njihovog istraživanja na temu *Oснаženje OEBS-a: Izgradnja zajedničkog prostora za ekonomsku i humanitarnu saradnju, odnosno neraskidive bezbednosne zajednice od Atklantika do Pacifika*.

Takođe, želeli bismo da se zahvalimo i domaćim autorima koji su učinili da ovaj zbornik bude istovremeno kako naučno utemeljen, tako i praktično primenjiv i koristan.

Zbornik je podeljen u pet delova. Prva tri dela su strukturirana shodno nekadašnjoj podeli na tri diplomatske korpe, odnosno dimenzije OEBS-a, radi bolje preglednosti i sistematizacije analiziranih pitanja. Prvi deo analizira pitanja koja potpadaju pod političko-vojnu dimenziju, drugi deo otvara pitanja koja se tiču ekonomsko-ekološke dimenzije, dok se treći deo odnosi na pitanja iz oblasti ljudske dimenzije.

U okviru četvrtog poglavlja razmatraju se višedimenzionalna pitanja, što je u skladu sa tendencijom da u okviru OEBS-a, vremenom, sve više preovlađuje višedimenzionalan pristup rešavanja problema koji podrazumeva istovremeno tretiranje sve tri dimenzije, umesto izolovanog sagledavanja svake dimenzije pojedinačno.

U petom, završnom delu, predstavljeni su lokalni pogledi, vizije i osvrta na neke od aktuelnih prostorno ograničenih pitanja, koji se prevashodno tiču odnosa OEBS-a i Republike Srbije.

Urednice

FOREWORD

This year is the 40th anniversary since the signing of the Helsinki Final Act. On this important anniversary, Serbia presides over the OSCE. At the same time, the Helsinki +40 process is on-going, initiated by the Dublin Ministerial Council and launched at the beginning of 2013 under the Ukrainian Chairmanship. The said process is orientated towards assessing threats, challenges and existing limitations within the OSCE space, as well as potential areas where the Organization's role could be strengthened to increase the level of the overall European security.

The OSCE Network of Think Tanks and Academic Institutions, founded in June 2013, is actively involved in the reform of the Organization within the Helsinki +40 process, and its establishment was supported by the future Serbian OSCE Chairmanship. Although the Institute of Comparative Law is not a member of the said Network, the need to provide an academic contribution to solving numerous current issues encouraged us to bring together a number of distinguished foreign and domestic experts. They have tried, and hopefully succeeded, to give answers and suggestions regarding the given issues. As the contributions had been prepared before *The Final Report and Recommendations of the Panel of Eminent Persons on European Security as a Common Project* were released, they do not refer to their findings.

In this respect, we are honoured that the director of the OSCE Network, Dr. Wolfgang Zellner, has supported this Collection with his contribution.

In addition, we would like to thank the Ministry of Foreign Affairs and the OSCE Chairman-in-Office, Mr Ivica Dačić, who took the time and wrote the opening remarks for this Collection.

A particular honour for us is the fact that this Collection contains papers by eminent foreign professors and experts dealing with issues close to the OSCE security agenda, such as Alice Ackermann, Kari Mötölä, Roza Pati and Andrei Zagorski.

In this regards, we are particularly pleased with the fact that the representatives of the Russian International Affairs Council (RIAC) allowed us to publish a revised version of their substantial research: *Strengthening the OSCE – Building a Common Space for Economic and Humanitarian Cooperation, an Indivisible Security Community from the Atlantic to the Pacific*.

Also, we would like to thank the local authors who have made this Collection both scientifically based and practically applicable and useful.

The Collection is divided into five chapters. The first three chapters are structured according to the former traditional division into three diplomatic baskets – OSCE dimensions, for better visibility and systematization of the analysed issues. The first chapter analyses issues falling within the politico-military dimension, the second chapter opens up questions concerning the economic and environmental dimension, while the third chapter refers to the issues related to the human dimension.

The fourth chapter discusses the multidimensional issues, which is in accordance with the tendency of using multi-dimensional approach to problem-solving within the OSCE, which implies simultaneous consideration of all three dimensions, instead of isolated consideration of each dimension individually.

The fifth and final chapter contains local views, visions and reflections on some of the current space-constrained issues, which primarily refer to the relationship between the OSCE and the Republic of Serbia.

The Editors