

The Conflict in Ukraine and the United Nations: Necessary Measures to Restore Peace

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ABSTRACT

The drawbacks of the United Nations Security Council system in the context of the war in Ukraine are examined in the article. This article aims to highlight problems of representation and decision-making in the organization in order to develop and review possible comprehensive solutions.

Keywords: Conflict in Ukraine, international peace, Security Council, United Nations.

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I. INTRODUCTION

In 2022, the conflict in Ukraine has turned from a matter of concern into a global pressing issue, as the invasion of Russia has become a threat to the post-Cold War security order of Europe. However, the activity of the international community aimed to withstand this violation of peace and stability has met with failure: in particular, the United Nations Security Council (UNSC), despite taking a range of measures, was unable to reach an effective settlement of the situation. This article examines the controversial steps of the United Nations performed to lessen the impact of the war, assesses their efficacy and determines means for development of activity of this international organization.

The drastic military invasion has drawn the attention of not only political scientists but also ordinary citizens, affected by this war, to the UN, surrounding it with a lot of criticism and blame. It is remembered that at the core of the promise of this organization, in accordance with the Charter of the UN, is “to maintain international peace and security” (Charter of the United Nations, Art. 1.1, 1945) and to prevent “any threat or use of force against the territorial integrity or political independence of any state” (Charter of the United Nations, Art. 2.4, 1945).

To analyze why the measures already taken by this international organization didn’t justify the trust, it is necessary to contemplate its actions. The first call for peace happened when in the meeting of the Security Council, held on the 26th of February, was provided a draft resolution intended to end the Russian Federation’s military offensive against Ukraine. Nonetheless, the resolution, supported by 11 members, got vetoed by Russia which possesses this right as a permanent member state. There have been other passed resolutions which called upon Russia to end the aggression and withdraw its troops and eventually raised the urgency of the question of isolating the country at the international organization.

But none of the initiatives in this regard were effectively taken to account or realized. On the 26th of April, the UN General Assembly adopted a resolution that required justification for any use of the veto from the permanent five and also voted for the removal of Russia from the UN Human Rights Council, but these small actions were insufficient to provide a comprehensive solution, as they don’t affect the Security Council decision-making process. Ukrainian diplomats have taken the lead in raising the question of excluding Russia from the Security Council, but the appeals of the Ukrainian representatives in the UN went unheeded.

On the 5th of April, the President of Ukraine, Volodymyr Zelenskyy, gave publicity to this issue in his address to the Security Council, challenging it to act for peace. “You could do two things: Either remove Russia as an aggressor and a source of war so it cannot block decisions about its own aggression, or, if there’s no alternative, then the other option is for the Security Council to dissolve itself altogether. <...> Are you ready to close the United Nations? Do you think that the time for international law is gone?” (UN News, 2022).

Compounding all the below, it is now possible to formulate the main disadvantage of the UN system: the privilege of so-called superpowers on the edge of rivalry, whereas countries like Ukraine are just victims of this imbalanced permissiveness. This exact case of the war is just the most blatant consequence, while in the past decades, there were many more examples from other parts of the world that demonstrated well the degree of ineffectiveness of the UNSC responses. This all, of course, questions its real ability to maintain peace and security in the world.

II. SEEKING A SOLUTION

What could be a solution? The only clear response to this question is that the UN needs reforms which would rectify the performing of its primary function, as on the edge of concurrent violence, it only showed the lack of power to stop the war.

Anyway, the process of implementation of any considerable change is also challenged, as the removal of veto, as an example, or any other reform that would put limits to the abuse of powers is unlikely to be voted for by the permanent members of the UNSC.

Considering that the UNSC is deadlocked, the focus could be turned to another organ of the UN, the General Assembly.

According to the GA resolution 377A (V), entitled *Uniting for Peace*, “*if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility to act as required to maintain international peace and security <...>, the General Assembly shall consider the matter immediately with the view to making recommendations to Members <...> in order to restore international peace and security*” (United Nations Office of Legal Affairs, 1950). Yet the issue remains the same: recommendations of the GA are non-binding, and only the SC has decision-making power, which also applies to improvement of any reform.

In accordance with the Article 108 of the UN Charter, amendments to the document will come into force only if they are adopted by a vote of two-thirds of the members of the General Assembly and ratified by two-thirds of the members of the Security Council, including the permanent five.

But even though the voting procedures, outlined in the UN Charter, make it very difficult and unlikely to implement any efficient reform in practice, it is possible to theoretically formulate a rational proposal which would put more balance into the functionality of the organization and remove its “privileged” system.

The reform of the UN has long been a topic of disputes that gave birth to many proposals of changing its body completely and giving permanent representation to more countries. Nonetheless, changing the whole entity may be unnecessary.

At the core of the problem is only an imbalanced system of the organization which makes it impossible to get an equitable outcome. Fostering cooperation between institutions and preventing the UNSC from abusing its powers by providing scrutiny over its policies would make the procedures more democratic.

III. POSSIBLE REFORM

Following previous statements, the key to effective reformation of the UN might be straightening the role of the General Assembly, as this institution itself is the most democratic body of the organization, which better reflects the will of people around the world due to its high representative function. To provide the GA with sufficient authority, it is necessary to conduct the drastic rearrangement of its functions. The purpose of such a change would be to put limits on the powers of the Security Council by establishing reasonable control over the procedures of decision-making to make the UN system more democratic and create more transparency.

More precisely, the point of the proposal is to turn the General Assembly into a genuine parliamentary institution.

There has been another kind of proposal promoted and supported by different actors, including political ones, for years as an addition to the system of the organization in the form of a world legislature called the UN Parliamentary Assembly. However, it was supposed to be established as a subsidiary body of the General Assembly “*which would increase the democratic profile and internal democratic process of the organization and allow world civil society to be directly associated in the decision-making process*” (European Parliament, 2006).

As such an innovation would not affect the influence of the Security Council (e. g. the veto power) enough, I would like to develop a slightly different proposal based upon the expansion of the GA functions, clearly, with additional mechanisms that would help to represent the world’s people more directly and could, in future, be transformed into a separate consultative organ with citizen representatives.

Thus, the array of new functions of the GA would include the following:

- 1) The capability to review, amend or reject (veto) the drafts of resolutions of the Security Council during plenary sessions, which would put a reasonable limitation on its abuse of power.
- 2) The right of initiative of policy proposals with the Security Council being obliged to take them into account.
- 3) The power to monitor the use of the veto (i.e., to veto a decision, the country must get the ratification of the majority of members of the Assembly).
- 4) The power to refer any member of the Security Council to the tribunal.
- 5) The role in the selection of the Secretary General of the UN by providing a list of candidates.
- 6) The procedure of the selection of national delegates may also change (e.g., they may be elected by the national parliaments, which would make the process more visible and legitimate).
- 7) The Assembly may engage with citizens in some form of debate to solicit their opinions on the proposed decisions.

Many scholars and even member states of the UN support and defend the idea of straightening and expanding the powers of the General Assembly and making it as important as the Security Council. The reinforcement of its authority would become an appreciable movement towards more effective performance of the international organization. It would increase interaction between institutions and prevent the UNSC from exceeding its powers.

Nonetheless, there is one more crucial detail to add to this. In the book called “*Global Governance and the Emergence of Global Institutions for the 21st century*”, the authors reflect the issue that turning the General Assembly into a legislature cannot be realized unless the weighted voting system in which the size of the country corresponds to its voting power is established. The system reform presented by the authors bases on a proposal made earlier by Schwartzberg, which uses three variables to form a set of weights for each member of the GA: population size, size of the country’s economy (contribution of their gross national income (GNI) to the UN’s budget) and principle of sovereign equality. With the only modification provided to this voting calculation method: use of the weighted average of gross domestic product (GDP) instead of GNI, as proposed by Schwartzberg.

“It is interesting to note that in Scenario I [calculation per the above method] the voting shares of Russia, the United Kingdom, and France, the three veto-wielding members of the Security Council other than China and the United States, are the 8th, 9th, and 10th largest in the General Assembly and are all under 2 percent,” state the authors. “A credible mechanism to allocate voting power in the General Assembly on the basis of sensible principles may run up against a perceived diminished stature in the world of these three countries in particular.” (Lopez-Claros et al., 2020).

IV. CONCLUSION

One way or the other, the issue of international security and preservation of the lives of the vulnerable populations cannot be ignored and should be at the heart of decision-making, and as long as the violations of human rights or risks of committing them persist, the need for more democratic action is emergent.

And there should be a decisive call for a change, if the international community doesn’t want its reestablished order and security to be destroyed by a bigger threat to global peace.

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CONFLICT OF INTEREST

The author declares that they do not have any conflict of interest.

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