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## TOWARDS A UNSC 2.0 WITH A DIFFICULT PATH AHEAD *Between the Resilience Acquired During the Eighty Years of Existence And Today's Acute Need For Reform*

Dr. Gheorghe Dumitru

Bucharest, 010011 Retired Romanian, Diplomat, PhD Economics

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\*Corresponding author: Dr. Gheorghe Dumitru

Bucharest, 010011 Retired Romanian, Diplomat, PhD Economics

### Abstract

The following narrative, through its analysis and final conclusions, doesn't intend, in any way, to infringe upon **the UNSC's legitimacy**, in the sense that "Legitimacy—the perception of audiences that an organization is normatively appropriate—is essential for any organization to achieve its objectives. Enhanced order, stability, and effectiveness are typical benefits associated with legitimacy, and these benefits accrue not only to international organizations but also to other public and private organizations."<sup>1</sup> On the

contrary, our demarche's crux aims at strengthening the respective legitimacy, shedding light on means to increasing the Council's efficiency and transparency, on the long-term path towards a UNSC 2.0, so that, in the end, this major UN body could effectively deliver "the public common goods" expected from it in accordance with the UN Charter, at global and regional levels, nationally, too, namely **peace and security**. Implicitly, it is just such a purpose that would expect any objective observer in having a judgmental view on how **the Council's mandate** it's being accomplished and that given the reality that "often, this Council fails to deliver its mandate... The Council may not always live up to the

\* Dr. Gheorghe Dumitru is a retired career diplomat who, besides ambassadorial posts and as a Consul general of Romania in New York, held, for Romania's term 2004-2005 as an elected member of the UNSC (Romania's last two-year term, until the writing time – May 2023, as a non-permanent/ elected member of the Council), held the position of Deputy Head of the Romanian Delegation, with the rank of an Ambassador, being also the Delegation's Political Counsellor (Security Council Coordinator).

<sup>1</sup> A special section in the May 2023 issue of *International Affairs* (IO) examines the origins—that is, the central drivers—of the strategies that IOs use to build, sustain and defend their legitimacy.

Tobias Lenz, Fredrik Söderbaum, *The origins of legitimation strategies in international organizations: agents, audiences and environments*, *International Affairs*, Volume 99, Issue 3, May 2023, Pages 899–920, <https://doi.org/10.1093/ia/iiaad110>.  
[https://academic.oup.com/ia/article/99/3/899/7147419?login=false&itm\\_medium=sidebar&itm\\_source=trendmd-widget&itm\\_campaign=International\\_Affairs&itm\\_content=International\\_Affairs\\_0#404052479](https://academic.oup.com/ia/article/99/3/899/7147419?login=false&itm_medium=sidebar&itm_source=trendmd-widget&itm_campaign=International_Affairs&itm_content=International_Affairs_0#404052479)

hopes placed in it by people living in desperate circumstances in the crises on our agenda”.<sup>2</sup> [Immanuel Kant] said peace would either occur through human understanding or some disaster. He thought that it would occur through reason, but he could not guarantee it.<sup>3</sup>

### MOTTO:

*“Peace is the central promise of the Charter of the United Nations and one of the principal global public goods the United Nations was established to deliver... To protect and manage the global public good of peace, we need a peace continuum based on a better understanding of the underlying drivers and systems of influence that are sustaining conflict, a renewed effort to agree on more effective collective security responses and a meaningful set of steps to manage emerging risks.”<sup>4</sup>*

*“In recent years, UNSC members’ competing interests have often stymied the Council’s ability to respond to major conflicts and crises, including Syria’s civil war, the COVID-19 pandemic, and Russia’s annexation of Crimea and subsequent invasion of Ukraine.”<sup>5</sup>*

*“I believe the UN’s failure to act during the buildup to Russia’s invasion on that cold February day is the greatest betrayal of the UN Charter in my lifetime.”<sup>6</sup>*

*“In the summer of 2022, as I prepared to become Ireland’s Ambassador to the United Nations, I watched the Security Council from afar. I questioned if Russia’s aggression against Ukraine might sound a death knell for diplomacy at that top table, already on shaky legs. I have seen the Council up close and personal. I have seen its flaws and that reform is overdue. But as I leave it, my conclusion is that it remains much too soon to write an obituary of the body... this is a Council that remains vital and where a small country can make a serious impact. Even amid aggression, it must continue to work.”<sup>7</sup>*

<sup>2</sup> Ireland’s Parting Gift to the UN Security Council, Opinion by Fergal Mythen (former permanent representative of Ireland to the UN), PassBlue, January 3, 2023. <https://www.passblue.com/2023/01/03/irelands-parting-gift-to-the-un-security-council/>

<sup>3</sup> As quoted by Henry Kissinger in a conversation with The Economist, on May 17th 2023.

<https://www.economist.com/kissinger-transcript>

<sup>4</sup> Our Common Agenda. Report of the Secretary-General A/75/982, 5 August 2021, p. 43.

<sup>5</sup> The UN Security Council Backgrounder, Council on Foreign Relations (CFR), February 28, 2023.

<https://www.cfr.org/backgrounder/un-security-council>

<sup>6</sup> <https://www.passblue.com/2023/04/17/act-of-creation-the-birth-of-the-un-charter-and-why-its-so-essential-today-a-new-podcast-series/>

<sup>7</sup> Ireland’s Parting Gift to the UN Security Council, Article quoted.

## 1. Glosses on the Panoply of Issues of Stringent Actuality Related to the UNSC’s Immersion Into Today’s Multilayered, if not outright Messy International Relations Realm – Complementing the Traditionally Entrenched Rhetoric Regarding the Elite International Organizations’ (Stainless) Profiling With Results from Applying Alternative Lenses in Looking at and Comprehending UNSC’s Functions and Concrete Activities

The arc of time of almost 80 years encompassing the UN Security Council (UNSC)’s existence has included plenty of challenging moments in connection not only with the complex international evolutions it had to approach but also due to its founding principles and rules of actions almost carved in stone.

As a quintessential characteristic provided for this very case by the traditionally entrenched rhetoric regarding the elite international organizations’ (stainless) profiling one can say that, eventually, this main UN body entrusted with the mission of working for the peace and security all over the Planet earth proved in itself quite resilient.

Only that what the UNSC has been delivering didn’t prove of having always an effective impact on the ground, including in material and humanitarian terms which appeared disastrous in many instances related to the crises and conflicts extended for years and years, as those located in the region of the Middle East and North Africa (MENA) – Syria, Yemen, Libya, Lebanon, Iraq, and further on, in Afghanistan, Black Africa.

Here is a set of images entitled **BEFORE AND AFTER**, that with regard to some of the fallouts of the conflicts and crises which have been facing a number of Middle Eastern countries:



Source:

[https://twitter.com/oscar\\_glez1/status/1088422910262423552](https://twitter.com/oscar_glez1/status/1088422910262423552)

Against such a background, one can say that the respective “rhetoric” should and could be complemented by alternative lens capable of revealing a deeper determination causing the nuances, to say the least, which tend to become cemented in the overall

UNSC's profiling. We are of the view that a comprehensive approach in this regard would be facilitated by the intersection of a UNSC's functions and activities seen from a longer perspective and with a medium and shorter time's view.

### 1.1. A "package" of considerations and observations from a "longer perspective" on the overall UNSC functionality

Richard Haass, a reputable scholar in international relations, in his comprehensive picture of "THE WORLD", although subtitled "A Brief Introduction", managed to grasp in their very essence several key-points defining the UNSC in its evolutions over the last years up to today, and, equally important, in its structural and functional integration into the UN and generally in the world:

- "Most of the UN's authority is to be found in the Security Council, a body of fifteen members, ten of whom, rotate off after a period of two years after a period of two years and five of whom (the United States, China, Russia, France, and the United Kingdom) have permanent seats and possesses a veto that can be used to prevent the UN from acting or endorsing an action. When these five major powers agree, as they did in 1990 in the aftermath of Iraq's invasion and occupation of Kuwait, the UN Security Council can bestow considerable legitimacy on an undertaking and make it easier to rally international support on its behalf. On most occasion, however, such consensus is impossible to bring about, which means the UN either prevents collective action or is sidelined.

- The UN is further weakened by the reality that the Security Council no longer represents the balance of power in the world. If it did, Japan, India and Germany (or the Europe Union) would have a permanent seat.<sup>8</sup> Bringing about such a change is close to impossible because there is no agreement among the five permanent members of the Security Council to do so.



- The UN Security Council is of little relevance to most of the world's conflicts.

- No one would design a UN Security Council that looked like the current one, yet real reform is impossible because those who would lose influence block any changes."<sup>9</sup>

### 1.2. On a shorter perspective in the UNSC approach

<sup>8</sup> The respective "circle" live 53% of the world population, with just 18 countries, representing less than 10 percent of the UN membership, but China and India having 70 percent of the area's population and over one third of total world. <https://medium.com/@riazshah/half-the-worlds-population-lives-inside-this-circle-6a076fbaf828>.

<https://twitter.com/mazenilsson/status/1653812177051037696/photo/1>

<sup>9</sup> Richard Haass, *The World. A Brief Introduction*, PENGUIN PRESS, NEW YORK, 2022, pp. 274-275, 297-300.

In this regard one can go to a really referential document, namely the **Research Report** called **Security Council Working Methods in Hard Times**, elaborated by an independent organization. Analyzing the respective issue for the period between March 2020 and April 2023, has shown that both **the COVID-19 pandemic and the Ukraine crisis have affected the UNSC, starting with the Council's working methods and impacting on the Council's efficiency and transparency, and its relationship with the wider members and the General Assembly**. A summary of the main conclusions:

- "In the past two years, the basic work of the Council has continued, but it has been conducted under extraordinary circumstances. The two categories of events have affected many aspects of life in the Council: how it meets, how it votes, whom it invites to participate in its meetings, and whom it hears from. Essentially, these two crises have shaped the Council's working methods and their impact on the Council's transparency, accountability, and effectiveness.

- Each of the two events has presented elected Council members with challenges but also opportunities to make a difference and play a role in writing the history of the Council. Only that, even before the pandemic, relations among the UNSC permanent members were fraught. A global pandemic might have been expected to unify Council members in seeking to address its consequences for peace and security, as happened following the terrorist attacks in the US on 11 September 2001. But the nearly two decades that followed saw major shifts in international relations, and the pandemic, rather than narrowing the differences, deepened cleavages. Among the 5 Permanent Members but not only. Diplomats' inability to meet in person did not help improve relationships. For instance, Council members could not agree on whether to consider virtual discussions held by the Security Council as formal meetings. This meant also that these meetings could not have official verbatim records, procedural votes could not be taken. And so on.

- Just as the Council was beginning to settle back into its normal working methods, relationships were plunged into deeper acrimony by the invasion of Ukraine in February 2022. **Before anything else, the 2022 invasion of Ukraine raised fundamental questions about the viability of an organ that was unable to act in the face of a flagrant violation of the UN Charter by one of its permanent members**. The members of the Council turned to the UN Charter in many of the meetings on Ukraine to convey their positions. The inability of the Council to adopt a resolution condemning Russia's invasion of Ukraine led to it using "Uniting for Peace" for the first time in forty years when it referred the situation in Ukraine to the General Assembly. The General Assembly's activation arguably left it more open to adopting the veto initiative a mere two months later."<sup>10</sup>

Undeniably, a realistic profile of the UNSC should be one composed as a holistic construct which adequately focuses on those particular areas defining the UNSC's very specificities and

<sup>10</sup> *Security Council Working Methods in Hard Times*, Security Council Report, Research Report, May 2023.

[https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-](https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-6F6E4FF96FF9%7D/working_methods_2023.pdf)

[6F6E4FF96FF9%7D/working\\_methods\\_2023.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-6F6E4FF96FF9%7D/working_methods_2023.pdf)

which have been proving critical for the Council's (less) efficiency. As the *Research Report of May 2023* underlined, "This mix of Council paralysis and General Assembly activism has brought heightened attention to **questions of Security Council reform, including its membership, the use of the veto, and the relationship between the Council and the General Assembly.**"<sup>11</sup>

(i) **On the "question" of the UNSC's mandate implementation**

- "Often, this Council fails to deliver its mandate. Its track record on preventing conflict leaves much room for improvement. The Council sometimes remains silent amid threats to peace and security. Sometimes, even the most anodyne statements prove impossible to agree on. It is not tenable that this Council has little to say in response to coup d'états."<sup>12</sup>

**NOTE:** A particularly relevant case in point could be considered that of Libya. A *Report* released in March 2023 by the *International Centre for Dialogue Initiatives (ICDI)* delivered an accurate *Assessment of Twelve Years of International Mediation* with regard to the Libyan crisis. Among the concluding remarks, one can notice:

- "UN mediation in the Libyan conflict has seen the appointment, over the twelve years, of a number of not less than eight Envoys/ SRSGs, each opting for a different approach. A comparison between these suggests that a unified strategy was lacking. Each approach affected the dialogue process and its outcomes and all these have framed UN mediation and determined its role."

- In the end, it appears that, "It is a long and winding road towards peace and stability in Libya. Despite some relative positive developments following the Libyan Political Dialogue Forum (LPDF), a durable peace still eludes the Libyan people and the international community. Today, Libya is faced with an uncertain future: a political morass; severe economic hardship; risks of renewed military escalation due to the political deadlock following the expiration of the LPDF roadmap; and a failed electoral process... The UN and a number of international actors have attempted to bring resolution to the crisis through various mediation efforts but the role of foreign powers, including some of the permanent member states of the UN Security Council (UNSC), has not always been constructive. Disagreement and competing interests between these UNSC member states have negatively impacted the trajectory of the conflict, impeding the efforts of the UN to find a durable settlement to the conflict."<sup>13</sup>

Eventually the Report calls on the UN Security Council members to abide by their own commitments under the arms embargo resolution, and thus stop arming their military allies, while at the same time playing a role in facilitating political dialogues...

<sup>11</sup> Ibidem.

<sup>12</sup> *Ireland's Parting Gift to the UN Security Council*, Article quoted.

<sup>13</sup> Youssef Mohammad Sawani, *Libya: An Assessment of Twelve Years of International Mediation*, International Centre for Dialogue Initiatives (ICDI), March 2023, pp. 5, 20.

[https://dialogueinitiatives.org/wp-content/uploads/2023/05/ICDI\\_Libyan\\_Dialogues\\_Report\\_V2\\_2c.pdf](https://dialogueinitiatives.org/wp-content/uploads/2023/05/ICDI_Libyan_Dialogues_Report_V2_2c.pdf)

**"International actors, starting with UNSC countries, must put their political and military interests aside if Libya is to achieve sustainable peace."**<sup>14</sup>

- "Any coercive action by outside states in the name of 'Responsibility to Protect' (R2P) requires a Security Council mandate. The fact that this has not been done – despite many rancorous debates on the mounting humanitarian crisis in Syria – reflects the inability of the UN Security Council to act."<sup>15</sup>

(ii) **On the "question" of "The (never changing) Permanent Members (P5) and their Veto Power"**

- "Like the League of Nations, the UN was to have universal membership but it also included a version of Roosevelt's idea of the 'Four Policemen' presiding over international affairs in the form of a Security Council, whose permanent members would yield considerable authority, including the power to veto its decisions... the permanent members of the United Nations Security Council in the wake of World War II were acknowledged by the world – and acknowledged one another – as the great powers of the day."<sup>16</sup>

- "The real power in the U.N. lies with the five veto-wielding members of the Security Council – the United States, Russia, China, Great Britain and France. And they have used their positions to limit the institution's involvement in major recent conflicts, including civil wars in Syria and Yemen. But perhaps no global crisis has underscored the Security Council's limitations more than Russia's invasion of Ukraine. Because of its veto, Moscow has been able to block all efforts at the council to condemn or intervene in a war of aggression that clearly violates the U.N. Charter."<sup>17</sup>

- "In fact, the current structure of the United Nations, whose impotence in the face of a moral horror like Ukraine some bemoan today, is lodged in the special rights of a select few through the U.N. Security Council. Where is India? Where is Africa, whose Nigeria is projected to have more citizens than the United States by the middle of this century and will likely trail only India and China by 2100. Where is Brazil or Mexico or Indonesia?"<sup>18</sup>

<sup>14</sup> Further explanations on the March Report: *Diplomacy in Distress in Libya: Twelve Years of Failed Mediation*, By ICDI, May, 2023. <https://dialogueinitiatives.org/diplomacy-in-distress-in-libya-twelve-years-of-failed-mediation/>

<sup>15</sup> NIKOLAY KOZHANOV, *Russian Foreign Policy Towards the Middle East. New Trends, Old Traditions*, OXFORD University Press, New York, 2022, p. 107.

<sup>16</sup> MICHAEL MANDELBAUM, *THE FOUR AGES OF AMERICAN FOREIGN POLICY. WEAK POWER, GREAT POWER, SUPERPOWER, HYPER POWER*, OXFORD University Press, New York, 2022, pp. 114-227.

<sup>17</sup> *What's Next for Multilateralism and the Liberal International Order?* WORLD POLITICS REVIEW (WPR), May 17, 2023. <https://www.worldpoliticsreview.com/globalization-liberal-international-order-uns-c-reform-multilateralism/>

<sup>18</sup> Howard W. French, *Why the World Isn't Really United Against Russia*, Foreign Policy, APRIL 19, 2022.

[https://foreignpolicy.com/2022/04/19/russia-ukraine-war-un-international-condemnation/?utm\\_source=Sailthru&utm\\_medium=email&utm\\_c](https://foreignpolicy.com/2022/04/19/russia-ukraine-war-un-international-condemnation/?utm_source=Sailthru&utm_medium=email&utm_c)

- **“Members of the Security Council, particularly those that enjoy the privilege of serving permanently, have a particular responsibility to make multilateralism work, rather than contribute to its dismemberment.”**<sup>19</sup>

- For decades, equally political chanceries and reputed think-tanks have “queried the **‘veto’ anomaly of the UN Security Council**. Even at the outset the Charter it was seen to be unworkable and yet 70 or more years later the big powers control and its total failure to act to prevent the exercise of wars is abysmal. Russia’s invasion of the Ukraine is a clear-cut example of the Security Council’s failure to contain the aggressor.”<sup>20</sup>

- “For the elected and the permanent members, my view is that the **anachronistic veto** wields a malign influence. It can undermine the Council’s ability to work. This goes beyond occasions when it is actually used. Even the threat of it can hold the very best of intentions to ransom.”<sup>21</sup>

- “In particular, **the veto power of permanent members has continued to affect the Council’s ability to address some of the most serious violations of the UN Charter and international law**. In the specific case of Ukraine, the veto power has prevented the Council from adopting decisions condemning Russian aggression against Ukraine and referendums there in 2014 and 2022. Four of the seven draft resolutions that failed to be adopted in 2022 were related to Ukraine. Russia’s veto of the resolution on 25 February 2022 condemning its invasion of Ukraine led to the adoption of a “Uniting for Peace” resolution on 27 February 2022 for the first time in forty years... Besides the Uniting for Peace resolution, since the start of the war, the Council has issued only one outcome on Ukraine: a presidential statement adopted on 6 May 2022 expressing the Council’s support for the Secretary-General’s efforts in the search for a peaceful solution. The initiative to adopt a “Uniting for Peace” resolution has provided the General Assembly with a mechanism to hold permanent members accountable for the use of the veto and has revitalised talk of Council reform.”<sup>22</sup>

- “In 2022, we witnessed a blatant violation of the UN Charter. This act of aggression will darken the pages of history books for years to come. Chapters on UN history will record the shameful reality that **the veto was used by the aggressor to neuter the Council’s response to Russia’s war on Ukraine.**”<sup>23</sup>

- “Standing before the United Nations General Assembly in September 2022, U.S. President Joe Biden called for reforming the U.N. Security Council, the body tasked with “the maintenance of international peace and security.” Biden’s reasoning was clear, noting that “the time has come for this institution to become more inclusive so that it can better respond to the needs of today’s world.” More precisely, Biden wants to expand the Security Council from its current 15 members, and expand the number of permanent seats from its current five, comprising the U.S., the U.K., France, China and Russia. The U.S. has supported Security Council reform for decades, backing efforts by close allies, like Germany and Japan, to receive permanent seats on the council. But the immediate reason for Biden’s call is Russia’s invasion of Ukraine, and more particularly Moscow’s unsurprising veto of resolutions condemning the invasion. Indeed, the inability of the Security Council to take action on the war, both to condemn Russia and aid Ukraine, led Ukrainian President Volodymyr Zelenskyy to challenge the body in April 2022 to ‘dissolve itself altogether’.”<sup>24</sup>

- “A case on Russia related to the competence of the International Criminal Court (ICC) can only be opened through a referral from the UNSC, which Russia would veto.”<sup>25</sup>

- “A shortcut to growth could be soft power, hence Brazil’s efforts to gain a permanent seat on the UN Security Council.”<sup>26</sup>

- “The case of the UN Security Council veto, at the apex of the international system, provides a useful lens for thinking about how all international institutions need to rebalance the way they work to recognize the realities of modern power. Currently, the five permanent members of the Security Council—China, France, Russia, the United Kingdom, and the United States—have the right to veto any resolution, in effect sidelining the other ten members, many of which are low-income and middle-income countries. Fundamental reform that would change the number of veto-holding states on the council seems unlikely. But the ongoing conflicts in Ethiopia, Syria, Ukraine, and Yemen provide telling examples of how impunity reigns when the Security Council is

ampaign=FP%20This%20Week%20-%2005232023&utm\_term=fp\_this\_week

<sup>19</sup> UN Secretary General, António Guterres, Speech at the UNSC Open Debate on “Maintenance of international peace and security Effective multilateralism through the defence of the principles of the Charter of the United Nations”, 24 April 2023. S/PV.9308, 24/04/2023.

<sup>20</sup> The basic observation formulated in a comment to the article *Russia’s Defense of the UN Charter as It Wages War Brings Both Condemnations and Shrugs in a Security Council Debate*, April 24, 2023. <https://www.passblue.com/2023/04/24/russias-defense-of-the-un-charter-as-it-wages-war-brought-both-condemnations-and-shrugs-in-a-security-council-debate/#comment-340352>

<sup>21</sup> Fergal Mythen, Ireland’s envoy to the United Nations, PASSBLUE, Jan 03, 2023.

[https://www.passblue.com/?utm\\_source=PassBlue+List&utm\\_campaign=42bbc21256-RSS\\_PassBlue&utm\\_medium=email&utm\\_term=0\\_4795f55662-42bbc21256-55034713](https://www.passblue.com/?utm_source=PassBlue+List&utm_campaign=42bbc21256-RSS_PassBlue&utm_medium=email&utm_term=0_4795f55662-42bbc21256-55034713)

<sup>22</sup> *Security Council Working Methods in Hard Times*, Security Council Report, Research Report, May 2023.

<sup>23</sup> *Ireland’s Parting Gift to the UN Security Council*, Article quoted.

<sup>24</sup> Paul Poast, *The U.N. Security Council Doesn’t Need Reforming*, WPR, Sep 30, 2022.

<https://www.worldpoliticsreview.com/unsc-reform-permanent-members-security-council/?one-time-read-code=140176168465868636316>

<sup>25</sup> NIKOLAY KOZHANOV, Quoted book, p. 98.

<sup>26</sup> TIM MARSHALL, *PRISONERS OF GEOGRAPHY. TEN MAPS THAT TELL YOU EVERYTHING YOU NEED TO KNOW ABOUT GLOBAL POLITICS*, Elliot and Thompson Limited, London, 2016 (The paperback edition), p. 254.

paralyzed by the veto or the threat to use it. A sign of the frustration regarding this issue is the “veto initiative” passed by the UN General Assembly in 2022, which requires that when a country uses a veto in the Security Council, the General Assembly is automatically convened to discuss the matter at hand. In addition, more than 100 countries have signed on to a French and Mexican proposal that calls for the permanent members of the Security Council to agree to refrain from using their veto in cases of mass atrocities. Some permanent members are already exercising restraint. The United Kingdom has not used its veto on any issue since 1989.”<sup>27</sup>

(iii) **On the “question” of the UNSC need and chances for (the overdue) “reform”**

- “The Council may be known more for diplomatic deadlock than political progress. The calls for reform are by now well-rehearsed, well-founded and well overdue a response.”<sup>28</sup>

- “The Security Council, where World War II five winning powers have permanent seats with veto powers and therefore the ability to stymie action on critical issues, is one of the hardest UN bodies to change and to reform efforts.”<sup>29</sup>

- “Beyond the unsettled rivalries of states, and the decaying foundations of regional stability, the old postwar order groaned and creaked, the institutions overdue for adaptation. **The five permanent of the UN Security Council were jealous guardians of an outdated system.**”<sup>30</sup>

- “The odds of substantial reform of the United Nations Security Council are seen as remote because amending the UN Charter requires an affirmative vote and domestic ratification by two-thirds of UN member states. This includes all of the Security Council’s permanent members, which are unlikely to take measures that would curb their own influence. While there is broad agreement among UN members that the Security Council’s makeup is outdated, each of the various proposals for reform inevitably leaves some aspirants alienated. Some proposals call for additional permanent members and others for a new class of elected seats that have the possibility of renewal. In the absence of charter reform, smaller states have advocated for procedural changes, including greater transparency and closer consultations with troop-contributing countries. Still, in early 2022, UN General Assembly President Csaba Korosi and U.S. President Joe

Biden both said that reforming the Security Council should be an important objective. In his 2022 address to the United Nations, Biden urged P5 countries to refrain from overusing the veto and called for enlarging the Security Council, particularly by adding more members from Africa and Latin America.”<sup>31</sup>

- “When Russia invaded Ukraine in February 2022, its permanent seat at the U.N. Security Council (UNSC) quickly snarled the prospects of multilateral action. Eighty-one of the U.N.’s 193 member-states cosponsored a resolution denouncing the invasion — a clear violation of the core principles of the U.N. Charter and international law — and Russia, exercising its privileges as a permanent member, immediately and unilaterally vetoed it. **The year since Russia’s invasion has only strengthened an already-widespread consensus on how broken the UNSC is, with subsequent calls for change gathering real momentum. Still, real structural reform remains a distant prospect: no matter how much they publicly acknowledge its unjust rules, permanent members are unlikely to undermine their own advantages in the council. But there are other, more informal engines of change at the UNSC.**”<sup>32</sup>

- “UN Member States are in the lead on adapting intergovernmental organs to meet changing needs. A majority now acknowledge that the Security Council itself would benefit from reforms that reflect today’s geopolitical reality.”<sup>33</sup>

(iv) **On the “question” of the relations among the UNSC’s members and their striving in pursuing proper national interests during various patterns of the Council’s activities**

- “I witnessed a Council where we often speak past each other, even when the doors are closed. This makes actually negotiating all the more difficult.”<sup>34</sup>

- “Barefaced lying in the great chamber of the UN Security Council is simple if your opponent does not have concrete proof of your actions and, more importantly, doesn’t want concrete proof in case he or she has to do something about it. (When Russia seized Crimea from Ukraine, in 2014) Many politicians in the West breathed a sigh of relief and muttered quietly, ‘Thank goodness Ukraine isn’t in NATO or we would had to act’.”<sup>35</sup>

- Some years ago, China was Sudan’s biggest trading partner, which went some way to explaining why **China was**

<sup>27</sup> David Miliband, *The World Beyond Ukraine. The Survival of the West and the Demands of the Rest*, FOREIGN AFFAIRS, May/June 2023. Published on April 18, 2023.

<https://www.foreignaffairs.com/ukraine/world-beyond-ukraine-russia-west>

<sup>28</sup> Ireland’s Parting Gift to the UN Security Council, Article quoted

<sup>29</sup> Natalie Samarasinghe and Giovanna Kuele, *UN 101: From Understanding to Action*, PassBlue, May 1, 2023.

<https://www.passblue.com/2023/05/01/un-101-from-understanding-to->

[action/?utm\\_source=PassBlue+List&utm\\_campaign=c6c5b1bc10-RSS\\_PassBlue&utm\\_medium=email&utm\\_term=0\\_4795f55662-c6c5b1bc10-55034713](https://www.passblue.com/2023/05/01/un-101-from-understanding-to-action/?utm_source=PassBlue+List&utm_campaign=c6c5b1bc10-RSS_PassBlue&utm_medium=email&utm_term=0_4795f55662-c6c5b1bc10-55034713)

<sup>30</sup> William J. Burns, *The Back Channel. A MEMOIR OF AMERICAN DIPLOMACY AND THE CASE FOR ITS RENEWAL*, RANDOM HOUSE, New York, 2020, p. 391.

<sup>31</sup> *The UN Security Council*, Backgrounder, Last updated February 28, 2023, The Council on Foreign Relations (CFR). <https://www.cfr.org/backgrounder/un-security-council#chapter-title-0-6>

<sup>32</sup> Anjali Dayal, Caroline Dunton, *The U.N. Security Council Was Designed for Deadlock — Can it Change? Absent structural reform, elected members of the council have been able to change how it functions even without the P5’s veto power*, **The United States Institute of Peace** (USIP), March 1, 2023.

<https://www.usip.org/publications/2023/03/un-security-council-was-designed-deadlock-can-it-change>

<sup>33</sup> UN Secretary General, António Guterres, Quoted Speech.

<sup>34</sup> William J. Burns, The quoted book.

<sup>35</sup> TIM MARSHALL, The quoted book, 20-21.

*consistently protecting Sudan at the UN Security Council and continued to back its President Omar al-Bashir even when there was an arrest warrant out for him issued by the International Criminal Court.* Western criticism of this got short shrift in Beijing, however; it was regarded “as simply another play aimed at stopping China doing business, and hypocrisy given the West’s history in Africa”.<sup>36</sup>

- “Russia is actively promoting conflict resolution scenarios in the UN Security Council that serve the interests of Middle Eastern dictatorships. This, in Moscow’s view, suits Russia’s interests better than supporting popular struggles for political rights... (For instance) Russia has repeatedly blocked Security Council draft resolutions to prosecute war crimes in Syria.”<sup>37</sup>

## 2. Before Speaking of an “Aftermath” and of an “Afterwit”<sup>38</sup> In Relation to the UNSC’s Future Evolutions – The Powers of Metaphors in Projecting the Natural Process Of a UNSC’s Trajectory toward the Immanent Adaptation, Change and Reform

Both for long and shorter terms perspectives, as well as viewing the Council’s mandate integrality, respectively in its structurally determined objectives and activities, one can find analysts inclined to draw a not totally positive assessment on the UNSC: “Today’s UN Security Council is the highest profile example of failure in the multilateral system. Dominated by a small number of States and hampered by geopolitical polarization, it has proven itself unable to respond to major risks to international peace and security. Without meaningful reform, the Security Council risks irrelevance.”<sup>39</sup>

What is more is that, applying as much as possible balanced and more sensible lens when speaking about what euphemistically could be called “less positive or rightly unfavorable end-results” in the UNSC actions, one cannot fail seeing that they were substantially caused by the implication, generally outside of the UNSC specific involvement, by states and non-states players, regional and mainly from outside the regions in case, driven by particular interests and utilizing as tools of choice those belonging to the sphere of **hard power** – armies, weaponry of all sorts, special forces, and rarely, if ever, means provided by **soft power**.

For instance, the U.S., whose Administrations have “traditionally prioritized bilateral diplomacy between two countries

<sup>36</sup> TIM MARSHALL, The quoted book, p. 135.

<sup>37</sup> NIKOLAY KOZHANOV, Quoted book, pp. 69, 101.

<sup>38</sup> “Afterwit: wisdom or perception that comes after it can be of use”.

<https://www.merriam-webster.com/dictionary/afterwit>

<sup>39</sup> **High-Level Advisory Board on Effective Multilateralism (HLAB)**, *A Breakthrough for People and Planet. Effective and Inclusive Global Governance for Today and the Future*, United Nations University Centre for Policy Research (UNU-CPR) (an independent think tank within the UN system), 2023, p. 48.

[https://www.highleveladvisoryboard.org/breakthrough/pdf/56892\\_UNU\\_HLAB\\_report\\_Final\\_LOWRES.pdf](https://www.highleveladvisoryboard.org/breakthrough/pdf/56892_UNU_HLAB_report_Final_LOWRES.pdf)

over multilateral diplomacy”<sup>40</sup>, has been using, in various combinations, mainly the first category of instruments and that with determined purposes, from open wars to special operations, but also military assistance and, of course, trade with arms, where the Americans keeps the first place globally unperturbed.

The Russians are following closely, including with openly aggressive military operations and wars *per se*, with military mercenaries also (Wagner Group).

Iran can be considered a “master” in initiating and maintaining, outside UNSC of course, what has been called **non-states proxies militants and groups, generally armed**.

Notably, the American Administration would not ignore always the role of the UNSC. An example: “Appalled by the Kurds’ suffering, prodded by its ally Turkey to take action to prevent a flood of Kurds from entering Turkish territory, and equipped with a new United Nations Security Council Resolution condemning the repression in northern Iraq – number 688, passed on April 5, 1991 – the Bush administration deployed American forces to establish a “safe zone” in northern Iraq.”<sup>41</sup>

From a regional perspective, “it was the nations of the Middle East that shouldered the highest average “military burden” (defense spending) per country in 2022, driven by large jumps in spending from Saudi Arabia and Qatar... Middle East countries are facing their own local concerns regarding armed conflicts in Yemen, Syria and asymmetric threat all over the Gulf and Iraq. Regional dynamics and conflicts are still the main driver of military spending in the region.”<sup>42</sup>

Related to the same tumultuous region, another “lesson” is, as “the scale of the present crisis in Sudan offers”, “is that wherever there are armed groups who are not controlled by the state, they gravely undermine the state. Indeed, the Arab countries in which such non-state actors operate will inevitably see new conflicts erupt so long as armed groups operate outside the purview of the state or even in parallel to it. This is what happened in Yemen, and now we see the same thing unfolding in Sudan. Other Arab states could well have to contend with this threat soon. Unfortunately, the list includes Lebanon, Iraq and Syria, if we can really call them states at all. **The scenes from Sudan, which we had previously seen in Yemen, suggest that this fate is inevitable so long as non-state actors are active in a given country.**”<sup>43</sup>

<sup>40</sup> KENNETH C. BRILL, To compete with China, the US must embrace multilateral diplomacy, THE HILL, 04/30/23. <https://thehill.com/opinion/international/3978238-to-compete-with-china-the-us-must-embrace-multilateral-diplomacy/>

<sup>41</sup> MICHAEL MANDELBAUM, Quoted book, p. 388.

<sup>42</sup> AGNES HELOU, Saudi Arabia, Qatar see sharp jump in military spending in the Middle East: Report. *The war in Ukraine may have spurred large defense jumps in Europe, but analysis suggests the Middle East seems preoccupied with regional issues*, Breaking Defense, April 28, 2023. [https://breakingdefense.com/2023/04/saudi-arabia-qatar-see-sharp-jump-in-military-spending-in-the-middle-east-report/?utm\\_campaign=Breaking%20News&utm\\_medium=email&\\_hsmi=256461222&\\_hsenc=p2ANqtz--at-hxfl](https://breakingdefense.com/2023/04/saudi-arabia-qatar-see-sharp-jump-in-military-spending-in-the-middle-east-report/?utm_campaign=Breaking%20News&utm_medium=email&_hsmi=256461222&_hsenc=p2ANqtz--at-hxfl)

<sup>43</sup> Tariq Al-Homayed, *The Lesson from Sudan*, Asharq Al-Awsat newspaper, 30 April, 2023.

<https://english.aawsat.com/home/article/4302656/tariq-al-homayed/lesson-sudan>

Hence, the ambivalence with regard to the UNSC: on the one hand, such a background would make natural the UNSC's implication, on the other hand, with the maintaining and even further deepening of such a background in a certain country and region, the possibility of the respective implication would be more remoter than ever.

In light of all the above considerations we can say conclusively that, the intersection of factors exclusively related to the UNSC with those pertaining to outside players engendered an inherent ***trend towards a certain erosion of both the role and image of the UNSC, nationally, regionally and globally.***

In the shadow of such a rather long term phenomenon, one could witness an inclination toward ***“inventiveness metaphors”*** equally meant to better describe deeper understand, by both states chanceries and reputed think-tanks with their reputed analysts, the fateful UNSC evolutions.

One such a relevant metaphor has been that of comparing the UNSC actions with those of ***a chorus in a classical Greek drama.*** In the understanding of *The Editors of Encyclopaedia Britannica*, ***The chorus in Classical Greek*** drama *“described and commented upon the main action of a play with song, dance, and recitation... The distinction between the passivity of the chorus and the activity of the actors is central to the artistry of the Greek tragedies. While the tragic protagonists act out their defiance of the limits subscribed by the gods for man, the chorus expresses the fears, hopes, and judgment of the polity, the average citizens. Their judgment is the verdict of history... As the importance of the actors increased, the choral odes became fewer in number and tended to have less importance in the plot, until at last they became mere decorative interludes separating the acts.”*<sup>44</sup>

In a more simplified vision, *“a chorus in a classical Greek play typically serving to formulate, express, and comment on the moral issue that is raised by the dramatic action or to express an emotion appropriate to each stage of the dramatic conflict.”*<sup>45</sup>

Practically, one can say that, *“describing”* and *“commenting”* upon what states and non-states were doing, in their very regions of location, or more generally on the international arena, have been the very “innermost” business of the UNSC since its establishment eight decades ago. The infinite nuances accompanying the respective *“describing”* and *“commenting”* helped leading to relevant *“judgment as the verdict of history”*, substantiated in all sort of specific decisions and points of views, mainly resolutions and statements.

Only that, over the span of time of almost eight decades, one could witness a sort of enlargement of the space between *“what states and non-states were doing on the international arena”* and the *“comments and judgments”* made within the UNSC's framework on the convulsions. A *“space”* enough generous to lead the process otherwise natural for the very essence of UNSC functionality, namely that of *“describing”* and *“commenting”*, to what we would call a kind of *“sub-space”*, respectively that defined by another metaphor, the one formulated by the French phrase *“dialogue de sourds”* with the English translation

*“dialogue of the deaf: an exchange of views in which neither party listens to the other”*.<sup>46</sup>

And this is rather notable these days if one listens to or reads the UNSC members' interventions within Council's various formats of work, underlying implicitly the rather messy, noisy and incoherent narratives by which one or another of the 15 delegations understand to promote their national interests. Only that such aspects risks to be seen as of secondary significance comparatively with a particular package of *“critical issues”*, among them those revealed, once more, by the month of Avril, 2023, namely those brought to the fore by the Council's Presidency, starting with country exercising it – Russia in this case.

Of course, the very Council's rules and procedures provide for the rotational, in alphabetical order, of passing the Presidency from one member to another. Unfortunately, the respective explanation cannot dissipate an atmosphere of ***“cognitive dissonance”*** engulfing the Council on this very occasion: ***how is it possible for the UNSC Presidency to be taken over by a state which just 14 months before invaded a sovereign country in Europe and has been waging since then an open and most destructive war over there, all that coming against the very mission the Council is supposed to accomplish globally and regionally – bring and ensure peace and security.***

To complete “the circle of irony”, the previous time when Russia exercised the Council's Presidency was, as dictated by “the rotational principle applied to all 15 members”, exactly 14 months before, namely February 2022, when the Russian troops invaded the Ukrainian territory.

***NOTE:*** Interestingly enough, it was possible “to take the pulse” of the Council's Russian Presidency from the first day of its public manifestation, which happened three days into the monthly Programme of Work on April 3, the Russian Representative to the United Nations, Ambassador Vassily Nebenzia, presenting to the press the ***Programme of Work of the Security Council – April 2023***, advanced, in the full “spirit” of Kremlin's foreign policy of the time, the following answers-commentaries to the journalists questions ***“about his country's credibility to preside over the Council”***:

- (i) *“Some countries are pretending they can decide at their own will who they want or do not want” as President of Security Council. Citing the rules of procedure, he underlined that the order for the rotation of the presidency is well defined and cannot be changed. His country has always been an honest broker during its presidencies of that body, he said, as compared to former United States Permanent Representatives who trampled on the Council's rules and procedures.*
- (ii) *Regarding the comments by the United States Ambassador [Linda Thomas-Greenfield] that she expects the Russian presidency to be professional, but also that she expects the country to be spreading disinformation about Ukraine, he said he agreed with the first part of the sentence while the second part is in the vein of the Western narrative. The Western media and countries are spreading*

<sup>44</sup> <https://www.britannica.com/art/chorus-theatre>

<sup>45</sup> <https://www.merriam-webster.com/dictionary/Greek%20chorus>

<sup>46</sup>

<https://www.merriam-webster.com/dictionary/dialogue%20de%20sourds>



disinformation about children kidnapped in Ukraine and brought to his country, he said, noting that the Russian Federation will be holding an Aria Formula meeting to dispel this narrative.

- (iii) When asked how the Council will demonstrate solidarity with a large number of its members opposed to his country's presidency, he said such opinions are a "gesture of despair". The Russian Federation does not abuse the prerogatives of the presidency, he said, recalling its previous presidency of the Council in July 2018 when he worked with former United States Ambassador Nikki Haley on a Palestine resolution. Further, the Council is not composed only of three members of the Permanent Five [P5] members and a few other countries that might have such thoughts, he added."<sup>47</sup>

Notably, the considerations expressed by the Russian Ambassador were not able to dissipate the respective UNSC's "cognitive dissonance" conundrum in connection to the Russian Presidency of UNSC. On the contrary, it could be further accentuated if one takes into consideration an aggravating circumstance: the Russia Federation's play and interplay on the international arena appears, even at the beginning of the twenty first century, "addicted" to military operations, going from invading sovereign countries up to waging hot wars against them. See in this regard the Russian intervention in Georgia, in 2008, and the Russian military campaign in Syria launched in September 2015, and, in between, of course, the intervention in Ukraine and the annexation, in 2014, of an entire region from the respective independent country, namely Crimea. "The annexation of Crimea is the most egregious modern case of state violating Article 51 of the United Nations Charter, which provides strict conditions on the use of force, which is permissible in individual or collective self-defense, or as a decision of the Security Council, acting under Chapter VII, in response to threats to international peace and security."<sup>48</sup>

In light of all the above facts and considerations, a legitimate interrogation for the entire international community: what to do to overcome for the future such an overwhelming "cognitive dissonance". As for the necessary *first steps* on the road to that objective they could be provided by the human experience and lessons learned in similar hard instances, among them: "A Canary in the Coalmine" Enough Deafening.

As a start in answering the complexities, in conceptual and operational terms, raised by the compounded difficulties accumulated in relation to the UNSC, "A Canary in the Coalmine", that can be seen as a driving-metaphor, would prove all the more adequate for the particular case of this principal UN body entrusted with the peace and security in the world, given that by both its institutional structure and ways of working, the United Nations Security Council could be relevantly equated with a... "Coalmine".

Indeed, the span of time of eight decades just strengthened the Council's pattern and image, as explored from different angles, of

<sup>47</sup> Press Conference by Security Council President on Programme of Work for April. 3 APRIL 2023. [https://press.un.org/en/2023/230403\\_sc.doc.htm](https://press.un.org/en/2023/230403_sc.doc.htm)

<sup>48</sup> NIKOLAY KOZHANOV, Quoted book, pp. 84-85.

a "Mine" where a selected group of "miners" have been "digging" as vigorously and intensely as they could, with the purpose of reaching to the maybe the most valuable "aggregate minerals" indispensable for the entire world's survival – "peace and security". Unfortunately, the respective "mine" and the rather small team of "miners" – five Permanent (P5) and ten Non-Permanent/Elected (E10), with a term of only two years each, were not always successful in their drive so that "the aggregate" so cherished would remain delusional, or rather a *Fata Morgana*.

So that, eventually, and given in particular the international evolutions and the corresponding UNSC involvement, as those fatefully unfolding from February 2022 until the spring of 2023, would seemingly request the appeal to "A Canary in the Coalmine". Of course, if going for such a recipe one should take into consideration, from the very start of the process, the specificities of the UNSC as an ad hoc "mine", with peculiar "galleries", but also "shafts" and "pits".

Before going into the intricacies of the Council's work in its major "gallery", here are several Council's equivalents for the mining category of "shafts" and "pits":

- "The Security Council aims to peacefully resolve international disputes in accordance with Chapter VI of the UN Charter, which authorizes the Security Council to call on parties to seek solutions via negotiation, arbitration, or other peaceful means. Failing that, Chapter VII empowers the Security Council to take more assertive actions, such as imposing sanctions or authorizing the use of force 'to maintain or restore international peace and security.' Peacekeeping missions are the most visible face of the United Nations' conflict-management work; as of early 2023, the Security Council oversees twelve operations across three continents, involving a total of nearly eighty-eight thousand uniformed personnel."

- "The sanctions provisions in Article 41 of the UN Charter, dormant during much of the Cold War, have become one of the Security Council's most frequently employed tools... The Security Council began to make regular use of sanctions in the early 1990s, starting with Iraq, the former Yugoslavia, and Haiti. As of 2023, fourteen Security Council sanctions regimes, listing more than six hundred individuals and nearly three hundred entities, are in place."

- "Subsidiary organs that support the Security Council's mission are very heterogeneous including ad hoc committees on sanctions, counterterrorism, and nuclear, biological, and chemical weapons, as well as the international criminal tribunals for Rwanda and the former Yugoslavia. Within the UN Secretariat, the Department of Peacekeeping Operations and the Department of Operational Support manage field operations. The Peacebuilding Commission, established in 2005 as a repository of institutional memory and best practices, serves an advisory role."<sup>49</sup>

If the activities related to the above-reviewed "shafts" and "pits" are unfolding according to the Council's specific rules and procedures, in exchange, "the works" taking place in the Council's "major gallery" depend very much on the Month Presidency's

<sup>49</sup> The UN Security Council, Backgrounder, The Council on Foreign Relations (CFR), February 2023.

management, implicit its interests, hence the President's maneuvering capacity.

It is along this line that we will next detail what happened in the *Security Council Chamber* on the day of April, 24, 2023, under the Russian Presidency. With the usual layout – the representatives of the member states being seated on the traditional horseshoe-shaped table and placed in clockwise order alphabetically left and right from the president who was seated in the very middle (two seats at the ends of the table available for guest speakers), the succession of moments of interest and the narratives' substance of that day's agenda could be considered a true epitome of the Russian monthly Presidency, but more generally an embodiment of the critical stage reached by the United Nations Security Council as it is advancing now into the third decade of the twenty first century and of the third Millennium, hopefully towards a UNSC 2.0.

A UNSC ministerial-level *Open Debate* on "*Effective Multilateralism through the Defence of the Principles of the Charter of the United Nations*", under the agenda item "*Maintenance of international peace and security*", was included, at the Council Presidency's proposal, in the programme of work for that very day. As announced in advance, the Debate, which was one of the "*signature events*" of Russia's Council presidency, was *chaired by Sergey Lavrov, Russia's Minister for Foreign Affairs*, who at the start of the Debate informed that besides the 15 Council's Members, a number of 33 UN member states had expressed the interest to attend and were invited accordingly. Also, the UN Secretary-General António Guterres briefed the Council at the beginning.

It was symbolic that UNSC held that meeting on the *International Day of Multilateralism and Diplomacy*, which was inscribed as an important date on the calendar via General Assembly resolution 73/127, adopted on 12 December 2018.

In the publicly expressed opinions on April 3<sup>rd</sup> by the Russian Permanent Representative to UN, the Debate on the respective issue was supposed to focus on "*how to build a new multipolar world order based on sovereign equality, while maintaining the global balance of power and ensuring the conditions for humanity's steady advance.*"<sup>50</sup> Notably, the respective phrasing, doesn't include none of the three main components of the debate's title as defined by the Russians diplomats themselves: (i). *Maintenance of international peace and security.* (ii). *Effective multilateralism.* (iii). *The defence of the principles of the Charter of the United Nations.*

That observation was just a mere signal that the Russian's specific positions as further expressed through the *Concept note on the item under consideration* and distributed in advance (document S/2023/244), as well as through Sergey Lavrov's speech at the debate, in his capacity as Foreign Minister of the Russian Federation, were fully "infused" by the concepts, principles and projected concrete actions as contained in the most recent Russian foreign policy document - "*The Foreign Policy Concept of the Russian Federation*", approved by decree of the President on March 31, 2023<sup>51</sup>. A document which, among other provisions, expressly "*proclaims*" that "*Russia's place in the world is*

*determined by its significant resources in all spheres of life, (among them being) its status as a permanent member of the United Nations (UN) Security Council*".

It's impossible not to remark that the eclectic set of the *Concept's* concepts and principles are coalescing in a binary pattern:

- (i) On the one hand, a narrative which resonates with internationally endorsed fundamentals for the days' International relations realm, on the other hand, only that they come to be contradicted by what has been the Russian foreign policy and effective diplomacy on the ground, until now at least. Example: "*Russia strives to form such a system of international relations that would ensure reliable security, preservation of cultural and civilizational identity, equal development opportunities for all states, regardless of their geographical location, size of territory, demographic, resource and military potentials, political, economic and social devices. In order to meet these criteria, the system of international relations must be multipolar and based on the following principles: 1) sovereign equality of states, respect for their right to choose models of development, social, political and economic structure; 2) rejection of hegemony in international affairs; 3) cooperation based on a balance of interests and mutual benefit; 4) non-interference in internal affairs; 5) the supremacy of international law in the regulation of international relations, the rejection of all states from the policy of double standards; 6) indivisibility of security in global and regional aspects; 7) the diversity of cultures, civilizations and models of organization of society, the refusal of all states to impose on other countries their development models, ideological and value orientations, reliance on a spiritual and moral landmark common to all world traditional religions and secular ethical systems; 8) responsible leadership of the leading states, aimed at ensuring stable and favorable conditions for development both for themselves and for other countries and peoples; 9) the leading role of sovereign states in making decisions in the field of maintaining international peace and security.*" In the same sense, "*improvement of international mechanisms for ensuring security and development at the global and regional levels; the restoration of the role of the UN as a central coordinating mechanism in coordinating the interests of the UN member states and their actions to achieve the goals of the UN Charter.*"

All these to be seen *vis-à-vis* the well-known Russian military operations on the territories of sovereign countries in Europe and the Middle East.

- (ii) On the other hand, an acknowledgement, in full transparency, of the "*ideological*" foundations for the Russian concrete actions on the international arena. Example: "*In order to facilitate the adaptation of the world order to the realities of a multipolar world, the Russian Federation intends to*

<sup>50</sup> *Press Conference by Security Council President on Programme of Work for April.* 3 APRIL 2023.

[https://press.un.org/en/2023/230403\\_sc.doc.htm](https://press.un.org/en/2023/230403_sc.doc.htm)

<sup>51</sup> <http://www.kremlin.ru/events/president/news/70811>

give priority attention to: *elimination of vestiges of dominance of the USA and other unfriendly states in world affairs, creation of conditions for the refusal of any state from neo-colonial and hegemonic ambitions.*"<sup>52</sup>

Hence, *the Concept Note* which was circulated by Russia ahead of the meeting outlined Kremlin's views on the international order and the UN system. *It argued that a "deep-reaching systemic transformation" was underway with the "natural and rapid decline of [the] unipolar world and the emergence of a new multipolar system".* Russia stated also that *"some stakeholders [are] undertaking attempts to preserve the unipolar world order, by imposing the 'might is right' principle and trying to replace universal norms of international law with a 'rules-based order'"*. In this regard, the *Concept Note* criticized *selective implementation of international law and "disrespect for or even full defiance of" Security Council resolutions on various country files.* More, *some states are using the international human rights system for political purposes and international judicial bodies are being instrumentalised for interests unrelated to the peaceful settlement of disputes.* It posited that *establishing an effective multilateral system requires that all states "reject all neocolonial manifestations, including unilateral sanctions" and recommit to the principles of the UN Charter.*

Among the questions for discussion that Russia submitted through the concept note were: *"How can the UN contribute to a smooth transition to a fair and equitable global order? What can be done to re-establish a culture of dialogue and consensus at the UN, including at the Security Council? What is the best way of demonstrating that a selective approach to the norms and principles of international law, including the Charter, is unacceptable and cannot continue? How can initiatives such as "Our Common Agenda" and the "New Agenda for Peace" lay the groundwork for more effective multilateralism?"*

Interestingly enough, the binary pattern we remarked above in relation to *"The Foreign Policy Concept of the Russian Federation"* is being fully transplanted into *the Concept Note* for the UNSC *Open Debate* of 24 April 2023: *"The concept note (see S/2023/244) prepared by the Russian Federation is what George Orwell would have called a deliberate exercise in doublethink. The Russian Federation, in fact, holds two completely contradictory beliefs in its mind at the same time. It believes that it is a faithful defender of the principles of the Charter, and it also believes it is a guarantor of a new system built on those principles. At the same time, by its actions, it shows that it actually believes that it can tear those very principles to shreds wherever and whenever it pleases — whether in Ukraine, Syria or in Russia itself, against its very own people. The Russian Federation operates as if it is above the law. I cannot imagine anything more unilateral than that."*<sup>53</sup>

The ensuing UNSC *Open Debate*, an event with a duration of three hours in the morning, with Sergey Lavrov, the Russian Foreign Minister, as President, plus another two and a half hours in the

afternoon (having as President the Deputy Minister of Foreign Affairs of the Russian Federation, Sergey Vershinin), was all but a manifestation of *"a more effective multilateralism"*. We can say that it plainly echoed the two metaphors previously introduced here: first, *the Council like the Chorus in the Greek classical drama, but a choir with so many and various voices impossible to harmonize*, a situation bringing into the fore the second metaphor, that of *the Council as "a dialogue of sourds"*.

Firstly, a *"tone"*<sup>54</sup> for the debate was set by the very first speaker, *the UN Secretary General, António Guterres*, who had no particular reticence to say, clear and loud, with the risk of irritating the Russians diplomats present on site that, *"We face unprecedented and interlocking crises, but the multilateral system is under greater strain than at any time since the creation of the United Nations. Tensions between major Powers are at a historic high, as are the risks of conflict through misadventure or miscalculation... Russia's invasion of Ukraine, in violation of the United Nations Charter and international law, is causing massive suffering and devastation to the country and its people and adding to the global economic dislocation triggered by the coronavirus disease pandemic."*<sup>55</sup>

Secondly, a *"tone"* for the debate came from Sergey Lavrov who made a statement in his capacity as the Minister for Foreign Affairs of the Russian Federation: *"The United Nations-centred system is currently experiencing a deep crisis, the root cause of which is the desire on the part of some of its members to replace international law and the Charter of the United Nations with a certain rules-based order. No one has seen those rules; they have not been the subject of transparent international negotiations. They have been invented and applied with the goal of countering the natural processes of establishing new independent development centres, which is the objective manifestation of multilateralism... In a desperate attempt to assert its supremacy by punishing those who disobey it, the United States has taken the path of destroying globalization, which it has extolled for years as the ultimate good of humankind, maintaining the multilateral world economic system. Washington and its Western subordinates have applied those rules every time they needed to justify illegitimate measures taken against those who based their policies on international law and refused to align themselves with the self-interest of the golden billion. Those who do not agree are blacklisted according to the principle of "those who are not with us are against us... Any objective observer can clearly see that the Nazi Kyiv regime can in no way be regarded as representing the "whole people belonging to the territory... through legislation and in day-to-day life, the Kyiv regime introduced Nazi practice and theory... The West watched with silent glee, because this was fully in line with United States plans to leverage the openly racist regime that they fostered in the hope of comprehensively weakening Russia, with a strategic focus on eliminating competitors and sabotaging any scenarios seeking to promote fair multilateralism in world affairs... Russia has clearly announced the goals that it is pursuing through the special military operation: to eradicate the threats to our security, which were created for years by NATO representatives directly on our borders, and to protect people who have been deprived of their*

<sup>52</sup> Ibidem.

<sup>53</sup> From the speech of the representative of Canada to the UNSC Open Debate on Maintenance of international peace and security Effective multilateralism through the defence of the principles of the Charter of the United Nations. S/PV.9308 (Resumption 1), p. 24.

<sup>54</sup> "Set the tone (for something), idiom: to establish a particular mood or character for something".

<sup>55</sup> *United Nations, Security Council, 9308th Meeting, 24 April 2023. S/PV.9308, p.3.*

*rights proclaimed through multilateral conventions from the Kyiv regime's publicly announced threats to destroy and expel them from territories where their ancestors had lived for centuries.*"<sup>56</sup>

After reading the speeches of the representatives of the 15 countries members of the Council at the time<sup>57</sup>, plus the addresses of the representatives of 33 other countries UN members, plus that of the *European Union in the person of by the Head of the EU Delegation to the United Nations*<sup>58</sup>, one can say that, in principle, **the common thread** uniting the overall group of more than a quarter of the United Nations membership was indeed the shared interest to define and project actions with the purpose of reaching an **Effective Multilateralism through the Defence of the Principles of the Charter of the United Nations**.

Only that, if we imagine the 48 narratives as wagons for an intended substantive train with the respective destination, we cannot but remark that practically it would be almost impossible to firmly attach them to one another so that eventually they provide the train's specific *corpus and energy to move*. The cause: the too much diversity in terms of pattern and substance carried away, mirroring the difficulty in finding a balance between the national interests of the participating countries and the self-declared purpose of being assembled together, namely making the international system and the underlying principle – the multilateralism – more efficient in the drive of **Maintenance of international peace and security**. A diversity which cannot but engender the little compatibility among the messages intended to be sent, in terms of form and meaning.

Indeed, besides the above-mentioned **common thread of multilateralism**, the 48 appeared deeply divided on various other important issues, one of the most challenging being **the critical nexus of the time – Russia and Ukraine**. In this regard, the list of countries (Russia being left aside given its particular assignment for the day) represented at the Council's 24 April 2023 Open Debate could be divided into two Clusters: Cluster 1, comprising the countries members of the UNSC, respectively Cluster 2, formed by not less than 33 invited UN members which had showed the interest to participate in that Open Debate.

Further on, we allocated each of the two Clusters' countries to a triad structure as provided by the very essence of their reactions to **the critical nexus of the time – Russia and Ukraine**, namely, (a.) Countries whose representatives' speeches contained assessments deeply critical on the Russian invasion and further hot war against Ukraine; (b.) Countries which expressed just oblique and indirect critical reference to the major crises confronting at the moment the

<sup>56</sup> Ibidem, pp.4-7.

<sup>57</sup> Albania, Brazil, China, Ecuador, France, Gabon, Ghana, Japan, Malta, Mozambique, Russian Federation, Switzerland, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America.

<sup>58</sup> Armenia, Australia, Azerbaijan, Bahrain, Bangladesh, Belarus, Canada, Cuba, Egypt, Ethiopia, India, Indonesia, the Islamic Republic of Iran, Kuwait, the Lao People's Democratic Republic, Lebanon, Malaysia, Mexico, Morocco, Nepal, Pakistan, the Philippines, the Republic of Korea, Sierra Leone, Singapore, South Africa, Sri Lanka, the Syrian Arab Republic, Thailand, Türkiye, Turkmenistan, the Bolivarian Republic of Venezuela and Viet Nam, plus the European Union represented by the Head of the EU Delegation to the United Nations.

world; (c.) Countries whose representatives' speeches made no reference at all to Ukraine, implicitly to the Russian aggression.

#### **CLUSTER 1 – Members of the UNSC**

**Sub-group (a):** nine members of the Security Council (3 Permanent members – United States, United Kingdom and France, and 5 from the non-permanent members – Switzerland, Brazil, Japan, Malta, Ecuador, and Albania), harshly criticized Russia for its illegal invasion of Ukraine followed by a hot war against this independent and sovereign European country, up to the ultimate interrogation-dilemma on how it was possible for an aggressor to be one of the few Council's members enjoying the privilege of being a Permanent member, including the unquestionable chance to exercise, approximately every 14 months, the Council's Presidency. Several excerpts from the eight speeches:

- "Our hypocritical convener today, Russia, invaded its neighbour Ukraine and struck at the heart of the Charter of the United Nations and all the values we hold dear. That illegal, unprovoked and unnecessary war runs directly counter to our most shared principles: that a war of aggression and territorial conquest is never, ever acceptable. And as we sit here, that aggression continues. As we sit here, Russian forces continue to kill and injure civilians. As we sit here, Russian forces are destroying Ukraine's critical infrastructure. As we sit here, we brace ourselves for the next Bucha, the next Mariupol, the next Kherson, the next war crime, the next unconscionable atrocity." (United States of America)<sup>59</sup>

- "Russia's full-scale invasion was not about self-defence. Russia simply wants to redraw international borders by force in violation of the very Charter of the United Nations... This does not concern just Ukraine or Europe. It concerns all of us, because today it is Ukraine, but tomorrow it could be another country, another small nation that is invaded by its larger neighbor." (United States of America)<sup>60</sup>

- "Unfortunately, Russia has shown us, consistently, over the past 14 months, that this invasion is not an isolated incident. In the past 14 months, Russia has weaponized global food supplies and obstructed the Black Sea Grain Initiative from achieving its full potential. Russia has breached its obligations under the New START Treaty and issued dangerous and provocative nuclear threats. Russia has violated universal human rights and fundamental freedoms, both outside and inside its own borders. It has violated international law. That includes the wrongful detention of American citizens to use as political bargaining chips, human pawns. Using people as pawns is a strategy of weakness. Those are not the actions of a responsible country, and while Russia plays political games, real people suffer." (United States of America)<sup>61</sup>

- "Minister Lavrov has called this meeting to share the Russian vision for the future of multilateralism. We have seen what Russia's idea of multilateralism means for the world. More than a year into Russia's full-scale invasion of Ukraine, President Putin has brought unimaginable suffering to that country while trampling on the Charter of the United Nations.

<sup>59</sup> S/PV.9308, p. 17.

<sup>60</sup> Ibidem.

<sup>61</sup> Ibidem.

Thousands of Ukrainians have been killed. Millions have been displaced. Across the world, billions have faced rocketing commodity prices and food insecurity... Russia's justifications for the war — defeating Nazis and defending against bioweapons — are obvious falsehoods. Russia's claims to Ukraine's territory will never be recognized. For all of Minister Lavrov's claims about effective multilateralism, I see nothing effective or multilateral about Russia's foreign policy... Foreign Minister Lavrov claims that he is interested in ending the conflict as soon as possible. To do so, Russia must immediately remove its troops from all Ukrainian territory." (United Kingdom)<sup>62</sup>

- "For Russia, the rule of law and the principles underlying multilateralism no longer seem to apply. Russia used force illegally in Georgia in 2008 and in Crimea and the Donbas in 2014, and it has been doing so for more than a year throughout Ukraine. Russia is violating the fundamental principles of the international order. It violates Ukraine's State sovereignty and territorial integrity; it systematically and deliberately violates international humanitarian law by targeting civilians; it violates international human rights law by deporting Ukrainian children and committing torture and other atrocities; and it violates the arms embargoes decided by the Security Council by procuring drones from Iran to indiscriminately bomb civilian infrastructure, in violation of resolution 2231 (2015). The General Assembly has unequivocally and overwhelmingly condemned those violations of our Charter. In particular, it has demanded that Russia end its aggression without delay and withdraw its troops... If Russia truly wants to defend multilateralism, it must end its war of aggression, which has serious consequences for Ukraine and the whole world... it must immediately withdraw its troops from Ukrainian territory... it must commit in good faith to the quest for peace... it must respect the decisions of international courts, including the International Court of Justice, which has been clear on the issue since 16 March 2022." (France)<sup>63</sup>

- "It is an irony — even a tragedy — that the Russian Federation, a permanent member of the Security Council, continues its unilateral aggression against Ukraine, while hosting an open debate on effective multilateralism through the defence of the principles of the Charter of the United Nations, on the very International Day of Multilateralism and Diplomacy for Peace. Russia's unprovoked, ongoing aggression is nothing but outright defiance of the principles of the Charter. The relentless use or threat of use of the veto that has accompanied that aggression has blocked the Security Council from making decisions, paralysing and discrediting the Council when the world most needs it to fulfil its responsibility... The concept note (see S/2023/244) circulated by Russia for today's open debate does not contain a single word about Ukraine or the aggression against it, and instead merely criticizes many other previous crises and invasions." (Japan)<sup>64</sup>

- "For more than a year, State sovereignty, territorial integrity and the prohibition of the use of force continue to be

flouted by the military aggression of a permanent member of the Security Council against its neighbour. The most effective way to preserve multilateralism and the integrity of the Charter is therefore to respect it. **Switzerland emphatically condemns the military aggression against Ukraine, and I reiterate here Switzerland's firm call on the Russian Federation to withdraw its troops from the entire territory of Ukraine without delay.**" (Switzerland)<sup>65</sup>

- Brazil "condemns the threat or use of force as a means of resolving disputes, as we have seen in the case of Ukraine." (Brazil)<sup>66</sup>

- "It is deeply worrisome that the Russian Federation, a permanent member of the Security Council, blatantly disregarded the Council's primary function of maintaining international peace and security when it launched its aggression against Ukraine... its illegal, unprovoked and unjustified war has generated one of the worst refugee crises since the Second World War, along with a global grain shortage, hundreds of thousands of people killed or injured, forced deportations of children, worldwide anxiety about a nuclear disaster and damage to the Council's credibility. Today we once again urge the Russian Federation to stop the war, withdraw its military forces from the entire territory of Ukraine within its internationally recognized borders and turn to dialogue and diplomacy as the tools that can bring stability to the region." (Malta)<sup>67</sup>

- "What better outcome could today's debate have than the determination of your country, Mr. President, to end the military aggression against Ukraine, as ordered by the International Court of Justice on 16 March 2022? What better legacy could your presidency have, Mr. President, than your Government choosing to return to the path of peace and withdrawing its occupying troops? ... None of the pretexts invoked for attacking Ukraine in violation of the Charter have any legal basis whatsoever... none of those arguments has any basis in the Charter of the United Nations." (Ecuador)<sup>68</sup>

- "Four hundred years ago, François de La Rochefoucauld said: "Hypocrisy is the tribute that vice pays to virtue". Fast forward to this meeting and the flagrant contradiction in which we find ourselves today. A permanent member of the Security Council has openly and defiantly disregarded the Charter of the United Nations. That very country has knowingly and willingly transgressed every rule commonly established with regard to relations among States. It has ignored Security Council resolutions and its own international commitments, and yet it has chosen to lecture the world about multilateralism, as we heard today... The ongoing war in Ukraine and the current global reality are putting in question the fundamental question of multilateralism, its future and our ability to defend it... today we heard nothing on the key issue — under which article of the Charter has Russia attacked its neighbour and annexed parts of its territory by force?" (Albania)<sup>69</sup>

<sup>65</sup> S/PV.9308, p. 13.

<sup>66</sup> S/PV.9308, p. 14.

<sup>67</sup> S/PV.9308, p. 23.

<sup>68</sup> S/PV.9308, p.p. 23, 24.

<sup>69</sup> S/PV.9308, pp. 24-25.

<sup>62</sup> S/PV.9308, p.p. 18, 19.

<sup>63</sup> S/PV.9308, p. 21.

<sup>64</sup> S/PV.9308, p. 20, 21.

Noticeably, the countries from **Sub-group (a)** directed in the opening of their statement the usual thanks towards the UN Secretary General and not towards the Chair/ Russia as, for instance, in the case of Albania: *“Let me start by thanking the Secretary-General for his remarks and paying tribute to his tireless efforts, as well as to his clear, strong and always principled position in favour of peace and security, multilateralism and respect for the Charter of the United Nations.”*

No word of gratitude for Russia, instead *“recalling the simplest facts: Russia is waging an unjust, unjustifiable and illegal war of aggression against a sovereign nation. It is questioning that nation’s right to exist and has the audacity to pretend to come to the rescue of sovereign equality. The Russian military and the Wagner Group are committing horrible crimes in Ukraine, as documented by the United Nations, while Russia pretends to defend universal values. Russian missiles are destroying residential areas, killing civilians and flattening schools, health facilities and other civilian infrastructure to force an entire country into submission. And Russia has come here to share its views about friendly relations and cooperation among States... the thousands of innocent victims, the millions forcibly displaced, the countless children stripped of their dreams and deprived of their childhood, the immense pain of the tortured, the women raped and the families torn apart (indicate that) what has happened in Ukraine is a tragedy — a human-made catastrophe with serious security repercussions in Europe and detrimental ripple effects around the world. It represents the opposite of everything we stand for and everything that brings us together here. No peace-loving nation will buy an artificial parallel reality engineered to transform an aggressor into a defender of the Charter, an arsonist into a firefighter or a warmonger into a peacemaker. That is the real issue, and it is what we think we should be talking about, especially today.”* (Albania)<sup>70</sup>

**Sub-group (b):** One UNSC Permanent Member – China and two of the Council’s elected members – UAE and Ghana made only oblique and indirect references be it just to Russia or to Ukraine, without a plain and clear mentioning of the Russian war against its neighbor. Several excerpts from the two speeches:

- *“The world is standing at a historic crossroads now. Humanity is facing unprecedented global challenges. Acts of hegemony and bullying are causing colossal harm to the world... It has become all the more urgent and important to uphold the United Nations Charter. What is most needed now is for all countries to practice genuine multilateralism, strengthen unity under the banner of the United Nations, enhance the effectiveness of the global governance system, achieve common security, promote common development and open up our common future... The authority of the United Nations Charter must be firmly safeguarded. The United Nations Charter is the cornerstone of the post-war international order. The principles of respecting sovereignty, territorial integrity and non-interference in the internal affairs of other countries, as stipulated in the Charter, have become the basic norms for governing modern international relations. The problems that have arisen in the world today are not because the United Nations Charter has become*

<sup>70</sup> S/PV.9308, p. 25.

*obsolete, but because its purposes and principles have not been effectively implemented.”* (China)<sup>71</sup>

- *“The principles of the Charter of the United Nations are essential to maintaining international peace and security, and defending them is therefore vital to maintaining effective multilateralism. Those principles, including respect for every nation’s sovereignty, the peaceful resolution of disputes and the prohibition of the threat or use of force against the territorial integrity or political independence of any State are fundamental to the ability of the United Nations to take effective measures in accordance with the Charter... We must redouble our efforts to peacefully resolve conflicts and crises from Ukraine to the Sudan.”* (United Arab Emirates)<sup>72</sup>

- *“Adherence to the principles of the Charter of the United Nations, including the sovereign equality of States and the prohibition of the use of force, has been a pillar of global stability.”* (Ghana)<sup>73</sup>

Notably, the tactics of *“oblique and indirect references”* was used by some speakers who wanted to “target” not only the Russian Federation but... United States of America too. This is the case in particular for China’s representative:

*“We oppose some countries distorting the meaning of international law, imposing their own will on the international community, packaging it as the so-called rules-based international order and wantonly violating the legitimate rights of other countries, in violation of the international rule of law... We also oppose the sidelining of international agreements, whether it is arbitrarily tearing them up or having double standards. If a major Power arbitrarily turns important treaties and agreements that bear on international peace and security into dead letters, then not only will international law be eroded but the world will have no peace at all. In this regard, the relevant country should earnestly reflect on its actions... unilateral sanctions that violate international law must be resisted. Unilateral sanctions indiscriminately imposed by the United States and other countries outside the Council’s mandate are entirely for maintaining their hegemony, technological monopoly and ideology. Their practice has no legal basis... What is of greater concern is that unilateral sanctions, often in the name of upholding international law and implementing Council resolutions, have subjected the United Nations to unfounded accusations and weakened its authority for multilateralism. We once again urge the relevant countries to immediately stop unilateral sanctions.”* (China)<sup>74</sup>

**Sub-group (c):** in the statements made by two other UNSC elected members’ Representatives – Gabon and Mozambique one can find an array of considerations on the issue of multilateralism but no word on the Russian aggression and Russia – Ukraine war.

#### **CLUSTER 2 – 33 countries UN Members**

**Sub-group (a):** The statements made by the representatives of 5 countries members of the UN, plus that of the Head of the delegation of the European Union, rudely criticized Russia for its illegal invasion of Ukraine followed by a hot war against this independent and sovereign European country. Several excerpts from the speeches in case:

<sup>71</sup> S/PV.9308, p. 19.

<sup>72</sup> S/PV.9308, p. 9.

<sup>73</sup> S/PV.9308, p. 11.

<sup>74</sup> Ibidem. pp. 19-20.

- “Let me start by stating the obvious. By organizing this debate, Russia is trying to portray itself as a defender of the Charter of the United Nations and multilateralism. Nothing could be further from the truth. If Russia were truly interested in the topic on today’s agenda, it would cease its violations of the United Nations Charter and international law and immediately and unconditionally withdraw all its troops from the entire territory of Ukraine. It would respect the order of the International Court of Justice of 16 March 2022. It would stop abusing its veto power to cover up its consistent rule-breaking. And it would abide by the resolutions adopted by the General Assembly with an overwhelming majority. Russia’s failure to do these things brings the Security Council into disrepute, and only more so during its presidency this month. Today is yet another deplorable example of Russian information-manipulation, disinformation and abuse of its membership in the Security Council. I also underline at the outset that Russia’s violations have come at a high cost.” (European Union)<sup>75</sup>

- “Russia’s invasion of Ukraine is a serious and flagrant violation of international law and the principles of the United Nations Charter. There is no justification for Russia’s illegal invasion and annexation of the territories of Ukraine, a sovereign and independent nation and a founding member of the United Nations. There is a tragic and disturbing irony in the fact that Russia invaded its neighbour while holding the presidency of the Security Council in February 2022. The United Nations Charter gives Permanent Members of the Security Council a privileged position at the United Nations. With that special privilege also comes a special responsibility. Accordingly, much is expected of Permanent Members in terms of defending the principles of the Charter and upholding international law. That expectation applies to all the Permanent Members.” (Singapore)<sup>76</sup>

- “It is a sad reality that today’s topic has been proposed by those illegally using force against Ukraine’s territorial integrity and political independence. No one could have expected total ignorance of the Charter of the United Nations from a permanent member of the Security Council.” (Republic of Korea)<sup>77</sup>

- “Russia’s illegal and immoral invasion of Ukraine renders stark our interest in living in a world where no country dominates and no country is dominated. The attack on Ukraine is an attack on all small countries. It is an assertion that a larger country is entitled to subjugate a smaller neighbour — to decide whether another country can even exist. We cannot accept a situation where large countries determine the fate of smaller countries. Aside from terrible damage and loss of life in Ukraine, Russia’s invasion is compounding human suffering. It is propelling the global crisis in food and energy security that is having such a terrible impact on the populations of so many Member States. It reminds us all how much is at stake if we fail to protect the United Nations Charter. We cannot be passive when big

Powers flout the rules. We must continue to work together to hold Russia to account.” (Australia)<sup>78</sup>

- “The world would not be facing such a steep deterioration in global security had not Russia launched a full-scale invasion and war of aggression against its sovereign independent neighbour Ukraine. Russia protests the imposition of the “might is right” principle. Yet it is doing just that in Ukraine. What could more easily describe what is taking place in Ukraine than a decision by a powerful neighbour to attack its neighbour? Fortunately, Ukraine has continued to defend itself with the support of many partners, something that is in fact envisaged under Article 51 of the Charter, which specifically grants nations the right to defend themselves and other countries the right to help a nation that is defending itself... If there is a single country that is mainly responsible for ignoring the security concerns of other States, it is the Russian Federation. If there is one country that has most flagrantly violated the Charter, it is the Russian Federation. And if there is one country that has done the most to compromise the Security Council, it is the Russian Federation. Russia maintains that we must not undermine the Council’s prerogative or its central role in the maintenance of peace and security. The Charter does indeed clearly say that the Security Council’s role is central. But what the Russian Federation conveniently fails to mention is the fact that it has used its right of veto to block action to maintain international peace and security more often than any other permanent member. In essence, it is Russia’s abuse of this organ and its right of veto that has seriously undermined the credibility and legitimacy of the Security Council.” (Canada)<sup>79</sup>

**Sub-group (b):** Representatives of 8 UN member countries made only oblique and indirect references be it just to Russia or to Ukraine, or when Ukraine is mentioned the respective narrative lacks a plain and clear mentioning of the Russian war against its neighbor. Several excerpts from the respective speeches:

- “The constant violations of the Charter of the United Nations, resolutions of the Security Council and obligations derived from treaties and political commitments put international peace and security at risk in a highly volatile dynamic. As for violations of the Charter, the invasion of a sovereign country by another represents a flagrant violation of Article 2, paragraph 4, of the Charter and constitutes an act of aggression under the terms of General Assembly resolution 3314 (XXIX) of 14 December 1974.” (Mexico)<sup>80</sup>

- “The Charter of the United Nations and its provisions should be unequivocally complied with by all Members, and first and foremost by the permanent members of the Security Council.” (Türkiye)<sup>81</sup>

- “The strict observance of the principles of international law and the fulfilment in good faith of the obligations assumed by States, in accordance with the Charter of the United Nations, are of the greatest importance for the maintenance of international peace and security... Every State has the duty to

<sup>75</sup> The representative of the European Union, in its capacity as observer, speaking on behalf of the European Union and its member States. S/PV.9308 (Resumption 1), p. 9.

<sup>76</sup> S/PV.9308 (Resumption 1), p. 11.

<sup>77</sup> S/PV.9308 (Resumption 1), p. 14,

<sup>78</sup> S/PV.9308 (Resumption 1), p. 21.

<sup>79</sup> S/PV.9308 (Resumption 1), p. 24-25.

<sup>80</sup> S/PV.9308, p. 26.

<sup>81</sup> S/PV.9308 (Resumption 1), p. 15.

refrain, in its international relations, from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. Such a threat or use of force constitutes a violation of international law and the Charter of the United Nations and shall never be recognized as a lawful means of settling international issues. The member States of the Movement greatly emphasize the importance of taking effective measures for the suppression of acts of aggression or other breaches of peace, as well as to defend, promote and encourage the settlement of international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.” (Azerbaijan, speaking on behalf of the 120 member States of the Movement of Non-Aligned Countries.)<sup>82</sup>

- “Despite the noble aspirations of the Charter of the United Nations and its positive impact, some Member States have violated and continue to violate some of its central tenets. Although the Charter maintains that the United Nations is based on the principle of the sovereign equality of all its members, in reality we are faced with the Orwellian absurdity that some members are more equal than others. Of course, that is often expressed through unilateral actions and a blatant disregard for international law. It enables those with power to violate the Charter by, for example, settling their disputes by non-peaceful means or violating or supporting the infringement of the territorial integrity and sovereignty of others. However, this assumption of power does not exempt them from the adverse consequences we all have to bear if the principles enshrined in the Charter are flouted. These consequences are often uncontrollable and have an impact on the long-term security of all.” (South Africa)<sup>83</sup>

- “Even as we debate this issue and would like effective multilateralism to prevail, we are collectively aware of the inadequacies of the multilateral system, which has failed to respond to contemporary challenges, whether it be the coronavirus disease pandemic or the ongoing conflict in Ukraine.” (India)<sup>84</sup>

- “We hope that a sincere effort will be made to end the war in Ukraine based on the Charter and international agreements.” (Pakistan)<sup>85</sup>

- “There has been a remarkable retreat from the basic principles on which the United Nations was founded, and there have also been attempts to violate the principle of the sovereignty of States, as well as a constant endeavour to interfere in their internal affairs under various pretexts that differ according to the circumstances.” (Egypt)<sup>86</sup>

- “The convening of this open debate is timely, as the world continues to be bitterly divided. Conflicts have proliferated and peace efforts have witnessed multiple failures. Suffering continues in places such as Palestine, Myanmar and Ukraine, to name but a few.” (Malaysia)<sup>87</sup>

**Sub-group (c):** In the statements made by the representatives of 20<sup>88</sup>, i.e. majority of the 33 UN member countries participating to the Open Debate, one can find an array of considerations on the issue of multilateralism: *renewed commitment to multilateralism which requires renewed commitment to the principles in the United Nations Charter and to international law — from sovereign equality to the peaceful settlement of disputes, from non-use of force to respect for territorial integrity and the political independence of States, from non-intervention to the promotion and protection of human rights and fundamental freedoms; renewing those commitments requires to ensure that these principles are applied universally, not selectively, in order to strengthen respect for these principles by all.*

Against this principled background, one cannot but remark that the same statements, while started by addressing thanks and appreciation, congratulations and commend to Russia and the Russian April Presidency of the Council for the initiative to convening the respective “important” UNSC Open Debate, each one of them avoided any reference to the Russian aggression and Russia – Ukraine war. A situation which combined with a number of other UN countries oblique/ indirect remarks on the critical topic of time, would come as a confirmation of an assessment made exactly one year before by an analyst with the magazine *Foreign Policy*: “After exuberant claims in Washington and European capitals that the world was united against Russia’s brutal and unprovoked invasion of its neighbor, people who paused to take more careful stock of the situation began to note that in fact, much of the world was sitting on the sidelines in the dispute. Putting China to the side because of its special relationship with Moscow, this included large nations, such as India, and small nations—and left no continent spared. In fact, a tally of their collective population would show that governments representing a majority of the human population were not taking a position one way or another in a conflict that many of them saw as having familiar echoes of a previous era’s contests between East and West.”<sup>89</sup>

Also, S Jaishankar, India’s foreign minister, forcefully expressed the refusal of southern countries to join in Russia’s ostracism, with an oft-cited complaint that Europe thinks the problems of the Europe are the world’s problems, but that the world’s problems are not Europe’s problems.<sup>90</sup>

In the same sense, “Moscow’s political leadership will remain almost certainly ensconced for the foreseeable future, and international actors will continue to need to work with them in forums such as the United Nations. Ukraine’s Western partners are trying to weaken Russia, but they are also trying to steer clear of a direct conflict, aware that any confrontation the Kremlin sees as posing an existential threat could bring the risk of escalation, including the use of nuclear weapons... With often fragile economies and their own national interests to look after, few of the states in the so-called global South want to be put in a position

<sup>82</sup> S/PV.9308 (Resumption 1), p. 17.

<sup>83</sup> S/PV.9308 (Resumption 1), p. 19.

<sup>84</sup> S/PV.9308 (Resumption 1), p. 5.

<sup>85</sup> S/PV.9308, p. 30.

<sup>86</sup> S/PV.9308, p. 29.

<sup>87</sup> S/PV.9308 (Resumption 1), p. 28.

<sup>88</sup> Cuba, Iran, Philippines, Syria, Viet Nam, Indonesia, Ethiopia, Armenia, Bolivarian Republic of Venezuela, Kuwait, Thailand, Sierra Leone, Bahrain, Lao People’s Democratic Republic, Nepal, Morocco, Lebanon, Belarus, Bangladesh, Sri Lanka.

<sup>89</sup> Howard W. French, quoted article.

<sup>90</sup> <https://exbulletin.com/politics/2106908/>



where they must choose between rival great powers squaring off in a war that is for them geographically remote.”<sup>91</sup>

In the opinion of David Miliband, a reputed commentator, “The war has certainly united the West, but it has left the world divided. And that rift will only widen if Western countries fail to address its root causes... outside Europe and North America, the defense of Ukraine is not front of mind. Few governments endorse the brazen Russian invasion, yet many remain unpersuaded by the West’s insistence that the struggle for freedom and democracy in Ukraine is also theirs. As French President Emmanuel Macron said at the Munich Security Conference in February, “I am struck by how we have lost the trust of the global South.” He is right. Western conviction about the war and its importance is matched elsewhere by skepticism at best and outright disdain at worst. .. As the team of analysts at the International Crisis Group have noted: “Most non-European countries that voted to deplore Russia’s aggression last March did not follow up with sanctions. Doing the right thing at the UN can be an alibi for not doing much about the war in the real world.”... In a series of UN votes since the war started, around 40 countries representing nearly 50 percent of the world’s population have regularly abstained or voted against motions condemning the Russian invasion... According to the Economist Intelligence Unit, two-thirds of the world’s population live in countries that are officially neutral or supportive of Russia. These countries do not form some kind of axis of autocracy; they include several notable democracies, such as Brazil, India, Indonesia, and South Africa... Realpolitik has played its part in determining the positions of certain countries on the Ukraine conflict. India has traditionally been dependent on Russia for military supplies. The Wagner paramilitary company—the Russian mercenary organization now active in Ukraine—has worked with governments in western and central Africa to support their security and survival. And China, which is one of Russia’s principal sources of support, is the largest trading partner of more than 120 countries around the world and has proved unforgiving of diplomatic slights.”<sup>92</sup>

To complete the landscape of the UNSC Open Debate on 24 April 2023, it is to be duly noted that a number of speakers, whatever to posture of their countries in the above structures, touched on one of the most sensitive issue related to the UNSC evolution. Practically, a good lot of the 48 speeches contained **evaluations, some of them rather gloomy, on the very host of the Open Debate – the United Nations Security Council** with the ensuing incontrovertible path to be taken in order to overcome the respective criticized posture – **the reform**. Several excerpts:

- “Our international institutions and structures are currently unable to address today’s challenges, which means that we must reform our multilateral mechanisms, including the Security Council, the World Bank and the International

<sup>91</sup> Brian Finucane and Stephen Pomper, *Can Ukraine Get Justice Without Thwarting Peace?*, FOREIGN AFFAIRS, May 8, 2023. <https://www.foreignaffairs.com/ukraine/russia-ukraine-justice-thwarting-peace>

<sup>92</sup> David Miliband, *The World Beyond Ukraine The Survival of the West and the Demands of the Rest*, FOREIGN AFFAIRS, May/June 2023. Published on April 18, 2023. <https://www.foreignaffairs.com/ukraine/world-beyond-ukraine-russia-west>

Monetary Fund, with a view to improving their legitimacy and representativeness”.<sup>93</sup>

- “The conflict in Ukraine has added enormous stress to the multilateral system, which was already subject to fresh challenges and growing dissent. **The failure of the Council to effectively deal with yet another war falls short of Member States’ expectations concerning its primary responsibility for maintaining international peace and security, and eventually ends up eroding its credibility.**”<sup>94</sup>

- “We must reform the Security Council without further delay to ensure that it reflects today’s reality and can respond effectively to current and future challenges.”<sup>95</sup>

- “The Brazilian position on Council reform is known to all: we believe that its current composition, which reflects the balance of power as it was in 1945, is not compatible with current geopolitical realities. The African continent and our region, Latin America and the Caribbean, are not represented in the category of permanent members. That has resulted in this body’s increasing lack of legitimacy to take decisions on the peace and security agenda and underscores the sense of frustration with the shortcomings of the United Nations system as a whole. That is not, however, the only cause of the situation in which we find ourselves. In addition to the structural flaws of the Council, we cannot but notice a lesser disposition to engage in dialogue and diplomacy, in contravention of the spirit of the San Francisco Conference.”<sup>96</sup>

- “The United Nations, especially the Security Council, must be reformed in order to be more inclusive, effective, just, fair and democratic. Only in that manner can we collectively address the current geopolitical and security challenges facing humankind... Mozambique therefore reiterates its call for a reform of the Security Council that takes into account the African Common Position... In addition, the Council must improve its working methods. It must enhance its capacity to deliver in the interest of all humankind. That means taking actions that can bring about positive change and promote peace and security around the world.”<sup>97</sup>

- “The United Nations needs reform — Council members have heard that. To support and maintain its fundamental principles, this body must evolve to meet the twenty-first century. As part of that evolution, the Security Council needs to better reflect today’s global realities. We must find credible, sensible and politically viable paths to that end. And while we work to forge those paths, those of us on the Security Council have a duty to do more and to do better.”<sup>98</sup>

- “Multilateral institutions can and should evolve, the Security Council included, and, with the United Kingdom, it supports reforms to make it more effective and representative. Change must be underpinned by respect for the basic

<sup>93</sup> *United Arab Emirates*. S/PV.9308, p. 9.

<sup>94</sup> *Brazil*. S/PV.9308, p. 14.

<sup>95</sup> *Gabon*. S/PV.9308, p. 10.

<sup>96</sup> *Brazil*. S/PV.9308, p. 14.

<sup>97</sup> *Mozambique*. S/PV.9308, p. 16.

<sup>98</sup> *United States of America*. S/PV.9308, p. 18.

principles of the Charter, above all, the principles of sovereignty and territorial integrity.”<sup>99</sup>

- “We must strengthen the functions of the United Nations through reform in order to better reflect today’s reality rather than that of almost 80 years ago. It has been long overdue for world leaders to declare with one voice the necessity for an early reform of the Security Council. We should redouble our efforts to achieve that goal at the earliest opportunity.”<sup>100</sup>

- “With regard to reforming the Security Council, Malta is firm in its belief that the Council should reflect today’s realities and challenges. If it is to respond to true multilateralism, we underline that it is also important for the Council to be more inclusive.”<sup>101</sup>

- “Ecuador is committed to supporting the reform of the Security Council and the establishment of a New Agenda for Peace. But make no mistake: any institutional framework, however modern it may be, and any planning tool, however strategic and up-to-date it may be, will be reduced to empty gestures if they are not accompanied by a change in behaviour on the part of States. In that regard, the permanent members of the Council have an obligation to exercise responsible leadership that understands and respects the principle of *res communis omnium*, whereby our common heritage cannot be appropriated by one entity since it is for the shared use of all States in the international community.”<sup>102</sup>

- “We must reform the Council and make it a more transparent, inclusive, democratic and representative organ.”<sup>103</sup>

- “We are faced with breaches of the system of collective security on which the United Nations and much of the world order is based. The frequent non-compliance with decisions of the Security Council without any major consequences undermines the Council’s authority and credibility in the eyes of the international community and the peoples of the United Nations... Effective multilateralism should therefore take measures to contain and reverse such situations. Unfortunately, this is difficult to achieve, especially in matters of international peace and security, when the Security Council is paralysed by the veto that only a few may exercise. Those with the veto power are able to halt the action of the international community as a whole.”<sup>104</sup>

- “We need to reconsider the collective security system represented by the Security Council, which no longer reflects the current international reality after decades of complex international practice. In that regard, Egypt supports the ongoing governmental negotiations to reform the Security Council and calls on all countries to adopt the comprehensive vision presented by Africa, in a way that corrects the historical injustice against African countries and contributes to making the Security Council more just and representative

for developing countries. In addition, there is a need to work with regional mechanisms and organizations.”<sup>105</sup>

- “Fundamental to an effective multilateralism is an inclusive, transparent, reformed and representative Security Council. A reformed Council should be able to respond decisively and swiftly to twenty-first-century challenges and threats to international peace and security. It should highlight improved working methods aimed at ensuring greater participation by non-members. It should also involve an enhanced mechanism for consultations between the Security Council and regional groups and subgroups.”<sup>106</sup>

- “The Security Council has also witnessed severe political polarization, especially on the part of a number of its permanent members, in the form of reframing from addressing important issues and priorities in an endeavour to divert the Security Council away from its primary mandate, namely, the maintenance of international peace and security, in order to serve their own narrow political interests and destructive agendas... Preserving genuine multilateralism will require reforming the current structures, above all expanding the Security Council to be truly representative of the new reality in international relations... today we need more than ever to review the methods of work of the United Nations system and guarantee the promotion of true multilateralism based on the Charter, by upholding its purposes and principles and achieving the objectives that the founding fathers of the United Nations aspired to, and by upholding and promoting the efficiency and efficacy of its work in order to uphold its credibility at the international level.”<sup>107</sup>

- “It is no secret that the United Nations and our system of global governance, including the Security Council, are in need of reform. The Secretary-General has provided us with a dire analysis of its shortcomings in his report “Our Common Agenda”... The EU stands fully behind this vision, and we are committed to delivering on it with an ambitious outcome at next year’s Summit of the Future.” (European Union)<sup>108</sup>

- “The topic of today’s open debate is timely, as we have been witness to various acts that are inconsistent with the Charter of the United Nations, while the Security Council, for its part, has not lived up to the world’s expectations... the Council has frequently failed to fulfil the mandate conferred upon it by the Charter. For instance, the Security Council has remained silent on the Democratic People’s Republic of Korea’s flagrant violations of multiple Council resolutions.” (Republic of Korea)<sup>109</sup>

- “The relevance of the United Nations has been called into question with greater frequency in recent times. Even more stark is the quest for the legitimacy and integrity of the Security Council. This quest will persist for as long as the paralysis in the Security Council continues without resolution. This has brought to the fore the urgent need for Security Council reform, which requires fair representation and equality in the decision-making processes of the Council.

<sup>99</sup> United Kingdom. S/PV.9308, p. 18.

<sup>100</sup> Japan. S/PV.9308, p. 21.

<sup>101</sup> Malta. S/PV.9308, p. 23.

<sup>102</sup> Ecuador. S/PV.9308, p. 24.

<sup>103</sup> Cuba. S/PV.9308, p. 26.

<sup>104</sup> Mexico. S/PV.9308, p. 27.

<sup>105</sup> Egypt. S/PV.9308, p. 29.

<sup>106</sup> Pakistan. S/PV.9308, p. 31.

<sup>107</sup> Syrian Arab Republic. S/PV.9308, p. 32-33.

<sup>108</sup> S/PV.9308 (Resumption 1), p. 10.

<sup>109</sup> S/PV.9308 (Resumption 1), p. 14.

Similarly, we impress on members of the Security Council to rise above their differences on some of the issues on its agenda and earnestly pursue unity and consensus, which we hope will inevitably enhance the effectiveness of the Council and therefore its legitimacy.” (South Africa)<sup>110</sup>

- “How much longer will we keep embellishing the idea of effective multilateralism, with the intent of reforming multilateralism with only words and mere lip service? Our starting premise must be widening the representation of this core institution, the Security Council, to more developing countries to ensure its effectiveness and credibility. If we continue to perpetuate the 1945 anachronistic mindset, we will continue to lose the faith that our people have in the United Nations. India was a founding signatory to the Charter on 26 June 1945 in San Francisco. Seventy-seven years later, when we see the world’s largest democracy, along with entire continents of Africa and Latin America, being kept out of global decision-making, we rightly call for a major course correction.” (India)<sup>111</sup>

- “Effective multilateralism can be built only on the foundations of strong international institutions. The Security Council should be enlarged and become more representative, accountable, democratic, transparent and effective. It should not become an enlarged club of the large and powerful States. However, a reformed Security Council in itself offers no panacea for ensuring effective multilateralism. It must be accompanied by making full use of the considerable potential of the General Assembly, the activation of the United Nations disarmament machinery and, most critically, the reform and democratization of the Bretton Woods institutions. Effective multilateralism, in short, must be comprehensive, inclusive and equitable.” (Pakistan)<sup>112</sup>

- “We need to reconsider the collective security system represented by the Security Council, which no longer reflects the current international reality after decades of complex international practice. In that regard, Egypt supports the ongoing governmental negotiations to reform the Security Council and calls on all countries to adopt the comprehensive vision presented by Africa in a way that corrects the historical injustice against African countries and contributes to making the Security Council more just and representative for developing countries. In addition, there is a need to work with regional mechanisms and organizations.” (Egypt)<sup>113</sup>

- “Fundamental to an effective multilateralism is an inclusive, transparent, reformed and representative Security Council. A reformed Council should be able to respond decisively and swiftly to twenty-first-century challenges and threats to international peace and security. It should highlight improved working methods aimed at ensuring greater participation by non-members. It should also involve an enhanced mechanism for consultations between the Security Council and regional groups and subgroups.” (Philippines)<sup>114</sup>

- “The Security Council has also witnessed severe political polarization, especially on the part of a number of its permanent members, in the form of reframing from addressing important issues and priorities in an endeavour to divert the Security Council away from its primary mandate, namely, the maintenance of international peace and security, in order to serve their own narrow political interests and destructive agendas.” (Syrian Arab Republic)<sup>115</sup>

In the end two remarks meant to put the UNSC 24 April 2023 Open Debate in a real, even crude, light:

- (i) The Russian Presidency’s appeal, made weeks before the date of the event, that “*All States Members of the United Nations are encouraged to participate at the ministerial level*”<sup>116</sup> practically had meagre echo: only UAE participated at the level of *Minister of State*, Gabon at the level of *Deputy Minister of Foreign Affairs*, and Cuba at the level of *First Deputy Minister of Foreign Affairs*. For all the other 45 participating countries there were their Representatives to UN in charge.
- (ii) ***An Open Debate on an item of crucial importance for the United Nations Security Council, generally for the system of international organizations, and enjoying such an extended participation, ended without any kind of final document specific for the Council, neither a Resolution, nor a (Presidential) Statement.***

For all of the above considerations one can say that if there was to answer the otherwise justified call of introducing “*a canary in the coalmine*”, the outcome risk being rather dramatic. Beyond the figurative sense, seemingly the United Nations Security Council cannot avoid for too long the challenge of change and reform, so that it adapt to the international circumstances radically different from those prevailing at the time of UNSC establishment.

*A bon entendeur, salut!*

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<sup>110</sup> S/PV.9308 (Resumption 1), p. 19.

<sup>111</sup> S/PV.9308 (Resumption 1), p. 6.

<sup>112</sup> S/PV.9308, p. 31.

<sup>113</sup> S/PV.9308, p. 29.

<sup>114</sup> S/PV.9308, p. 31.

<sup>115</sup> S/PV.9308, p. 32.

<sup>116</sup> *Letter dated 3 April 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General. S/2023/244*

