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POLICY BRIEF

THE UN SECURITY COUNCIL IN DEADLOCK (AGAIN).

THE ABILITY OF THE UN TO
RESPOND TO RUSSIA'S WAR
IN UKRAINE

Gunda Reire

THE RĪGA CONFERENCE

POLICY BRIEF

2022

The Rīga Conference Policy Briefs Introductory Remarks

Dear the Rīga Conference Participants,
Dear Readers,

At the last Riga Conference, we discussed the diversity of global threats. We talked about the mounting tension between power centers in the world, about the struggle between the democratic world and authoritarian regimes.

We discussed the growing conflict between value politics and realpolitik.

On February 24, Russia grossly violated international law by committing a flagrant act of military aggression against Ukraine. Russia's war in Ukraine is proof of how hypothetical threats turn into real ones.

This year's Riga Conference takes place at a time when we are up against the most acute security crisis that Europe has faced in a decade, and this crisis has in turn generated a series of new challenges for security, the economy and in the socio-humanitarian sphere. This is having an impact not only in Europe, but also on a global scale. The aggression perpetrated by Russia against Ukraine is the largest military conflict in Europe following the Second World War.

Western allies and like-minded partners, in response to the Russian invasion of Ukraine, have demonstrated a united and resolute stand in offering comprehensive assistance to Ukraine in its fight against the aggressor, and by putting in place a set of unprecedented sanctions against Russia, as well as mobilising the wider international community for a consolidated response to the war triggered and instigated by Russia. Pressure on the aggressor must be further increased, Ukraine's territorial integrity and sovereignty must be restored, and those who started the war must be called to account for what they have done. We must continue supporting Ukraine politically, militarily, economically, and morally.

A Russia with an aggressive foreign policy did not appear out of nowhere: for many years it has been systematically pursuing an approach aimed at the destabilization in the region, undermining the European security architecture and engaging in revisionism with respect to the international legal order. Latvia was among the countries who kept drawing attention to this pattern of behaviour; however, a full understanding of Russia's true intentions came much too late, and even now at this point in time some countries still seem reluctant or even unwilling to make a sharp assessment and counter the moves Russia is making.

All must now pay a high price for not stopping the potential aggressor in a timely manner; the war in Ukraine is having an impact on both global economic growth and energy security, and it brings in its wake the threat of an imminent humanitarian catastrophe in some regions. And then, what stands out most is how this war has shed light on the weakness of international rule of law and the instruments to ensure it, and the inability to prevent or at least halt aggression in the 21st century.

Appropriate conclusions must be drawn and the right answers sought to prevent such a tragedy from repeating itself in the future. It is vital to arrive at sustainable regional and global security solutions, first and foremost, by strengthening the international rule of law and improving the resilience of countries to endure various types of threats, which the war in Ukraine has put under the spotlight.

Edgars Rinkēvičs

Minister of Foreign Affairs
of the Republic of Latvia



The Rīga Conference Policy Briefs Introductory Remarks

Last couple of months have brought geopolitical shifts with serious, long-term consequences for the future of the whole democratic world.

Russia's outrageous war and unforgivable atrocities in Ukraine have brought us back to civilization's darkest moments in history. Ukraine is fighting for its territory, independence and people as well for the whole democratic world. It is an autocracy's attack against democracy. The outcome of this war will dictate Europe's security for years to come. This is the moment when history is made, when countries demonstrate their understanding and willingness to shape the future of Europe. Northern and eastern Europe has demonstrated its leadership by undeniable and immense support to Ukraine.

Every democratic country has a choice – to assist Ukraine with everything they can to help it win. Or let the aggressor destroy a sovereign country, disregard international rules-based order and grow confident and more reckless in its madness. If Russia is not stopped in Ukraine, sooner or later it will continue to march forces in Europe in pursuit of its imperialistic ambitions.

While we are witnessing sanctions against Russia like never seen before, it is still not enough. While military equipment, capabilities and training are provided to Ukraine in large quantities, it is still not enough. The West can and should do more. This is a decisive moment to show all opportunistic countries around the globe that attacks against liberties and breaches of international order will not be tolerated.

There have been some positive development as well. Historic decisions have been made at NATO Madrid Summit to strengthen Alliance's deterrence and defence. The intent to defend every inch of Alliance's territory and shift to deterrence by denial are important ambitions that need proper implementation. The imminent membership of Finland and Sweden to NATO will

considerably bolster Alliance's strength and capability. Solutions for alternative energy sources will finally release Europe from the chains of Russian energy resources' dependency.

However, when the winter energy prices in addition to soaring general inflation will hit all households across Europe, Europeans should not forget that there is an ongoing war on our continent. These are times of war and war-times economy is at play. It is going to be tough but it is immeasurably better to pay in monetary currency than in blood and unity of effort to support Ukraine has to be preserved.

This year's Riga Conference will facilitate many important discussions and I invite you to join and be a part of this event.

Artis Pabriks

Minister of Defence of the Republic of Latvia



**THE UN SECURITY COUNCIL
IN DEADLOCK (AGAIN).
THE ABILITY OF THE UN TO RESPOND
TO RUSSIA'S WAR IN UKRAINE**

Dr. Gunda Reire

Слава Україні! Героям слава!

On 24 February 2022, a permanent member of the United Nations (UN) Security Council committed a blatant act of aggression, violating international law and the sovereignty and territorial integrity of Ukraine. Russia has been waging war in Europe, and the UN Security Council is failing to respond to it. The war in Ukraine puts us at a crossroads for the rules-based international order and it has revived the old debate about the incapacity of the Security Council and the effectiveness and purpose of the UN in general. It has also highlighted flaws in the international system and clearly exposed three groups of states: those who oppose Russian aggression, Russia's allies, and states which endeavour to remain neutral.

In this light, the question arises – is this organization effective? Do we still need it? The situation is dire, but an answer can be found in a saying “Do what you can with what you’ve got where you are.” Yes, we do live in an imperfect world. Yes, the UN has wide gaps in its ability to address problems and in its effectiveness. And yes, the Security Council fails. But still - the UN is the only global international organization that unites all sovereign states in the world, the only one that has a power to authorise the use of force in international relations, and it remains unique with its global reach, scope of functionality, and the potential to bring change. The UN with all its imperfections still represents the closest approximation to a multilateral system of global governance that has ever been achieved. If the democratic world abandons it, we lose a multilateral forum and an instrument of enormous potential. The only option is to try to improve it.

THE FROZEN UN SECURITY COUNCIL – AN OLD SONG WITH A NEW VERSE

Although the UN Charter provides the Security Council with great powers, there have been prolonged periods in its history when this institution is passive and does not use the powers it has. Many have forgotten that during the Cold War era the Big Five paralyzed the work of the Security Council completely. This is evidenced both by the statistics on the use of veto rights (see Figure 1) and the limited number of resolutions issued. Namely, between 1945 and 1990, the peripheral role played by the Security Council in practice contrasted sharply with the central role in collective security conferred on it by the Charter. During this period, only four resolutions authorising the use of force were adopted – on aid to South Korea¹, on the situation in Congo² and on the situation in southern Rhodesia³. Furthermore, these resolutions are rather an exception to the common practice of the Security Council at the time. “Far from realizing the San Francisco dream of an organized peace – monitored and, if necessary, enforced by the five major wartime Allies (now the permanent members of the Security Council) – the new organization became occupied with preventing a cataclysmic nuclear confrontation between its key members.”⁴



**Ukraine doesn't get to the UN Security Council
decision-making agenda at all.**

A new phase in the work of the Security Council, to which we are accustomed, began only in the second half of 1980s. However, as we return to the present and Russia's war in Ukraine, it is important to note that the UN Security Council is not currently paralyzed due to the use of veto in the final decision-making phase. Ukraine doesn't get to the UN Security Council

¹ 430 UN Doc. S/151, 27 June 1950 (adopted with 7 votes against 1). Egypt and India did not participate in the voting, USSR was absent.

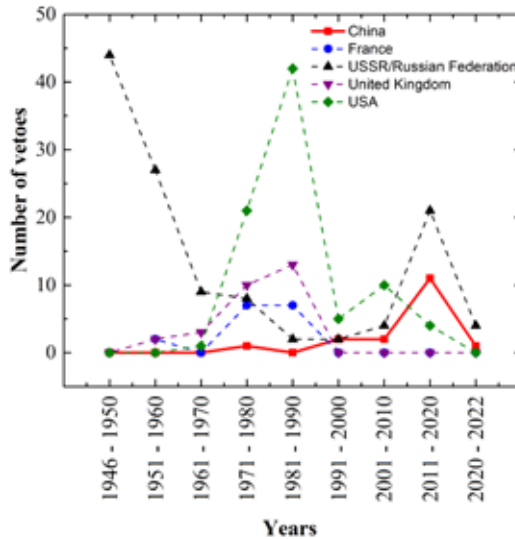
² 431 UN Doc. S/4741, 21 February 1961 (adopted with 9 votes against 0, 2 abstentions (France, USSR)), and UN Doc. S/5002, 24 November 1961 (adopted with 9 votes against 0, 2 abstentions (France, United Kingdom)).

³ 432 UN Doc. S/RES/221, 9 April 1966 (adopted with 10 votes against 0, 5 abstentions (Bulgaria, France, Mali, USSR, Uruguay)).

⁴ Brian Urquhart, “The Next Secretary-General. How to Fill a Job with No Description,” *Foreign Affairs*, Volume 85, No. 5 (September/October 2006): 16.

decision-making agenda at all.⁵ There is a significant procedural aspect influencing the activity of the UN Security Council that concerns the power to define the agenda of the UN Security Council and thus – of global peace and security, solutions, and action in general.

Figure 1. The Use of the Veto in the UN Security Council (1946-August 2022)



Source: Author's calculations based on "Security Council - Veto List", Dag Hammarskjöld Library, <https://research.un.org/en/docs/sc/quick/veto>.

In particular, the Security Council combines both legislative and executive powers at the same time. The UN Charter gives the Security Council the authority to determine the existence of any threat to the peace, breach of the peace, or act of aggression, and to make recommendations or decide what measures should be taken to maintain or restore international peace and security.⁶ Thus, the UN Security Council itself decides whether a particular situation should be brought to its attention, whether it entails a threat to peace, how to act in a given situation, and then the UN Security Council implements the decision. Since there is still no definition of concepts such as threats or violations of the peace, it is the members of the Security Council who decide how to treat a

⁵ This article was submitted on 15 September, 2022.

⁶ United Nations Charter, Art. 39.

given situation and how to act in it.⁷ The UN Security Council therefore has a very wide discretionary power.⁸

“ **UN Security Council therefore has a very wide discretionary power.** ”

Procedurally, the convocation of the UN Security Council must be distinguished separately from the UN Security Council's actual performance⁹. The UN Charter¹⁰ grants any member state the power to seize the Security Council, and the Security Council is obliged to meet when the member state(s), the UN General Assembly, or the Secretary-General act in accordance with the respective Charter provisions.¹¹ Nevertheless, the aforementioned regulation concerns only the convocation of the UN Security Council but does not concern the inclusion of the issue on the agenda. Rule 3 of the UN Security Council procedure¹² speaks about the situation, where the UN Security Council must decide whether the conditions of the situation (a real and present danger to peace) are sufficient for the UN Security Council to exercise its functions, and if the UN Security Council decides that conditions are insufficient, the issue will not be included in the actual agenda.¹³ In turn, Rule 2 of the UN Security Council procedure, which states that the President shall call a meeting of the Security Council at the request of any member of the Security Council, is relevant only in situations when the particular question is already included on the agenda. Therefore, the procedural aspect further widens the power projection gap between permanent and non-permanent UNSC members¹⁴ and slows down the institution's ability to react. The legal provisions make it clear that

⁷ Chinmaya R. Gharekhan, *The Horseshoe Table: An Inside View of the UN Security Council* (Pearson, Longman, An imprint of Pearson Education, Third Impression, 2007), 2–3.

⁸ Benedetti Conforti, *The Law and Practice of the United Nations (Legal Aspects of International Organization, Third Edition. Volume 42)* (Leiden, Boston: Martinus Nijhoff Publishers, 2005), 172.

⁹ *Ibid*, 152-154.

¹⁰ United Nations Charter, Art. 35, para. 1

¹¹ U.N. Doc. S/96/Rev.7. Provisional rules of procedure of the Security Council, Rules 2-3.

¹² *Ibid*, Rule 3.

¹³ Benedetti Conforti, *The Law and Practice of the United Nations (Legal Aspects of International Organization, Third Edition. Volume 42)* (Leiden, Boston: Martinus Nijhoff Publishers, 2005), 172.

¹⁴ Gunda Reire, "Small States in the United Nations Security Council: Legal and Conceptual Aspects versus Practical Perspective", *Socrates*, Nr. 3 (21): 97, <https://doi.org/10.25143/socr.21.2021.3.090-104>.

the UN Security Council's agenda cannot be significantly influenced without the consent of the permanent members. Such has been the fate of Ukraine.

Nevertheless, the UN Security Council's toolbox is a little more extensive. Informal meetings at the UN Security Council may also take place *ad hoc*. The so-called Arria formula, named after Venezuelan ambassador Diego Arria, is one such consultation mechanism. This mechanism includes consultations with non-state actors who are parties to conflicts, as well as non-governmental organizations¹⁵, which is a relatively recent practice that involves inviting participants to informal deliberations within a flexible procedural framework.¹⁶

On the Ukraine issue, the Arria mechanism has been activated five times in six months. It should be noted, however, that this mechanism is available to all countries. Thus, using this mechanism, Russia and the democratic world would have a score of 3:2.¹⁷ The democratic world held meetings on the destructions of cultural heritage as a consequence of Russian aggression against Ukraine and the need to ensure accountability for atrocities committed in Ukraine. Russia has used this informal mechanism to justify its aggression against a sovereign state by convening the meetings on “Neo-Nazism and radical nationalism” as a root cause of the “crisis in Ukraine”, “systematic and mass grave violations of the international humanitarian law” and “other crimes committed by the Ukrainian military personnel”, as well as on the issue that does not include Ukraine in its title but was targeted at it – “Threats to international peace and security emanating from military biological activities in regions across the globe”.¹⁸ Thus, the Arria formula can also be used for manipulation, spreading disinformation and attempting to shape the opinion of the international community in line with Russia's war propaganda.

With the intense activation of the Arria formula on Ukraine, the international community has returned to the circumstances of the final phase of the Cold War.

¹⁵ See Sydney Dawson Bailey, Sam Daws, *The Procedure of the UN Security Council* (3rd edn., Oxford: Oxford University Press, 1998), 73. See also James Paul, “The Arria Formula”, Global Policy Forum, <https://archive.globalpolicy.org/security/mtgsetc/arria.htm>.

¹⁶ ““Arria-Formula” meetings of Security Council members”, Background Note, Informal Non-paper, 25 October 2002, *Handbook on the Working Methods of the Security Council*: 74-75, https://www.un.org/securitycouncil/sites/www.un.org/securitycouncil/files/handbook_on_the_working_methods_of_the_security_council.pdf.

¹⁷ “Arria-Formula Meetings”, *Security Council Report*, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/working_methods_arria_formula_meetings.pdf.

¹⁸ *Ibid.*

In particular, all kinds of informal consultations in the late 1980s and early 1990s were a tool for activating the work of the Security Council – it was a partial way out of the systemic problems that had paralyzed the work of the institution.¹⁹

In addition to the Arria formula, since the 1990s, when the UN Security Council had to adapt to the new security environment, the so-called Contact Groups and Groups of Friends have also increasingly served as a conflict risk management tool. The latter have proved useful in supporting Ukraine in its fight against its current aggressor.

In the post-Cold War period, these two types of informal groups are considered diplomatic instruments in matters of international peace and security while operating without a formal mandate from the UN Security Council or General Assembly. Both groups are composed of like-minded countries united by common interests in maintaining international peace and security. Groups of friends emerged as an informal formation to complement the peacebuilding activities of the Secretary-General. Contact groups, in turn, were created for conflict management outside the framework of the UN but acting either within the framework of UN goals or on behalf of the group's own common goals. These are *ad hoc* coalitions comprised of countries that are willing and able to participate. The countries form the coalition on their own, working independently from the UN Security Council and outside the framework of the UN. These groups can be described as an attempt to correct the balance between UN procedures by creating a platform for silent diplomacy in the peace-building process on a consensus basis,²⁰ to serve as a tool for harmonising diplomatic initiatives and achieving a coordinated approach²¹ and to build strategic coordination, not only in the context of crises, but also in conflict prevention.²²

It is precisely the capacity and limitations of the UN Security Council that have been contributing to the creation of the Group of Friends of Accountability, following the aggression against Ukraine on 24 March, 2022.²³ This

¹⁹ Jochen Prantl, *The UN Security Council and Informal Groups of States. Complementing or Competing for Governance?* (New York: Oxford University Press, 2006), 76.

²⁰ Dag Hammarskjöld, "The Elementary of Privacy in Peacemaking", Address at Ohio University, Athens, Ohio, February 5, 1958, in *Public Papers of the Secretaries General of the United Nations, Vol IV: Dag Hammarskjöld, 1958–1960*, edited by Andrew E. Cordier and Wilder Foote, (New York: Columbia University Press, 1974), 27.

²¹ UN Doc A/51/761, 20 December 1996, para 48

²² UN Doc S/2001/574, 7 June 2001, para 76.

²³ GoF members: Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, EU, Finland, France, Georgia, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States of America

Group of Friends seeks to ensure accountability for international crimes committed following the Russian invasion of Ukraine, with the aim of optimizing the process of accountability and the delivery of justice, as well as including and engaging smaller states, whose capacity to follow the development of accountability measures may not match the importance they attach to the respect for the rule-based international order.²⁴ This informal group of countries decentralises the work of the UN Security Council by improving (albeit only slightly) its structural weaknesses by allowing democratic UN member states to pool interests and try to achieve objectives that are not possible under the existing centralised UN procedural regulation.

UNITING FOR PEACE MECHANISM – A REAL TOOL?

Given the Security Council's rigidity, the UN General Assembly has assumed a central role in addressing Russia's war in Ukraine. Three UN General Assembly resolutions have been adopted with overwhelming majorities: one demanding immediate Russian withdrawal from Ukraine,²⁵ another demanding humanitarian access,²⁶ and a third suspending the rights of membership of Russia in the UN Human Rights Council.²⁷ Furthermore, without a vote, the UN General Assembly adopted the veto initiative launched by Liechtenstein on 26 April ("Standing mandate for a General Assembly debate when a veto is cast in the Security Council"). It basically provides for the possibility that any UN Security Council's veto will trigger a General Assembly meeting where all UN members can scrutinise the particular veto and comment upon it.²⁸ Given that the veto power comes with the responsibility to work to achieve "the purposes and principles of the UN Charter at all times,"²⁹ the countries exercising veto power are now obliged to justify such decisions to the UN General Assembly.

²⁴ "High-Level Launch Meeting of the Group of Friends of Accountability Following the Aggression Against Ukraine", March 25 2022, International Peace Institute, <https://www.ipinst.org/2022/03/high-level-launch-meeting-of-group-of-friends-of-accountability-for-ukraine#12>

²⁵ A/RES/ES-11/1, 18 March 2022.

²⁶ A/RES/ES-11/2, 28 March 2022.

²⁷ A/RES/ES-11/3, 8 April 2022.

²⁸ "UN General Assembly mandates meeting in wake of any Security Council veto", *UN News*, 26 April 2022, <https://news.un.org/en/story/2022/04/1116982>

²⁹ *Ibid.*

The UN General Assembly resolution “Aggression against Ukraine” passed with 141 votes on 2 March, 2022³⁰, has been assessed and hailed as a historic step and highly welcomed in the democratic world. In this resolution, the UN General Assembly affirms its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognized borders, deplors in the strongest terms the aggression by the Russian Federation against Ukraine, and demands that the Russian Federation immediately cease its use of force against Ukraine, as well as refraining from any further unlawful use of force or threat to use force.

There were two major steps involved in reaching this resolution. On 25 February, the first attempt to pass the resolution went through the Security Council, which is the main body responsible for the maintenance of international peace and security at the UN.³¹ Russia blocked the UN Security Council draft resolution authored by Albania and the United States and co-sponsored by 81 member states, deploring Russia’s aggression against Ukraine in violation of Article 2 (4) of the UN Charter.³² Second, on 27 February, the majority of the UN Security Council³³ decided to convene an emergency special session of the UN General Assembly³⁴ to consider and recommend collective action on the situation in Ukraine. The mechanism invoked, known as “Uniting for Peace,” was first created in 1950 during the Korean crisis, when the Security Council was completely paralyzed. This was the first time that the Council has adopted such a resolution in four decades.

While the resolution is non-binding, it is also quite focused, dealing with “peace and war issues” for which primary responsibility (but not exclusive rights) lies with the UN Security Council. However, this is not a solution to the problem because, according to the Charter, the General Assembly can make decisions with the power of recommendatory force in the field of maintenance of international peace and security.

³⁰ A/RES/ES-11/1, 18 March 2022.

³¹ United Nations Charter, Art. 24.

³² S/2022/155, 25 February 2022.

³³ It was adopted with 11 votes in favour, one against (Russia), and three abstentions (China, India, and the UAE).

³⁴ S/RES/2623 (2022), 27 February 2022.

Picture 1. Voting Records for UN General Assembly Resolution A/RES/ES-11/1 “Aggression against Ukraine”

| Voting Started | | 02-Mar-22 | 11:55:11 |
|-----------------------------------------------------|--------------------------------------------------------|----------------------------------------------------|------------------------------------------------|
| Item 5 - Draft resolution A/ES-11/L.1 | | | |
| Aggression against Ukraine | | | |
| <input checked="" type="checkbox"/> AFGHANISTAN | <input type="checkbox"/> CAMEROON | <input type="checkbox"/> FINLAND | <input type="checkbox"/> KUWAIT |
| <input checked="" type="checkbox"/> ALBANIA | <input checked="" type="checkbox"/> CANADA | <input type="checkbox"/> FRANCE | <input checked="" type="checkbox"/> KYRGYZSTAN |
| <input checked="" type="checkbox"/> ALGERIA | <input checked="" type="checkbox"/> CENTRAL AFR REP... | <input type="checkbox"/> GABON | <input type="checkbox"/> LAO PDR |
| <input type="checkbox"/> ANDORRA | <input type="checkbox"/> CHAD | <input type="checkbox"/> GAMBIA | <input type="checkbox"/> LATVIA |
| <input checked="" type="checkbox"/> ANGOLA | <input type="checkbox"/> CHILE | <input type="checkbox"/> GEORGIA | <input type="checkbox"/> LESOTHO |
| <input checked="" type="checkbox"/> ANTIGUA-BARBUDA | <input type="checkbox"/> CHORRIA | <input type="checkbox"/> GERMANY | <input type="checkbox"/> LIBERIA |
| <input type="checkbox"/> ARGENTINA | <input type="checkbox"/> COLOMBIA | <input type="checkbox"/> GHANA | <input type="checkbox"/> LIBYA |
| <input checked="" type="checkbox"/> ARMENIA | <input type="checkbox"/> COMOROS | <input type="checkbox"/> GREECE | <input type="checkbox"/> LIECHTENSTEIN |
| <input type="checkbox"/> AUSTRALIA | <input checked="" type="checkbox"/> CONGO | <input type="checkbox"/> GRENADA | <input type="checkbox"/> LITHUANIA |
| <input type="checkbox"/> AUSTRIA | <input type="checkbox"/> COSTA RICA | <input type="checkbox"/> GUATEMALA | <input type="checkbox"/> LUXEMBOURG |
| <input type="checkbox"/> AZERBAIJAN | <input type="checkbox"/> COTE D'IVOIRE | <input type="checkbox"/> GUINEA | <input checked="" type="checkbox"/> MADAGASCAR |
| <input type="checkbox"/> BAHAMAS | <input type="checkbox"/> CUBA | <input type="checkbox"/> GUINEA-BISSAU | <input type="checkbox"/> MALAWI |
| <input type="checkbox"/> BANGLADESH | <input type="checkbox"/> CYPRUS | <input type="checkbox"/> HAITI | <input type="checkbox"/> MALAYSIA |
| <input type="checkbox"/> BARBADOS | <input type="checkbox"/> CZECH REPUBLIC | <input type="checkbox"/> HONDURAS | <input type="checkbox"/> MALDIVES |
| <input type="checkbox"/> BELARUS | <input type="checkbox"/> DEM PR. OF KOREA | <input type="checkbox"/> HUNGARY | <input type="checkbox"/> MALI |
| <input type="checkbox"/> BELGIUM | <input type="checkbox"/> DEM REP OF THE C... | <input type="checkbox"/> ICELAND | <input type="checkbox"/> MALTA |
| <input type="checkbox"/> BELIZE | <input type="checkbox"/> DENMARK | <input checked="" type="checkbox"/> INDIA | <input type="checkbox"/> MARSHALL ISLANDS |
| <input type="checkbox"/> BENIN | <input type="checkbox"/> DOMINICA | <input type="checkbox"/> INDONESIA | <input type="checkbox"/> MAURITANIA |
| <input type="checkbox"/> BHUTAN | <input type="checkbox"/> DOMINICA | <input type="checkbox"/> IRAN (ISLAMIC REP...) | <input type="checkbox"/> MAURITIUS |
| <input type="checkbox"/> BOLIVIA | <input type="checkbox"/> DOMINICAN REP... | <input type="checkbox"/> IRAQ | <input type="checkbox"/> MEXICO |
| <input type="checkbox"/> BOSNIA-HERZEGOV... | <input type="checkbox"/> ECUADOR | <input type="checkbox"/> IRELAND | <input type="checkbox"/> MICRONESIA (FS) |
| <input type="checkbox"/> BOTSWANA | <input type="checkbox"/> EGYPT | <input type="checkbox"/> ISRAEL | <input type="checkbox"/> MONACO |
| <input type="checkbox"/> BRAZIL | <input checked="" type="checkbox"/> EL SALVADOR | <input type="checkbox"/> ITALY | <input type="checkbox"/> MONGOLIA |
| <input type="checkbox"/> BRUNEI DARUSSAL... | <input type="checkbox"/> EQUATORIAL GUINEA | <input type="checkbox"/> JAMAICA | <input type="checkbox"/> MONTENEGRO |
| <input type="checkbox"/> BULGARIA | <input type="checkbox"/> ERITREA | <input type="checkbox"/> JAPAN | <input type="checkbox"/> MOROCCO |
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| <input type="checkbox"/> BURUNDI | <input type="checkbox"/> ETHIOPIA | <input type="checkbox"/> KAZAKHSTAN | <input type="checkbox"/> MYANMAR |
| <input type="checkbox"/> CABO VERDE | <input type="checkbox"/> FIJI | <input type="checkbox"/> KENYA | <input type="checkbox"/> NAMIBIA |
| <input type="checkbox"/> CAMBODIA | | <input type="checkbox"/> KIRIBATI | <input type="checkbox"/> NAURU |
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| | | <input type="checkbox"/> KYRGYZSTAN | <input type="checkbox"/> NETHERLANDS |
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| | | <input type="checkbox"/> LATVIA | <input type="checkbox"/> NICARAGUA |
| | | <input type="checkbox"/> LESOTHO | <input type="checkbox"/> NIGER |
| | | <input type="checkbox"/> LIBERIA | <input type="checkbox"/> NIGERIA |
| | | <input type="checkbox"/> LIBYA | <input type="checkbox"/> NORTH MACEDONIA |
| | | <input type="checkbox"/> LIECHTENSTEIN | <input type="checkbox"/> NORWAY |
| | | <input type="checkbox"/> LITHUANIA | <input type="checkbox"/> OMAN |
| | | <input type="checkbox"/> LUXEMBOURG | <input type="checkbox"/> PAKISTAN |
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| | | <input type="checkbox"/> MALAWI | <input type="checkbox"/> PALESTINE |
| | | <input type="checkbox"/> MALAYSIA | <input type="checkbox"/> PAPUA NEW GUINEA |
| | | <input type="checkbox"/> MALDIVES | <input type="checkbox"/> PARAGUAY |
| | | <input type="checkbox"/> MALI | <input type="checkbox"/> PERU |
| | | <input type="checkbox"/> MALTA | <input type="checkbox"/> PHILIPPINES |
| | | <input type="checkbox"/> MARSHALL ISLANDS | <input type="checkbox"/> POLAND |
| | | <input type="checkbox"/> MAURITANIA | <input type="checkbox"/> PORTUGAL |
| | | <input type="checkbox"/> MAURITIUS | <input type="checkbox"/> QATAR |
| | | <input type="checkbox"/> MEXICO | <input type="checkbox"/> REP OF KOREA |
| | | <input type="checkbox"/> MICRONESIA (FS) | <input type="checkbox"/> ROMANIA |
| | | <input type="checkbox"/> MONACO | <input type="checkbox"/> REP OF MOLDOVA |
| | | <input type="checkbox"/> MONGOLIA | <input type="checkbox"/> RUSSIAN FED... |
| | | <input type="checkbox"/> MONTENEGRO | <input type="checkbox"/> SAUDI ARAB |
| | | <input type="checkbox"/> MOROCCO | <input type="checkbox"/> SERBIA |
| | | <input type="checkbox"/> MOZAMBIQUE | <input type="checkbox"/> SEYCHELLES |
| | | <input type="checkbox"/> MYANMAR | <input type="checkbox"/> SIERRA LEONE |
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| | | <input type="checkbox"/> NAURU | <input type="checkbox"/> SLOVAKIA |
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| | | | <input type="checkbox"/> TAJIKISTAN |
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| | | | <input type="checkbox"/> ROMANIA |
| | | | <input type="checkbox"/> TIMOR-LESTE |
| | | | <input type="checkbox"/> TOGO |
| | | | <input type="checkbox"/> TONGA |
| | | | <input type="checkbox"/> TRINIDAD-TOBAGO |
| | | | <input type="checkbox"/> TURKIA |
| | | | <input type="checkbox"/> TURKMENISTAN |
| | | | <input type="checkbox"/> TUVALU |
| | | | <input type="checkbox"/> UGANDA |
| | | | <input type="checkbox"/> UZBEKISTAN |
| | | | <input type="checkbox"/> VANUATU |
| | | | <input type="checkbox"/> VENEZUELA |
| | | | <input type="checkbox"/> VIET NAM |
| | | | <input type="checkbox"/> YEMEN |
| | | | <input type="checkbox"/> ZAMBIA |
| | | | <input type="checkbox"/> ZIMBABWE |
| <input checked="" type="checkbox"/> IN FAVOUR: 141 | <input type="checkbox"/> AGAINST: 5 | <input checked="" type="checkbox"/> ABSTENTION: 35 | |

Source: United Nations, www.un.org.

The UN general Assembly resolution “Aggression against Ukraine” was adopted based on the “Uniting for Peace” mechanism, stating unequivocally that the war waged by Russia in Ukraine is perceived as very serious by the international community. Despite this, the Security Council does not have exclusive competence to deal with these issues, and the General Assembly also has its powers in this area.

In this case, the steps taken by the UN Security Council and the General Assembly can be characterized as both historic and dramatic. But what is the meaning of the UN General Assembly resolution on Russian aggression in Ukraine, and what is the expected political and legal effect of the resolution? On the one hand, the adoption of the resolution is a significant sign internationally. It is important that the resolution recognises that Russia has violated Article 2(4) of the UN Charter. This article defines the principles that unite the member states, but the mentioned point specifically states that the member states are obliged to refrain in international relations from the use of force and the threat of the use of force against the political independence and

territorial integrity of any state.³⁵ What stands out about this resolution is that it acknowledges Russia as an aggressor.

“ This vote clearly indicates that Russia is internationally isolated in its aggressive actions against Ukraine. ”

This vote clearly indicates that Russia is internationally isolated in its aggressive actions against Ukraine. 141 countries supported the resolution, but only five were against it (see Picture 1). The group is one tight circle: Belarus, North Korea, Eritrea, Syria, and Russia itself. The countries supporting Russia are very clearly profiled and exposed.

Another group of states worth observing is the 54 African countries. They were split in their voting, with 28 countries voting in favour, 1 voting against, 17 countries abstaining, and 8 did not participate (see Map 1).

The voting positions of African countries can be divided into four groups: those who voted in support because of the strong belief in the principle of self-determination, those who have developed strong economic, social, political, and military ties with Russia and voted against or did not participate, those who chose to abstain because they did not agree with the text of the resolution, and those who have strong ties with Russia but chose to abstain because they believe that Russian aggression contradicts the fundamental principle of self-determination.³⁶ The latter group consists of countries that belong to a specific group of states at the UN: the Non-Aligned Movement (NAM). It is important to acknowledge the diversity in motivation of the African countries and the fact that abstention can mean greater urge for dialogue and reconciliation, adhering to the NAM's characteristic principle of neutrality, a certain dissatisfaction with the draft text, or simply upholding and nurturing good relations maintained with Russia over time.

It is well worth delving into the vote on the UN general Assembly resolution “Aggression against Ukraine” in depth; among the countries that voted

³⁵ United Nations Charter, Art. 2(4).

³⁶ Hannah Ryder, “Why African Countries Had Different Views on the UNGA Ukraine Resolution, and Why This Matters”, *CSIS*, March 15, 2022, <https://www.csis.org/analysis/why-african-countries-had-different-views-unga-ukraine-resolution-and-why-matters>

Map 1. Votes of African Countries on the UN General Assembly Resolution A/RES/ES-11/1 “Aggression against Ukraine”

HOW DID AFRICAN COUNTRIES VOTE ON THE UN UKRAINE DECLARATION?



Source: Development Reimagined.

against it or abstained, there are also those whose right to become permanent members of the eventually reformed UN Security Council has been advocated for 15 years. Now, when the international peace and security situation in the world needs to be regulated, we see that India and South Africa have exhibited a preference to attempt to buy time for cool calculation and to do their balancing act, out of concern that a vote for the resolution could impact the quality of their relations with the state that has been identified as an aggressor.

It is not very easy to answer whether the “Uniting for Peace” mechanism can be considered a real and effective tool. On the one hand, the General Assembly does have residual powers when the Security Council is paralysed and caught in a stalemate. The International Court of Justice (ICJ) has noted that the UN Charter gives the Security Council primary but not exclusive responsibility

over matters of international peace and security,³⁷ and the UN General Assembly, despite its involvement in this field, has “absolute and complete lack of competence to resort to measures involving the use of armed force.”³⁸ On the other hand, just because the General Assembly resolution is non-binding does not mean it is irrelevant. The resolution is significant in terms of international consolidation, and this aspect also should not be underestimated. In the case of international aggression, the unity of international society is crucial because the opposite always encourages the aggressor. On this basis, the international partners have demonstrated their positions and clarified their stands to each other.

“**Just because the General Assembly resolution is non-binding does not mean it is irrelevant.**”

There have been calls for the General Assembly to take on the work that the Security Council is unable to do under the “Uniting for Peace” mechanism. It is theoretically possible. However, it will not work in practice. Granting greater functions to the UN General Assembly can only happen after amending the UN Charter, and the UN Charter states that “Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.”³⁹ The procedure thus requires not only a large majority in the General Assembly, but also the consent of the Security Council, which is, to say the least, unlikely in this case.

In this and many similar difficult cases of international aggression, many expect a single decisive decision – a silver bullet that defeats evil once and for all. However, real solutions are complex; they require strength, willpower, time, constant attention, and effort.

³⁷ Certain Expenses of the United Nations (Article 17, Paragraph 2, of the Charter), Advisory Opinion, July 20, 1962, I.C.J. Rep. 151.

³⁸ Benedetti Conforti, *The Law and Practice of the United Nations (Legal Aspects of International Organization, Third Edition. Volume 42)* (Leiden, Boston: Martinus Nijhoff Publishers, 2005), 221.

³⁹ United Nations Charter, Art. 108.

HOW TO HOLD RUSSIA ACCOUNTABLE FOR WAR CRIMES IN UKRAINE

Russia is waging war in Europe and thus violates the UN Charter. In these circumstances, it is important not only to strongly condemn Russia's military aggression against Ukraine in all possible international formats but also to work to ensure that Russia is held accountable and takes responsibility for its crimes and gross violations of international law. In regard to Russia's aggression against Ukraine, many hope for a process similar to the Nuremberg Trials, which Allies implemented against a defeated Nazi Germany after World War II. There are also more recent examples; in 1990s, the UN Security Council established two ad hoc criminal tribunals, the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda.

Just after Russia started the war, the ICJ, the principal judicial organ of the UN, delivered its Order on the request for the indication of provisional measures submitted by Ukraine in the case concerning "Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)" and indicated the provisional measures, that include that the Russian Federation shall immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine.⁴⁰ Nevertheless, Russia continues to demonstrate its disrespect for international law by ignoring this decision.

There are also instruments in the hands of another court, which is not part of the UN but is part of the UN system – the International Criminal Court (ICC). In the democratic part of the world, high hopes are placed on the leading role of the ICC in ensuring justice in Ukraine, as well as the ICC's innovative approach in documenting evidence, involving national experts and investigators.

On 2 March, 2022, 39 Rome Statute member states submitted a joint collective application to the ICC prosecutor to investigate war crimes and crimes against humanity committed on the territory of Ukraine,⁴¹ and on the same

⁴⁰ "Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation) The Court indicates provisional measures", Press release No. 2022/11 16 March 2022, *International Court of Justice*, <https://www.icj-cij.org/public/files/case-related/182/182-20220316-PRE-01-00-EN.pdf>

⁴¹ "Jurisdiction in the general situation", International Criminal Court, <https://www.icc-cpi.int/ukraine>

day, the ICC prosecutor announced the decision to open an investigation related to war crimes and crimes against humanity.⁴² The ICC investigation continues in parallel with national investigations. Following Russia's earlier aggression against Georgia in South Ossetia in 2008, this marks the second investigation initiated by the ICC in a country that was part of the predecessor of the Russian Federation – the USSR – and that has found itself at war with Russia after the fall of the Iron Curtain.⁴³

The issue of jurisdictional limitations complicates this case.

The issue of jurisdictional limitations complicates this case. Neither Ukraine nor Russia are state parties to the Rome Statute. Since 2016, when the ICC ruled that Russia's invasion of Crimea amounted to an "on-going state of occupation"⁴⁴, Russia is no longer a member of the ICC Rome Statute⁴⁵. Therefore, Russia has no legal obligation to cooperate with the ICC, including handing over suspects who are physically located in the territory of the Russian Federation. Ukraine, too, has not ratified the Rome Statute but has accepted the ad hoc jurisdiction of the ICC by lodging two Article 12(3) declarations. The first concerned alleged crimes committed during the Maidan protests in February 2014. The second was about the aftermath of the occupation of Crimea and the outbreak of Russia's proxy war in eastern Ukraine. The ICC has jurisdiction to prosecute any individual, including Russian nationals, who allegedly commit crimes falling within its jurisdiction on Ukrainian territory. Nevertheless, the reach of the ICC is limited to war crimes, crimes against humanity, and genocide due to the jurisdictional limitations applicable to the crime of aggression.⁴⁶

⁴² "Statement of ICC Prosecutor, Karim A.A. Khan QC, on the Situation in Ukraine: Receipt of Referrals from 39 States Parties and the Opening of an Investigation", *International Criminal Court*, 2 March 2022, <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-qc-situation-ukraine-receipt-referrals-39-states>

⁴³ Iryna Marchuk and Aloka Wanigasuriya, "The ICC and the Russia-Ukraine War", *ASIL Insights*, 5 July 2022, https://www.asil.org/insights/volume/26/issue/4#_edn1

⁴⁴ "Report on Preliminary Examination Activities (2016)", *International Criminal Court*, 14 November 2016, 35, https://www.icc-cpi.int/sites/default/files/iccdocs/otp/161114-otp-rep-PE_ENG.pdf

⁴⁵ "Statement by the Russian Foreign Ministry", Ministry of Foreign Affairs of the Russian Federation, 16 November 2016), https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/ckNonkJE02Bw/content/id/2523566.

⁴⁶ ICC-ASP/16/Res.5, Resolution on the Activation of the Jurisdiction of the Court over the Crime of Aggression, 14 December 2017.

Currently, it is essential to coordinate actions in order to document evidence of crimes in Ukraine as qualitatively as possible and to conduct criminal investigations with a degree of quality ensuring the successful use of the collected evidence in both national and international legal proceedings. Many credible sources indicate that Russian forces committed widespread alleged war crimes and crimes against humanity on the territory of Ukraine, potentially bringing them under the Court's jurisdiction.⁴⁷

However, also here one should not expect a quick resolution of the situation. First and foremost, the court process will be complex and difficult, but it will be absolutely necessary for ensuring international justice and bringing criminals to justice. Second, the ICC will probably only prosecute a few individuals involved in war against Ukraine. Third, it can already be predicted that Russia will use all available means to impede the investigation and evidence collection, especially in the occupied territories. Fourth, it will not be an easy task to issue arrest warrants against Russian nationals.

CONCLUSIONS AND RECOMMENDATIONS

“The UN's fate and paradox is that high expectations lead to even higher disappointments.”

The UN's fate and paradox is that high expectations lead to even higher disappointments. This global organisation, the citadel of multilateralism, can only be as effective as the collective will of its member states. Given the increasing amount of international risks and the complex nature of ongoing conflicts, the pressure on this international organisation raises expectations of the UN as the world's policeman, as well as brightly illuminating all its shortcomings, weaknesses, and failings. This, in turn, leads to polarized views on the UN's current and future role in maintenance of international peace and security.

⁴⁷ “Situation of Human Rights in Ukraine in the Context of the Armed Attack by the Russian Federation: 24 February – 15 May 2022” *OHCHR*, 29 June 2022, OHCHR | The situation of human rights in Ukraine in the context of the armed attack by the Russian Federation, 24 February to 15 May 2022; “He's Not Coming Back”: War Crimes in Northwest Areas of Kyiv Oblast”, *Amnesty International*, May 2022, Ukraine: “He's not coming back”. War crimes in Northwest areas of Kyiv Oblast - Amnesty International; “Ukraine: Executions, Torture During Russian Occupation: Apparent War Crimes in Kyiv, Chernihiv Regions”, *Human Rights Watch*, 12 May 2022, <https://www.hrw.org/news/2022/05/18/ukraine-executions-torture-during-russian-occupation>.

The collective will and efforts of the democratic world should be aimed at strengthening the UN, not denying, abandoning, or severely criticising it, forgetting that the solutions are in one's own hands. If the democratic world does not succeed, we will find ourselves not only seated in a world body with distorted principles and serving authoritarian agendas, but in a nightmarish world ruled by force. It is worth therefore remembering, that if the UN did not exist, we would probably want to create it, but such an achievement may be out of our reach today.

1) On the World Order

The international system based on democratic values and the rule of law is in the state of potential fragmentation. Some argue that the world is between orders, some warn against disruptive potential of “Westlessness”, some try to imagine a new order of relations among states that has never existed before. In any case, there is a common understanding that the existing world order is not stable, that “fewer and fewer countries, including the ones that built the previous international order, seem committed to maintaining it,”⁴⁸ refusing to acknowledge that the fundamental democratic principles of sovereignty, international law, and human rights are in danger.

“International order and UN effectiveness are inextricably linked, and vice versa.”

International order and UN effectiveness are inextricably linked, and vice versa. The international system is still based on the sovereignty of states, sovereign equality of states, non-interference in internal affairs, the territorial integrity of countries, peaceful settlement of disputes, and the principles of international law. All those principles are embedded in the UN Charter. The future of the UN depends on the global order. The global order, in turn, depends on the readiness of UN member states to defend the principles and values of the Charter. Any effort to strengthen the existing rules-based order and defend the principles of human rights and democracy strengthens the UN

⁴⁸ Shivshankar Menon, “Nobody Wants the Current World Order: How All the Major Powers—Even the United States—Became Revisionists”, *Foreign Affairs*, 3 August 3 2022, <https://www.foreignaffairs.com/world/nobody-wants-current-world-order>

and brings us closer to a situation in which the UN's limitations are overcome and its inner potential is unleashed.

2) On the United Nations

The war in Ukraine and the UN Security Council's inability to act, demonstrates that the collective action is in crisis. The first step toward healing is acknowledgment. Therefore, the first and the most important step is to acknowledge both the existing crisis and the worthiness of endeavours to save the UN from irreversible decline by standing firm in protecting Charter's principles. "Deciding between saving the UN and protecting universal rights is a false choice and one that champions of global governance must reject."⁴⁹

Although the UN Security Council does not have exclusive competence in maintenance of international peace and security, the legal and procedural mechanisms are designed to prevent the UN Security Council from being bypassed. It is set up so that the positions of permanent members must be taken into account.

Therefore, Ukraine can be helped now, not by reviving debate with new vigour, reaching a sad and predictable outcome, but by focusing on the areas where progress is possible. One of the most important of these areas is the UN's increased focus to on humanitarian situation in Ukraine, violations of the Charter that have been committed by Russia, thorough investigation of violations of international law and serious crimes, painstaking collection of the evidence that Russia cannot deny, and finally prosecution of those responsible, (which is bound to be a long process). There are numerous examples. The ICJ's and ICC's role in ensuring the rule of law will be crucial. The UN Office for the Coordination of Humanitarian Affairs (OCHA) has provided assistance to 11.8 million people so far, but it still has no access to Russian-controlled territories. The UN Refugee Agency (UNHCR) has also been very instrumental, and the UN Secretary-General has focused his efforts on the humanitarian sphere. The World Food Programme has reached over 9.6 million people inside Ukraine since the war began on 24 February. The UN Children's Fund (UNICEF) has provided access to healthcare for almost 4 million people in Ukraine – including first aid kits, midwifery kits, and kits for early childhood and recreation.

⁴⁹ Suzanne Nossel, *The World Still Needs the UN: Building Global Governance From Scratch Is a Fool's Errand*, 18 March 2021, *Foreign Affairs*, <https://www.foreignaffairs.com/articles/world/2021-03-18/world-still-needs-un>

The UN Population Fund (UNFPA) has assembled mobile teams offering medical personnel in maternal and sexual reproductive health. The World Health Organization (WHO) has delivered nearly 543 metric tons of trauma and emergency medical supplies, as well as oxygen generators and generators to maintain the steady supply of electricity.

A range of UN institutions are present in Ukraine, and UN officials have made it clear that they intend to stay, reduce the horrific suffering, scale up the humanitarian response, and continue to advocate and argue for the protection of civilians. Therefore, while we may justifiably criticise the UN Security Council, we also recognise the outstanding performance of other UN institutions.

3) On the UNSC

The composition of the Security Council is the major impediment to international cooperation and collective security in general and the opportunities to end Russia's war in Ukraine in particular. The calls to reform the UN Security Council have not stopped for a moment. However, the founders of the UN designed the organization so precisely that even now, more than 75 years after its creation, amendments to the Charter are not possible without the consent of the permanent members. It is worthwhile to recall the outcome of the 2005 UN Summit. The systemic reform process initiated by Secretary-General Kofi Annan was met with high expectations. The results were evaluated differently, but the range of success was not very broad or impressive: the evaluations stretch from assertions of "zero" results to that of "modest" progress for the further development of the UN agreement.

This is the most pessimistic section of the paper's conclusions, with few encouraging recommendations about the UN's ability to respond to Russia's war in Ukraine. Other institutions of the UN system are attempting to do what the deadlocked Security Council cannot within their competences, thus demonstrating that the situation is not hopeless and that the international community is both aware of the crisis and is striving to solve it. The resolutions of the UN General Assembly and the veto initiative – "Standing mandate for a General Assembly debate when a veto is cast in the Security Council" – are good examples. A number of institutions and agencies are intensively involved in the humanitarian sphere. International law is being protected by the ICJ and the ICC. But what about the Security Council, which, according to the Charter, is primarily responsible for international peace and security? A chain is only as

strong as its weakest link. Ironically, the weakest link is the world's most powerful institution in the world that authorises the use of military force.

“The situation is not hopeless and that the international community is both aware of the crisis and is striving to solve it.

4) On Russia

Let us not overlook Russia when analysing and criticising the UN. Because of the very fact that the aggressor is a permanent member of the UN Security Council, the war in Ukraine has its own dynamic that distinguishes it from the general spectrum of wars and conflicts in the world. After the Cold War ended, Russia never became a committed member of the international system based on democratic values, the rule of law, and human rights. “Even though the West really did believe in Russia’s democratization and its involvement in Western democratic institutions as a reliable partner, Russia chose its own way – one based on Soviet sentiments and mind-sets, full of imperialistic spirit, with the goal of regaining its superpower status, ideological dominance, and control beyond its national borders.”⁵⁰ Russia’s war against Ukraine is “only the latest expression of this sense of grievance”⁵¹ and revanchism, combined with rash expansionism.

In the West, tall tales and myths about Russia continue to proliferate. For example, we still quote Winston Churchill’s famous description of Russia as “a riddle, wrapped in a mystery, inside an enigma.”⁵² But one usually forgets to keep reading (or rather listening) to find out that Churchill claimed to

⁵⁰ Gunda Reire, “The Latvia-Russia Relationship Matrix”, in *A century of Latvian Diplomacy*, edited by Martins Dregeris (Riga: Zvaigzne ABC, 2021), 297..

⁵¹ Shivshankar Menon, “Nobody Wants the Current World Order: How All the Major Powers—Even the United States—Became Revisionists”, *Foreign Affairs*, 3 August 3 2022, <https://www.foreignaffairs.com/world/nobody-wants-current-world-order>

⁵² A part of Winston Churchill’s quotation, made in a radio broadcast in October 1939 about the Soviet Union in 1 October 1939 after the signing of the Nazi-Soviet Pact and the beginning of World War II. Churchill spoke of the defence and fall of Poland against the onslaught of Germany and Russia.

have found the key to this riddle: “That key is Russian national interest,”⁵³ he said. Russia has clear national interests and it acts rationally. As history and events of the past decades demonstrate, the biggest challenge for the West is avoid self-delusions and irrational optimism. In other words, the only viable approach is to be pragmatic, realistic and capable of converting previous mistakes and misunderstandings into lessons learned.

While Russia is at war with Ukraine, the democratic world will continue isolating Russia internationally, applying sanctions, fighting against corruption and money laundering, and supporting the democratic Russian civil society. At the same time, we should not give the impression that one day the Western sanctions will solve the entire problem and change the fate of Russia and the Russian people, and that other states are capable of doing the work of promoting change when, in fact, the citizens of a particular country bear this responsibility and task squarely on their shoulders. Movement toward greater freedoms and democratic reforms are the realms in which Russian society must work. The tectonic changes will not come from outside of this vast and formidable country. And hope will not appear out of nowhere; it must be nurtured and grown from the ground up.

Can Russia be democratic? Can it be democratised? It will be a historic (and wondrous) day when Russia begins to change its behaviour and moves toward becoming a liberal democracy. Meanwhile, it is high time for the international community to recognise and acknowledge collectively that Russia is an authoritarian state, a revisionist power, and an aggressor.

⁵³ “Winston Churchill’s first wartime broadcast”, *BBC*, 1 October 1939, <https://www.bbc.com/historyofthebbc/anniversaries/october/winston-churchills-first-wartime-broadcast>

THE LATVIAN TRANSATLANTIC ORGANISATION (LATO)

LATO is a non-governmental organisation established in 2000. Its aims are to inform the public about NATO and Latvia's membership in the Alliance, to organise informative public events about Latvian and Euro-Atlantic security issues, to promote partnerships with other countries, to lay the foundations for Latvia's international role as a member of NATO, and to foster the international community's understanding of Latvia's foreign and security policy aims. During the past 20 years, LATO has numerous achievements to be proud of. LATO organises the most influential security conference in the Baltic Sea region: The Rīga Conference facilitates discussion about issues affecting the transatlantic community and annually gathers international experts in foreign affairs and security/defence matters, policy makers, journalists, and business representatives. LATO promotes policy relevant research on topics such as gender equality, peace and security, resilience in the borderland, and the subjective perception of security. A series of various initiatives intended for increasing the interest of Latvian, Baltic and European youth in security related issues have been put in motion, including an annual future leader's forum and masterclasses for young political leaders. LATO's most recent project is the SecureBaltics platform, which serves as an information hub for those who are eager to join the debate on international security.

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PROGRAM WOMEN, PEACE AND SECURITY

LATO launched its first initiative at the Rīga Conference 2020 with a discussion as part of focus on the Women, Peace and Security Initiative. In 2021, a series of different activities on behalf of LATO have been established including special discussion in the Rīga Conference and upcoming publications and a documentary film. In 2022 The Rīga Conference continues to lead the pace with a dedicated discussions in the Rīga Conference and a new mentoring program has been launched for aspiring young leaders.

The promise of the Women, Peace and Security agenda set by the United Nations provides a framework for sustainable peace amidst a global crisis, and it is powered by a fearless women's movement that knows few bounds. But, while the agenda has strong support from governments all over the world, that support hasn't plugged the persistent implementation gaps. This is also the case in Latvia and the Baltics.

The general public's knowledge on the importance, leadership and influence of women enlisted within the defence, military and security sectors are quite minimal and their role in defence is often overlooked. Therefore, LATO has been working on developing a series of activities with an overarching aim of raising awareness and understanding on women in the defence, military and security sectors.

The LATO Mentoring Program targets young women professionals from Latvia to connect them with multiple highly ranked, highly achieving and highly reputed women professionals in the defence and foreign affairs sectors. By connecting both the successful and the aspiring leaders, the program bridges the gap in understanding and support and aims to create a long-term network of like-minded individuals. Thus, LATO not only encourages the growth of young professionals and raises awareness of the need for such encouragement at different levels. The mentoring program is supported by the German Embassy in Riga and the Ministry of Foreign Affairs of the Republic of Latvia.

INFORMATION SPACE SECURITY PROJECT #BORDERRESILIENCE

From 1 November to 31 December 2021 the #BorderResilience information space security project was implemented under the leadership of the Latvian Transatlantic Organisation (LATO). The project included four workshops with eight simulation sessions in the Eastern border regions of Latvia. The project aimed to identify the practices of border communities in countering information attacks, especially on border security issues. The experience and knowledge offered by the communities was used to develop policy recommendations and further steps to promote information security in society with the special emphasis on the border regions. At the end of the project, the results, evaluation and recommendations were presented for the stakeholders, who took further steps in implementation on new information security-oriented policies. The final report of the project is available on the websites of the Latvian Transatlantic Organisation www.lato.lv and www.securebaltics.eu. Methodological and social campaign materials were also developed. The project is turned to become a strategic initiative, which encompasses new projects working together to serve the needs of the larger communities.

The project was implemented in cooperation with the State Chancellery and the NATO Public Diplomacy Division.

SECURE BALTICS

LATO holds an internet platform SecureBaltics (www.securebaltics.eu).

The site gathers different materials – policy briefs, discussions, interviews, studies, educational materials – created in the framework of the Rīga Conference, as well as work from our partners. It is a stable platform that the Rīga Conference community can rely on and use as a credible source of information in the region.

Purpose

The purpose of the platform is to collect the know-how that is generated by the excellent minds gathered at the Rīga Conference on an annual basis. The Rīga Conference gathers regional and international experts in foreign policy and defence, academics, journalists, and business representatives by promoting the discussions on issues affecting the transatlantic community. It has been growing in influence since its inception in 2006.

Every year, for two days the National Library of Latvia is the centre of the most important regional discussions on security issues. However, it is not enough to engage in these discussions only once a year. Therefore, LATO developed SecureBaltics as a practical tool which can encourage the use of any resources and materials that have been produced as part of the Rīga Conference or its follow-up events.

Reach

The platform provides materials in both, English and Latvian, in order to reach multiple audiences. It is intended for the traditional Rīga Conference community of opinion leaders and experts in foreign policy and defence matters as well as any other interested parties that could benefit from the generated materials such as high school teachers looking for study materials.

Vision

LATO is working on SecureBaltics to become the go-to hub for resource associated with defence and security issues in the Baltics within the next few years.

Materials

The platform SecureBaltics provides resources:

- For all interested parties, including expert community, in the form of interviews, policy briefs, commentaries on topical issues
- For teachers and lecturers in the form of study materials and tests that can be included in academic curriculum
- For students in the form of lectures and study materials, as well as interactive study materials through games.

Partners

The SecureBaltics portal is supported by the Ministry of Foreign Affairs of the Republic of Latvia and the Ministry of Defence of the Republic of Latvia.

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Ministry of
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Republic of Latvia



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