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Problems of reforming the UN in the context of the international security crisis

(JT reformos problemos tarptautinės saugumo krizės kontekste)

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ABSTRACT

Problems of reforming the UN in the context of the international security crisis.

The final bachelor thesis has 55 pages. The list of used sources includes 53 names.

The scientific positions regarding the possible reform of the UN have been analyzed. It has been demonstrated that the majority of scholars believe that the reform of the UN is a necessary condition for the establishment of a new international order. This belief is based on the fact that the UN has accumulated significant experience and formally occupies a central position in the hierarchy of international institutions. It has been proven that the performance of the UNSC since its creation has often been ineffective due to the failure to implement many provisions of the UN Charter directly related to the main body responsible for maintaining international peace and security. Furthermore, other provisions have frequently been violated. It is argued that the practice of adopting and implementing decisions by the UNSC, aimed at resolving specific conflicts and threats to international security, indicates a decline in its role and authority in favor of regional systems of collective security.

The activities of the state bodies of Ukraine regarding their interaction with the UNSC have been analyzed. The activities of the UNSC in the context of the Russian-Ukrainian war have also been examined, along with additional arguments for reform prospects. It is argued that the implementation of all international legal changes and transformations in the organization and functioning of the UNSC will enhance the effectiveness of its decisions and ensure the fulfillment of its primary function of maintaining international peace and security. This justification suggests that the introduction of these changes will lead to a more efficient functioning of the UNSC, enabling it to effectively address the challenges it faces in the context of the ongoing war between Russia and Ukraine.

SANTRAUKA

JT reformos problemos tarptautinės saugumo krizės kontekste.

Baigiamasis bakalauro darbas susideda iš 55 puslapių. Naudotų šaltinių sąraše yra 53 pavadinimai.

Buvo analizuojamos mokslinės pozicijos dėl galimos Jungtinių Tautų (JT) reformos. Parodyta, kad dauguma mokslininkų mano, jog JT reforma yra būtina sąlyga naujos tarptautinės tvarkos įsteigimui. Ši įžvalga grindžiama tuo, kad JT yra sukaupta reikšminga patirtis ir ji formaliai užima centrinę vietą tarptautinių institucijų hierarchijoje. Įrodyta, jog nuo savo įkūrimo JT Saugumo Tarybos (ST) veikla dažnai buvo neefektyvi, dėl daugybės nuostatų, tiesiogiai susijusių su pagrindiniu tarptautinio taikos ir saugumo išlaikymo organu, JT chartijoje neįgyvendinimo. Be to, kitos nuostatos buvo dažnai pažeidžiamos. Argumentuojama, kad ST sprendimų, skirtų spręsti konkretiems konfliktams ir grėsmėms tarptautinei saugumui, priėmimo ir įgyvendinimo praktika rodo jo vaidmens ir įgaliojimų mažėjimą naudai regioninių kolektyvinio saugumo sistemų atžvilgiu.

Analizuota Ukrainos valstybinių institucijų veikla, susijusi su jų sąveika su JT Saugumo Taryba (ST). Taip pat nagrinėta ST veikla Rusijos ir Ukrainos karo kontekste, kartu su papildomais argumentais dėl reformos perspektyvų. Argumentuojama, kad visų tarptautinės teisės pokyčių ir transformacijų įgyvendinimas organizacijos ir ST veikimo srityje sustiprins sprendimų veiksmingumą ir užtikrins pagrindinės funkcijos, t. y. tarptautinio taikos ir saugumo išlaikymo, vykdymą. Šis pagrindimas rodo, kad šių pokyčių įgyvendinimas leis ST veikti efektyviau, leis jam veiksmingai spręsti iššūkius, su kuriais jis susiduria Rusijos ir Ukrainos vykstant karui.

LIST OF ABREVIATIONS

UN – United Nations

UNSC – United Nations Security Council

GA – General Assembly

ICJ - International Court of Justice

ICT - Information and Communication Technologies

ECOSOC - Economic and Social Council

MD - The Millennium Declaration

OSCE - Organization for Security and Co-operation in Europe

NATO - North Atlantic Treaty Organization

INTRODUCTION

Relevance of research work. The full-scale invasion of Ukraine by Russia starting from February 24, 2022, constitutes an unprecedented challenge to the international security system and, consequently, the current global order. The Russian military aggression against Ukraine, which began in 2014 with the annexation of Crimea, once again highlights the inability of the UN as the most influential international institution in the field of international security to halt the reordering of European borders in the 21st century. This situation underscores the need for reforming one of the key organs of this organization, the Security Council, both for the world at large and specifically for Ukraine.

Undoubtedly, the problems of the functioning of the UNSC and the imperfections in its decision-making mechanisms, stemming from the flaws in the UN Charter adopted in 1945, have a direct impact on the fate of Ukraine. This has compelled Ukrainian society and leadership to take a fresh look at the issue of reforming the UNSC. Ukraine has previously emphasized the need for reforming the UNSC, and its experts have even participated in the development of a project on this matter, focusing primarily on the necessity of expanding the composition of this international body. However, as noted by Radym Huban, Ukraine's position was not unequivocal in the past.

Today, in my opinion, the issue of reforming the UNSC is crucial for Ukraine and can become one of the priorities of its foreign policy.

Today, the question of reforming the UNSC, which bears the responsibility for maintaining peace and security worldwide, is a widely discussed issue on the international stage.

There are numerous works dedicated to the question of reforming the UNSC by prominent scholars such as S. Bugaienko, O. Vonsovych, I. Havrylenko, Y. Hodovanyk, K. Hrytsyna, L. Dorosh, Y. Zhukorska, O. Zadorozhnyi, O. Kulchytska, A. Martinov, L. Novikova, K. Semchynskyi, M. Trypolska, Y. Turchyn, A. Fedorenko, M. Fesenko, I. Chervinka, T. Chekhovich, and O. Shpakovych. The topic of reforming the UNSC is also addressed by international scholars and politicians such as G. Evans, Karuna Karan, D. Schweigman, L. Swart, J. von Freyhold, E. Virholi, M. Zorn, J. Paul, S. Nahoori, and others.

The main goal of the study is the main problematic aspects of the UNSC's implementation of its statutory tasks and the determination of the main ways of reforming its composition and decision-making procedure.

The outlined objective sets the following series of tasks:

- Examine the reasons and current challenges of UN reform.

- Characterize the peculiarities of contemporary international security and the role of the UN in the present stage.

- Analyze the reform of the UN in terms of its mandate to maintain international peace and security.

- Identify the organizational and legal aspects of UN reform in the contemporary stage.

- Analyze the activities of Ukrainian state bodies regarding their interaction with the UNSC.

- Analyze the activities of the UNSC in the context of the Russian-Ukrainian war and provide additional arguments for reform prospects.

The object of the study is social relations that arise in connection with the functioning of the UNSC.

The subject of the study is challenges related to the introduction of UN reforms in solving the international security crisis.

Research methods. The theoretical and methodological framework of the research is based on a system of general scientific and specialized research methods aimed at obtaining objective and reliable results. Among the empirical research methods employed, the comparative method was specifically applied. The use of the comparative method allowed for the comparison of various aspects of the organization and activities of the UNSC and facilitated the identification of the unique features of the studied organ among other international organizations.

The research employed theoretical methods such as systemic-structural analysis and structural-functional analysis to determine the position of the UNSC within the system of the main organs of the UN. It investigated the structure, composition, and organization of the UNSC's activities, and explored its current statutory competence in the field of maintaining international peace and security. The comprehensive application of these methods allowed for the drawing of certain conclusions and the development of recommendations for enhancing the international legal status of the UNSC through comprehensive institutional reform.

Novelty and relevance of the topic. The scientific novelty of the obtained results is justified by the fact that the final qualification work represents a comprehensive study of the current issues of reforming the UNSC. Through the conducted research, new scientific provisions and conclusions have been formulated, which are presented for defense, including:

- Identification of a complex of problematic issues in the activities of the UNSC and the presentation of ways to address them.

- Substantiation of the necessity of institutional reform of the UNSC.

- Statement on the determinants of establishing a universal international organization and its specialized body for maintaining international peace and

security, including factors such as universal, socio-economic, political, specific-historical, international legal, and institutional.

- Definition of the UNSC in terms of its position and role within the system of the UN's principal organs.

These findings contribute to the existing body of knowledge on the reform of the UNSC and provide a comprehensive understanding of its functioning, shortcomings, and potential improvements.

Theoretical and practical significance of the obtained results. The proposals and conclusions formulated in the graduation qualification work can be used for the following research purposes:

- In scientific research, for further exploration of the international political issues regarding the organization and activities of the UNSC.

Research sources. The research is based on scientific monographs, articles by foreign and domestic scholars in periodicals, informational and statistical materials, and other relevant sources of information.

Structure of the thesis. The bachelor thesis consists of the following sections: table of contents, abstract, list of abreviations, introduction, three main chapters, conclusions and list of references. The total length of the main text is 55 pages, and the reference list includes 53 sources.

1. ESTABLISHMENT, DEVELOPMENT, AND CURRENT STATE OF THE UNITED NATIONS WORK

1.1 The reasons and current challenges of reforming the United Nations

Since its establishment, the UN has fulfilled a historic mission and played a significant role in numerous progressive developments that took place in the world during the second half of the 20th century [4]. The most important source of the UN's strength lies in the universality of its membership and the comprehensive scope of its mandate. However, starting from the mid-20th century, the world has experienced negative changes, including the exacerbation of global problems, the emergence of a wave of international conflicts following the collapse of the bipolar system, and the evolution of the nature and essence of conflicts. These factors have necessitated the adaptation of the UN to new realities.

A new balance of power has emerged among the centers of influence on the planet, leading to a new geopolitical situation that needs to be taken into account in the activities of the UN. An important step in the process of UN reform was the adoption of the MD, approved by Resolution 55/2 of the GA on September 8, 2000, which envisages significant changes in the UN's functioning.

In Article 14 of the Declaration, it was stated that in order "to effectively respond to the challenges of the future and the hopes placed in the UN by peoples all over the world, it is necessary to reform and modernize the UN itself, consolidate its representative character, and enhance the efficiency and transparency of its work" [1]. This issue is often discussed in the field of international politics. Notably, there are international scholars who study these processes, such as american researcher Kelsen, and many other academics and politicians worldwide. By studying relevant literature, the main directions of UN reform and the problems it has encountered along this path can be identified.

The reform packages of 1997 and 2002 addressed changes in the structure of the Secretariat, a comprehensive reorganization of the Department of Public Information and the Department for GA Affairs, and the establishment of a modern information center in Brussels. Certain steps were also taken in reforming the financial and budgetary activities. Specifically, the budget formulation system was modified, the long-term planning cycle was shortened to two years, etc.

In recent years, significant improvements have been made to the UN' human resources management system. In 2005, reforms in the field of human rights began, primarily targeting its statutory bodies.

Special attention should be paid to the establishment of the Human Rights Council, which holds a higher status than its predecessor, the Commission on Human Rights. It directly reports to the GA and is responsible for overall coordination of human rights protection within the UN system. Undoubtedly, one of the key issues is the reform of the UNSC. Several models for reforming this crucial organ have been developed by the specially established High-Level Panel on Threats, Challenges, and Change in September 2005.

As the world has changed, there are a number of countries, such as Brazil, India, and others, that possess significant economic and political potential but do not have sufficient leverage for influence within the current format of the UN as permanent members of the Security Council. Therefore, the High-Level Panel took into account the fact that emerging countries and regions should be adequately represented in this organ.

However, unfortunately, there has been no consensus on the models for expanding the membership of the UNSC and the methods of determining the criteria for membership. Additionally, the issue of the use of the veto power, which is granted to the permanent members of the Security Council, remains unresolved and has become an anachronism that complicates the decision-making process. The effectiveness of non-military sanctions is also a critical problem. According to Article 41 of the UN Charter, the Security Council has the authority to impose non-military sanctions, including the severance of economic relations, means of communication, etc.

The Security Council has indeed employed such actions in Iraq, Yugoslavia, Somalia, and Libya. These actions undoubtedly had a positive impact on the situation. However, their effectiveness was not significant, which has led to a growing inclination to resort to the use of force in similar situations.

In light of this, one pressing issue that requires further development (including certain changes to the UN Charter itself) is the question of the right of international organizations to intervene in the internal affairs of a state. In the context of increasing interdependence, it is evident that a new understanding of sovereignty is necessary.

With this aim in mind, it is necessary to develop a more comprehensive, precise, and balanced definition of the concept of "intervention." This norm needs to be refined, particularly in cases involving human rights violations and the rights of national minorities. Supporting the realization of these rights does not equate to interfering in internal affairs of the state [2].

The international community has the right and the responsibility to ensure that its interests are safeguarded with the participation of all states. The reform of the UNSC is also necessary to address the financial problems of the UN. One possible solution is to grant permanent or "semi-permanent"

membership status in the Security Council to wealthy and economically developed countries [5, p.105].

In the MD, specifically in paragraph 9, it is recognized the need for reforming the ICJ of the UN by providing it with additional leverage and instruments to ensure that its decisions become truly binding [1].

I also believe that it is necessary to strengthen the role of the ICJ by introducing a specialized criminal chamber that would handle cases related to international crimes such as human trafficking, drug trafficking, international terrorism, and others [3].

However, despite the implemented reforms, it should be noted that the majority of decisions still have a declarative nature, as substantial changes require the goodwill of the founding countries, which often prioritize their own national interests.

If the reforms are not deepened, the negative trends may lead to the UN ceasing to function as an effective international body for ensuring peace and security in the world, risking a fate similar to that of the League of Nations. Therefore, it is evident that significant changes in the structure and activities of the UN can be expected in the coming years, as global problems will compel major political players to make concessions.

1.2 The peculiarities of contemporary international security and the activities of the United Nations at the present stage

The increasing influence of globalization and internationalization on the development of international relations and the formation of international order, the proliferation of states, and the changing geopolitical situation in the world, as well as the escalation of regional conflicts, have led to the pressing need to address the issue of reforming this universal organization.

The institutional reform of the Security Council is currently regarded by many theorists and practitioners as an integral part of the overall reform of the UN. It can be defined as a normative and practical improvement of the structure, composition, competence, organizational and legal forms, and methods of the Security Council's activities aimed at enhancing its effectiveness in fulfilling its statutory function of maintaining international peace and security. This involves aligning the provisions of the UN Charter and their application with the existing contemporary threats and challenges to international peace and security, as well as with the modern political, legal, socio-economic conditions that objectively exist and reflect the current state of international relations and the peculiarities of the entire international system.

The UNSC is a permanent organ of the UN, entrusted with the responsibility of maintaining international peace and security according to Article 24 of the UN Charter. The Security Council is

one of the six main organs of the UN and consists of five permanent members (China, France, Russia, the United Kingdom, and the United States) who possess veto power, as well as ten non-permanent members. Decisions of the Security Council require the affirmative votes of two-thirds of its members, including the concurring votes of all five permanent members. The Security Council is authorized to investigate any dispute or situation that may lead to international friction and is the only body in the world with the power to impose economic and military sanctions against violators of the international order.

Among the main drawbacks of the functioning mechanism of the UNSC, a direct factor hindering the timely adoption of necessary decisions is the veto power held by its permanent members. The imperfections in the procedural framework of the Council have resulted in the disregard of serious military conflicts by the UNSC, despite them posing a real threat to international peace and security.

These conflict situations have never been discussed in UNSC meetings due to the negative votes of at least one permanent member, driven by their own national interests. The ongoing war in Ukraine, which is a result of Russian intervention, further underscores the inability of the UNSC to adequately respond to the threatening realities of the present day.

Attention should also be drawn to the question of the necessity of expanding the membership of the Security Council and its restructuring, which consistently encounters strong resistance not only from current Security Council members but also from competition for hypothetical opportunities among other UN member states. The need to expand the composition of the Security Council is recognized by a significant majority of countries. However, practical issues diverge: how much should this body be expanded, and who should obtain permanent membership status? There is no consensus regarding the veto power either. Western countries have advocated for a minor increase in the number of permanent members (two, such as Germany and Japan) and for retaining the veto power. Many developing countries have expressed their support for broad representation among permanent members from all regions of the world and for limitations or the elimination of the veto power.

However, reforming the Security Council is indeed a complex task when it comes to its practical implementation. The fundamental problem lies in the conflict between the legitimate expansion of the Council's membership and the risk of losing its effectiveness. It is evident that increasing the number of permanent members would expand the possibilities for veto power and create additional challenges in reaching timely decisions. On the other hand, depriving new permanent members of the veto power would be discriminatory towards them.

Indeed, as practice has shown, reforming the Security Council is a cornerstone of revitalizing the UN and, at the same time, the most challenging element of its reconstruction. The reform of the Security Council is aimed at enhancing the effectiveness of its decisions and recommendations.

Considering all the aforementioned points, in my opinion, it is crucial to replace mechanisms that complicate the process of reaching consensus among the stakeholders. An area that requires particular coordination is the decision-making procedure within the UNSC. Key members such as the United States, Russia, and China hold vastly different positions on these matters. Therefore, it is necessary for the resolution of the aforementioned issues not to be postponed to the long term, and for states to act in accordance with the goals outlined in the UN Charter, rather than abusing their positions to protect and lobby for their own national interests.

The international community has reached a consensus that only through collective efforts and based on international law can we address the challenges in the political, economic, security, and other spheres of societal life.

The problem of information security in the Action Plan is considered in the context of specific measures aimed at enhancing trust and security in the use of ICT. It places particular emphasis on the following areas:

- Deepening international cooperation within the UN and other international forums to analyze existing and potential information threats and address political, legal, economic, social, cultural, military, technological, and environmental aspects of information security.

- Development of legislation that enables effective investigation of unauthorized use of ICT. This includes establishing legal frameworks and mechanisms to address cybercrime and misuse of high technologies.

- Promoting international cooperation in the field of information, including preventive measures against negative information influences. This involves fostering collaboration among nations to prevent and mitigate information-related risks and threats.

- Encouraging active participation of interested countries in the development of political, programmatic, and legal documents at the UN level. This emphasizes the importance of international cooperation between states within the framework of the UN, as it is the collaboration between governmental bodies and the private sector that plays a crucial role in preventing, detecting, and responding to cybercrime and abuse of high technologies.

The further development of international cooperation in the field of information security is reflected in political discussions and documents of the Tunis Phase of the World Summit on the Information Society. During this event, sharp contradictions arose between the approaches of the

UN and the majority of member states, including the United States. Specifically, the position of the most powerful information state focused solely on recognizing the problem of global cybersecurity culture and countering the consideration of high technologies as dual-use and weapons of mass destruction.

The Tunis Commitment (2005) affirmed the UN's position regarding the potential of ICT as a factor in conflict prevention and the promotion of peaceful conflict resolution. It also recognized the role of ICT in supporting humanitarian actions, including the protection of civilians in armed conflicts, the activities of peacekeeping missions, and assistance in post-conflict peacebuilding efforts.

On the other hand, the Tunis Agenda for the Information Society supported the initiative of the United States and other developed countries regarding the implementation of a strategy for a global culture of cybersecurity. This initiative required national actions and increased international cooperation at the regional level. The policy and legal aspects of global cybersecurity culture are aimed at countering cybercrime committed within the jurisdiction of one country but with consequences in others. It necessitates effective and qualified tools and actions at both the national and international levels.

The focus is on addressing cybercrimes that transcend national borders and require collaborative efforts to combat them. This highlights the importance of international cooperation and coordination to effectively respond to cybersecurity threats and protect the integrity of information systems worldwide.

The document affirms the commitment to ensuring fundamental rights and freedoms in the information sphere, particularly regarding the search, acquisition, dissemination, and utilization of information and knowledge. Member states of the UN and participants of the World Summit in Tunisia emphasized the importance of combating terrorism in all its forms and manifestations on the Internet, alongside the respect for human rights. They called upon governments of all countries and the global community to affirm the right of every individual to access information in accordance with the Geneva Declaration of Principles and other international documents.

At the 71st session of the UNGA on July 19, 2016, the Secretary-General presented the report "Achievements in the Field of Information and Telecommunications in the Context of International Security." The report included official reports from the governments of 19 states aimed at strengthening international security and promoting international cooperation in this field [10].

At the 72nd session of the UNGA on August 11, 2017, the Secretary-General's report titled "Achievements in the Field of Information and Telecommunications in the Context of International Security" was adopted, as a follow-up to the recommendations of Resolution A/RES/71/28 of

December 5, 2016. The resolution aimed to inform countries about their perspectives on the comprehensive review of international information security and the efforts made by states. The resolution received support from 181 countries, with no votes against it. The Ukrainian delegation abstained from voting, stating a change in their position regarding the document, which had been traditionally adopted through consensus, due to the illegal annexation of Crimea by the Russian Federation.

The report included official reports from the governments of 23 states, aimed at strengthening international security and promoting international cooperation in this field [11]. Many countries and territories enhanced their strategic plans for protection against internet threats. Since 2016, numerous countries have published or updated their strategies for cybersecurity. They have established specific agencies, improved operational mechanisms, launched awareness and educational initiatives in the field of internet security, promoted a culture of online safety, and increased their potential and strengthened international cooperation.

In the late 20th century, cybersecurity issues reached the level of diplomatic agencies and top government officials. In 2015, relevant agreements were signed between Russia and China, China and the United States, and China and the United Kingdom, in which the countries committed not only to cooperate but also to prevent attacks on each other. Amendments to the Wassenaar Arrangement, regarding the restriction of export of spyware, are actively discussed. Additionally, one of the main goals in recent years has been the use of unprotected email services by politicians worldwide [12]. The international community has proactively responded to cybercrimes and cyberterrorism, recognizing them as significant threats to global peace and security.

Many countries have now taken on the commitment to effectively combat cybercrimes and cyberterrorism through mechanisms of international cooperation in the field of law and security. They closely monitor that technologies, communications, and resources are not utilized for criminal activities and terrorism, aiming to eradicate opportunities for the spread of terrorist and extremist ideologies on the internet. Significant progress has been made in developing norms of bilateral and multilateral cooperation in combating crimes in the realm of the Internet [12].

2. ANALYSIS OF UN REFORMS IN MAINTAINING INTERNATIONAL PEACE AND SECURITY

2.1 Reforming the United Nations from the perspective of international legal analysis of its functions and powers concerning the maintenance of international peace and security

The organizational aspects of reforming the UNSC as the principal organ of the UN at the present stage, from the perspective of political and legal analysis, including the modernization of its composition, structure, voting procedures, are examined. This forms an integral part of a comprehensive study on the international legal status and current issues pertaining to the reform of the UNSC.

The challenges faced by the UNSC in maintaining international peace and security necessitate the doctrinal development of an optimal conceptual, institutional, and normative model for this organ, which should correspond to fundamentally new threats and challenges. This model should ensure the fullest attainment of the goals and principles of the UN, particularly within the scope of its specific competence in this field.

The relevance of researching the aforementioned issues is evident in the context of several factors, including:

- The significant role of the UNSC as the second main organ of the UN according to the UN Charter. The UNSC bears primary responsibility for maintaining international peace and security and has the authority to make decisions that are binding on UN members. According to Article 25 of the Charter, member states are obligated to comply with the decisions of the UNSC and carry them out.

- The current relevance of issues associated with the need to improve and enhance the effectiveness of the UNSC in performing its functions through reforms in its composition, structure, working methods, and decision-making procedures. This has sparked international discussions at the highest intergovernmental level, which can only be resolved based on the norms and principles of international law.

- The necessity of developing an optimal comprehensive model for the reformed UNSC, particularly concerning the organizational aspects of its international legal status, such as composition, structure, working methods, and decision-making procedures [28, p.119].

These factors emphasize the importance of studying these issues to ensure the continued effectiveness and relevance of the UNSC in maintaining international peace and security in

accordance with international law.

The mentioned issues have been thoroughly examined not only by Ukrainian scholars such as M. O. Baimuratov, V. N. Denysov, and K. O. Savchuk but also by Western researchers including P. Kennedy, S. Douse, J. Wouters, B. Simma, and others.

Analyzing the source base, it can be concluded that there is a relatively high level of scientific research on the political and international legal aspects of reforming the UNSC in the current stage. However, none of the existing specialized studies address the comprehensive analysis of the organizational foundations of such reform along with the development of an optimal institutional model for this key organ of the UN responsible for maintaining international peace and security. This aspect is considered a necessary element and foundation for any institutional modernization aiming to enhance the overall effectiveness of a specific international organization or the international organization as a whole. Therefore, this problem carries important methodological and interdisciplinary significance for further research. Thus, investigating these issues represents an important scientific and practical task that needs to be addressed in the current stage of political science and international law development.

Based on the stated problem, it is crucial to accurately define the concept of "reform," including its etymology, establish appropriate goals, tasks, principles, and conceptual foundations for the comprehensive reform of the UNSC as an integral part of the overall institutional reform of the UN.

In a general sense, the term "reform" (from French "reforme") denotes "transformation, change, restructuring" in any sphere of human activity. V.A. Lipkan and O.S. Lipkan define reform in the field of national and international security as "progressive transformation, change, and restructuring of any aspect of public life (orders, institutions, establishments) while preserving the fundamental principles of the existing social structure." In turn, "to reform" means "to change through reforms, to transform" [29, p.202].

Indeed, any reform carries significance and socio-political and legal importance only when it is directed towards important and relevant reform goals. These goals, in turn, determine specific tasks that require action from competent bodies, institutions, and officials. This is especially true for the modernization of an international organization, particularly at the international legal level, where it involves regulating transformations, changes, or overall institutional restructuring of such an organization.

In the current context, it is important to emphasize that there is an ongoing and active process of seeking an optimal model for reforming the UNSC at the global level. This process has been underway since the GA adopted Resolution 48/26 on December 3, 1993. The resolution established

an Open-ended Working Group to examine all aspects related to the expansion of the membership of the UNSC and other related matters. From then until 2007, the Working Group prepared at least 14 reports presenting different views on the reform process. However, consensus among UN member states on fundamental issues has not been reached, as stated in the report of the coordinators appointed by the President of the UNGA on February 8, 2007 [30, p.211].

Therefore, changing circumstances require bringing international norms underlying the concept of collective security in line with the current state of affairs. At the UN level, this recognition has led to the establishment of a high-level group to examine threats, challenges, and changes. The key idea of this group is the acknowledgment of the need for "fundamental changes" in the structure and functioning of the UN. In the report of the High-level Group, a separate section, Section 14, is devoted to the reform of the UNSC.

The components of the organizational and legal mechanism of the UNSC's activities in maintaining international peace and security are as follows:

1)   Internal institutional mechanism (composition, structure, system of subsidiary bodies).

2)   Organizational and legal forms of activity.

3)   Decision-making process (voting procedure) [35].

The issue of aligning the composition and structure of the UNSC with contemporary political, legal, socio-economic, and international circumstances in order to enhance its effectiveness is one of the most debated and widely discussed topics at present. This matter has garnered significant attention both in academic circles and within the UN itself. The objective is to make the functioning of the UNSC in supporting international peace and security more representative, democratic, and legitimate, thereby enabling decisions to be made on behalf of all UN member states and for the benefit of the global community.

The examination of UN documents reveals that the report of the High-Level Panel addresses the systemic issue of reforming the composition and structure of the UNSC. This report extensively examines various aspects of the UNSC's activities concerning the modernization of the decision-making process, including voting procedures. It explores the application, non-application, or limited application of the unanimity principle among the permanent members in non-procedural matters. According to the Chair of the High-Level Panel, A. Panyarachun, two main groups of UN member states hold different positions on these issues. The first group firmly believes that increasing the number of permanent members without granting them veto power would enable the UNSC to effectively counter new threats in the 21st century. The second group of countries considers the introduction of a new category of "semi-permanent" members, who would be elected for a

prolonged term but without permanent status, as the optimal approach to reforming the composition and structure of the UNSC.

In conclusion, the authors of the report have identified certain criteria that the reform of the UNSC should adhere to:

1) The reforms of the UNSC should ensure the maximum involvement of UN member states that contribute the most financially, militarily, and diplomatically to the UN, taking into account Article 23 of the UN Charter. This involvement can be achieved through contributions to the UN budgets, participation in sanctioned peace operations, voluntary contributions to UN activities in the fields of security and development, and diplomatic efforts in support of UN goals and mandates.

2) The reforms should involve countries that represent a broader membership base, particularly developing countries, in the decision-making process.

3) The reforms should not undermine the effectiveness of the UNSC.

4) The reforms should enhance the democratic and accountable nature of the UNSC [31, p.108].

By considering these criteria, the authors aim to ensure that the reform of the UNSC aligns with the principles of inclusivity, effectiveness, and accountability while reflecting the evolving global dynamics.

Using the conceptual principles of reforming the UNSC, the High-Level Group has identified two main possible models for reforming its composition and structure, known as Models A and B. These models are based on the categorization of states into four groups: "Africa," "Asia-Pacific," "Europe," and "Americas." Both models propose an increase in the number of UNSC members to 24 states.

Model A suggests the addition of six new permanent seats without additional veto power and three new non-permanent seats for a two-year term. These seats would be allocated among the major regional zones according to a formula proposed in the report.

Model B does not propose new permanent seats but suggests the creation of a new category consisting of eight seats for a renewable four-year term and one new non-permanent seat for a two-year term. These seats would be allocated among the major regional zones using a slightly different formula also outlined in the report.

Both models incentivize states, in accordance with Article 23 of the UN Charter, to consider contributions to international peace and security, by incorporating regional consultations that would nominate candidates for UNSC membership to be considered by the GA. As a result, preference is given to either the largest financial contributors to the UN or states with the greatest contribution to

international peace and security.

Additionally, each model has the positive characteristic of providing six seats for each of the four regional groups, promoting the adoption of one of the options and establishing the principle of a fair geographic distribution of seats in the UNSC [32, p.75].

At the same time, the proposed models do not involve any expansion of veto power or changes to the existing powers of the UNSC. However, transforming the UNSC into a truly effective organ of a universal international organization for the maintenance of international peace and security, in a broad interpretation of this definition, seems impossible without functional changes to its mandate. In our view, it would require the consideration and provision of new powers that would enable the UNSC to address fundamentally new contemporary challenges and threats during the design and implementation stages.

Taking into account the identified characteristics of the main projects of organizational and legal reform of the UNSC within the broader institutional reform of the UN, we can propose the following optimal institutional model for this key UN organ, in my opinion:

1) The UNSC should remain a compact body capable of making prompt and effective decisions within the scope of its special legal personality in maintaining international peace and security. Therefore, it is advisable to expand its membership to ensure broader and equitable representation of UN member states, taking into account the current circumstances. The expansion should not exceed five permanent and ten non-permanent members (thus, the total number of UNSC members should not exceed 30, which is considered optimal). This approach, on the one hand, can satisfy all major regional and political groups of influence, and on the other hand, enhance the legitimacy and effectiveness of the decisions and actions of the examined body;

2) The members of the UNSC should exclusively be states and not international organizations or regional alliances of states. This is derived directly from the provisions of the UN Charter regarding the conditions of membership in the UN as a universal international organization of general scope. It is also consistent with the general principles of international relations prevailing in the modern world, which are based on the implementation of the principle of sovereign equality of states as the fundamental subjects of international law;

3) The permanent members of the UNSC, who possess the corresponding status according to Article 23, paragraph 1 of the UN Charter, should remain in their current legal position. This is seen as the minimum guarantee for the realism of any institutional reform

of the investigated organ of the international organization;

4)   In order to nominate candidates for new permanent members of the UNSC, a ranking vote should be conducted by a two-thirds majority of the UNGA based on applications from candidate states that meet specific minimum criteria. These criteria include the state's territorial size, population size, financial contribution to the UN budget and specific programs, as well as the degree of participation in UN peacekeeping missions and actions regarding threats to peace, breaches of peace, and acts of aggression sanctioned by the UNSC under statutory norms. These criteria should be measured using two indicators: material and technical resources, including military personnel and support staff directly involved in the mentioned areas of state activity. The most feasible approach would be to establish these criteria through a separate UNGA resolution that sets the minimum territory size, population size, financial contribution to the UN budget and specific programs, and the lowest level of participation in peacekeeping missions and enforcement actions under Chapter VII of the UN Charter of any current permanent member of the UNSC. This approach would allow states to vie for a permanent seat in the UNSC not based on political principles, but on a clearly defined legal minimum level of influence on a universal level of international relations, which cannot be lower than the corresponding indicators of existing permanent members of the UNSC. Furthermore, the same resolution should stipulate that the requirements outlined do not apply to an applicant state whose candidacy is supported by at least three-fourths of the GA members, as well as that each continent can recommend a maximum of two states with the highest number of votes in the GA. After the voting process, the selected candidates must be submitted for consideration by the Security Council, as the expansion of the permanent membership of the Security Council can only be achieved through amendments to Article 23, paragraph 1, of the UN Charter, following the procedure outlined in Article 108. This procedure should identify five candidates from the submitted nominations, which the President of the Security Council must communicate through an official statement and letter to the Secretary-General of the UN. Subsequently, it would be politically and legally reasonable to present the corresponding amendment for consideration by the GA in accordance with Article 108. If the resolution is adopted by a two-thirds majority, the internal constitutional mechanism of ratification of the accepted changes should be initiated by at least two-thirds of the UN member states, including the five current permanent members of the Security Council. This newly proposed legal procedure would allow the implementation of a model for expanding the composition of permanent members of the Security Council, partially removing the issue

from purely political discussions based on the national interests of individual states that significantly differ from one another. Instead, it would enable the acceptance of new permanent member candidates in a "package" manner based on international legal norms by amending paragraph 1 of Article 23 of the UN Charter. Additionally, through the same amendment, it would be possible to replace the words "Union of Soviet Socialist Republics" with "Russian Federation," which is a necessary condition to align the normative content of the UN Charter with current realities [33, p. 217];

5) The international legal status of all permanent members of the Security Council must be the same in all its aspects, including the procedure for decision-making (voting procedure) regarding the application of the "mirror" principle to the veto power on non-procedural matters;

6) The application of the aforementioned unanimity principle as the valid conceptual and functional basis for the activities of the Security Council in maintaining international peace and security should be significantly limited, excluding its application to decisions based on Chapter VI of the Charter, "Pacific Settlement of Disputes." Furthermore, the unanimity principle itself should be radically modernized, replacing it with the principle of "unanimity minus two permanent members" in an expanded composition of the Security Council. This means that with a total membership of 30 (10 permanent and 20 non-permanent seats), decisions would be adopted by a qualified majority of 21 votes, and the veto power could only be exercised collectively by at least three permanent members out of ten. This approach would greatly address the previously analyzed problem of the Security Council's inability to make decisions while still retaining the primary responsibility of the permanent members for maintaining international peace and security. It would also maintain the feasibility of implementing institutional reform of the Security Council in accordance with the procedure provided for in Article 108 of the Charter;

7) When making the aforementioned amendments to Article 27, paragraph 3, of the Charter, the phrase "including the concurring votes of all the permanent members of the Security Council" should be replaced with "in the absence of 'no' votes by at least three permanent members of the Security Council." This would, among other things, formally and legally legitimize the situation where, in practice, the votes of permanent members who abstained or were not present are not considered obstacles to the adoption of a draft resolution, a resolution clause, or its amendments;

8) Non-permanent members of the Security Council should be elected in the manner specified in Article 23, paragraph 1, of the Charter. However, the GA should

establish minimum criteria through a resolution for the participation of respective states in maintaining international peace and security and achieving other UN goals. Furthermore, it should be stipulated that no more than five states from one continent can serve as non-permanent members of the Security Council at the same time, but there should be a minimum of two members each from Europe, South America, North America, Asia, Africa, Australia, and Oceania (interpreted broadly as the Pacific region). This is because, as it appears, the principle of continental distribution of non-permanent seats in the Security Council is the most fair, legally justified, and equal option for all UN member states, embodying the concept of "equitable geographical distribution" mentioned in Article 23, paragraph 1;

9)   Periodic review of the composition of the permanent members of the Security Council is justified for the same reason as the election of new Council members. However, it should apply to all permanent members and be conducted at least every 50 years. This is because, as history of international relations has shown, the fundamental capacity of an individual powerful state to effectively address the tasks of maintaining international peace and security is unlikely to change within a shorter timeframe. Such a provision should be included in the Charter through the process of institutional and legal changes;

10)   It is advisable to extend the term of office for non-permanent members of the Security Council from two years to five years. This would allow them to fully realize their potential and aspirations in the realm of maintaining international peace and security, while reducing their dependency on the financial and political influence of the permanent members [34, p.306].

Thus, in order to implement the proposed model for reforming the UNSC, the following amendments should be made to the UN Charter:

1)   Amend Article 23, paragraph 1, as follows: "The Security Council shall consist of thirty Members of the UN. The People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The GA shall elect twenty other Members of the UN as non-permanent members of the Security Council based on minimum criteria of their participation in maintaining international peace and security and achieving other goals of the Organization, as well as equitable geographical distribution, as established by a resolution of the GA."

2)   Amend Article 23, paragraph 2, as follows: "Non-permanent members of the Security Council shall be elected for a term of five years. A member of the Security Council

that has completed its term shall not be immediately eligible for re-election."

3)   Add paragraph 4 to Article 23: "Upon a decision by two-thirds of the Members of the GA, but no more frequently than once every 50 years, a periodic review of the composition of the permanent members of the Security Council shall be conducted according to the procedure provided for the election of new permanent members of the Security Council."

4)   Amend Article 27, paragraph 2, as follows: "Decisions of the Security Council on procedural matters, as well as decisions under Chapter VI and under Article 52, shall be considered adopted when twenty-one members of the Council have voted in favor." Amend paragraph 3 of Article 27 as follows: "Decisions of the Security Council on other matters shall be considered adopted when twenty-one members of the Council have voted in favor, provided that there are no votes against by at least three permanent members of the Council" [35, p. 222].

The implementation of a fundamentally new comprehensive doctrinal approach to the organizational and legal institutional reform of the Security Council will allow for the resolution of a number of existing problematic issues in the functioning of this body. It will address the inability to make decisions on the agenda, enhance the international legitimacy of adopted decisions, expand the composition of the Security Council for a more equitable representation, and, above all, improve the effectiveness of the Council in maintaining international peace and security, which constitutes its primary function within the UN system [36, p.208].

Thus, the conducted legal analysis of the organizational and legal aspects of the Security Council, along with the developed author's model of its institutional reform, should serve as a proper foundation for further scientific research on the legal status of the Security Council. It will also contribute to the search for an optimal model of Security Council reform at the UN level. The UN Charter is the primary international legal instrument upon which the system of collective security in the modern world is normatively based. Therefore, there is no doubt about the necessity of statutory regulation of the international legal status of the Security Council. It is an essential condition for giving real legal substance and objectivity to its activities. Consequently, the modernization of this body must occur exclusively through amendments and additions to the provisions of the UN Charter. This, however, requires the development of specific practical proposals for such changes and additions.

2.2 Organizational aspects of UN reform at the current stage.

The UN is a global supranational institution that has the ability to influence virtually any event that takes place on the international stage and within each individual member country. It covers virtually the entire spectrum of international relations, and no significant event goes unnoticed by the UN. Hence, the chosen issue of UN reform in the modern world, in response to the threats and challenges of contemporary times that endanger humanity, is highly relevant. It has been 77 years since the establishment of the UN, and the world has undergone radical changes, necessitating the adaptation and restructuring of the organization to meet new realities. With the increase in international conflicts, global challenges of the present, and the intensification of global globalization, informatization, and computerization across all spheres of society, old methods and approaches to crisis resolution have become either ineffective or insufficient. Therefore, the transformation of the UN will determine the state of affairs on the international stage, as well as global peace and security. In recent years, there has been an increasing call for the reform of the UNSC. This issue has gained particular prominence in light of the Russian-Ukrainian war. In the current realities, the UN has proven to be unable to adequately and swiftly respond to the acute situations that arise in the modern world, with Ukraine being a prime example. The main reason for the UN's insufficient effectiveness is its slow response to events on the international stage and its dependence on the policies of the permanent members of the UNSC, namely the United Kingdom, China, Russia, the United States, and France (P5).

It should be noted that the structure of the UN is quite complex and encompasses a large number of different organizational units, including committees, commissions, departments, and more. The main structural entities include the GA, the Security Council (SC), the ECOSOC, the ICJ, the Trusteeship Council (which suspended its operations on November 1, 1994), and the Secretariat. In terms of levels of authority, the GA and the SC are the most important within the UN. The GA of the UN brings together all member states and discusses the most important and relevant issues in contemporary international relations during its sessions. The resolutions adopted by the GA reflect the position of the global public opinion on various issues and serve as the basis for the work of the UNSC. However, it is important to note that GA resolutions have a recommendatory character, meaning they are not legally binding. This limitation significantly restricts its impact on shaping the global situation. The Security Council, on the other hand, is an institution of the UN that attracts the most attention from the international community.

According to Article 1 of Article 24 of the UN Charter, the UNSC is primarily responsible for maintaining international peace and security. To fulfill this responsibility, the Security Council is

endowed with relevant functions and powers (Articles 34, 36, 39-42, 44, and 45 of the UN Charter). The Security Council has the right to impose various sanctions on an aggressor state and can require member states to participate in these sanctions (Articles 41 and 42 of the UN Charter). In order to carry out its functions, the UNSC member states are obliged, when necessary, to make available armed forces and related assistance to the Security Council and to provide passage rights (Article 43 of the UN Charter). Decisions on all matters, except procedural matters and the election of judges to the ICJ, require nine affirmative votes, including the concurring votes of all five permanent members (Article 27 of the UN Charter, Article 10 of the Statute of the ICJ) [23]. The permanent members of the Security Council have the right to veto. Therefore, the founding states of the UN can block any decision that does not align with their interests. Unlike GA decisions, decisions taken by the Security Council are, in principle, binding. However, due to the absence of a consistently effective enforcement mechanism, Security Council decisions are often disregarded. All of these factors have a negative impact on the overall reputation of the Organization.

Furthermore, the unfair advantages enjoyed by the P-5 states (permanent membership in the Security Council and veto power) create a double standard of responsibility and lead to widespread dissatisfaction among other countries. With appropriate reforms, the Security Council could become one of the main guarantors of peace. The ECOSOC is the principal organ responsible for coordinating, reviewing policies, and developing recommendations on economic and social issues. The Council also organizes the achievement of internationally agreed development goals. It serves as the central mechanism for the UN system and specialized agencies working in the economic, social, and environmental spheres, as well as coordinating and guiding the work of subsidiary bodies and expert groups. The Council consists of 54 members elected by the GA for a three-year term. ECOSOC is a central platform for discussing and addressing sustainable development issues. The importance of this body is evident from the fact that it accounts for nearly 70% of the overall budgetary resources and personnel of the UN. The ICJ is the principal judicial organ of the UN. The ICJ is located in the Peace Palace in The Hague, Netherlands, making it the only one of the six main UN organs situated outside New York. The Court performs two primary functions: the settlement, in accordance with international law, of legal disputes submitted to it by states, and the issuance of advisory opinions on legal questions referred to it by duly authorized UN organs and specialized agencies.

The effectiveness of the ICJ is significantly limited by the voluntary nature of states' recourse to it and the fact that its jurisdiction does not ensure the binding nature of its decisions, as they are only binding on the states that are direct participants in the judicial process. Similarly, the position

of the ICJ on a particular international issue, provided by the GA or the Security Council in the form of an official ICJ decision, is purely advisory in nature and does not have the force of law.

The Secretariat is the international staff working in offices worldwide and carrying out various day-to-day functions of the Organization. It serves and supports the other major organs of the UN and implements the programs and policies adopted by them.

The Secretariat of the UN is headed by the Secretary-General, who is appointed by the GA upon the recommendation of the Security Council for a term of five years with the possibility of reappointment. UN staff members are employed on an international and local basis, working in all UN duty stations as well as in peacekeeping operations. The Secretariat employs 5,500 people, and the UN's budget for 2016-2017 reached $5.4 billion, not including funding for peacekeeping operations ($8.27 billion in 2016), humanitarian assistance ($20.1 billion in 2016) [24], and other expenditures. However, the work of the Secretariat is characterized by bureaucracy that "...masks problems instead of giving them due attention" [25], functional duplication, and low efficiency. The main problem of the UN during the years of the Cold War, marked by the confrontation between the Soviet Union and the United States, was the organization's low effectiveness and insufficient level of influence on the world situation. The activities of the UN were often paralyzed by the Soviet Union and the United States, which utilized their dominant positions in the world and their membership in the Security Council. The UN played a relatively small role in resolving international relations problems. Almost all major issues were resolved through the joint efforts of the United States and the Soviet Union, rather than by the UN. For example, it was due to the joint actions of these two countries that the Suez Crisis of 1956 was resolved and the Arab-Israeli war was halted in October 1973. During the years of the Cold War, the principle of non-use of force and the prohibition of aggression worked poorly, primarily with regard to the Soviet Union and the United States. Both countries regularly resorted to aggression, justifying it with the right to self-defense, protection of compatriots in conflict zones, alliance obligations, requests for assistance (genuine or fabricated) from governments of various countries, defense of "democratic values," or "ideals of communism," and so on. It is enough to recall the Vietnam War or the invasion of Afghanistan, the U.S. intervention in Grenada in 1983 or Panama in 1989, the introduction of Soviet troops into Hungary in 1956 and Czechoslovakia in 1968, and so on.

The end of the 20th century was marked by significant global changes in the international system (the collapse of the Soviet Union, the demise of the bipolar model, and the transformation of the United States into a global political leader). In such circumstances, the role and significance of the UN as the primary international structure for ensuring stability in the international relations

system increased significantly. However, this situation raised questions about the new tasks of the UN in a changing geopolitical landscape.

The collapse of the bipolar system led to global shifts in international relations, including the reconfiguration of the political map and the emergence of numerous local conflicts replacing the global confrontation between the Soviet Union and the United States. The former Yugoslavia and the former Soviet Union became hotbeds of conflicts in Europe, while Somalia, Rwanda, Zaire, and Sierra Leone experienced conflicts in Africa. In these new conditions, the primary task for the UN became the prompt and adequate response to emerging conflicts, along with the implementation of effective measures for their resolution.

The first decade after the end of the Cold War demonstrated that the UN faces the same challenges as it did during that era. These challenges include the inconsistency of actions by UNSC member states, their inability to reach consensus on various issues, and the indecisiveness of the UN itself. A prominent example is the Russian military intervention in Georgia in 2008, the deployment of Russian forces in South Ossetia and Abkhazia without a corresponding UNSC resolution.

Another significant problem that has persisted since the Cold War is the abuse of the veto power by permanent members of the UNSC. A striking example is the blocking by Russia and China of Western countries' attempts to impose sanctions against the regime of Bashar al-Assad in Syria. A similar situation arose during the Russian-Ukrainian war, triggered by events in Crimea and subsequent developments. On March 15, 2014, Russia exercised its veto power in the UNSC to prevent the adoption of a resolution declaring the Crimean referendum on annexation illegal [26].

This situation effectively divided the UNSC into two camps: the United States, France, and the United Kingdom on one side, and Russia and China on the other. Consequently, the work of the Council is hindered as any attempts by one camp to pass a resolution in its favor are quickly blocked by the opposing camp. The conclusion is evident: the UNSC is becoming an entirely powerless structure unable to fulfill its main function of ensuring international security and ending armed conflicts. Today, the Security Council is being disregarded. The number of military operations that involve intervention in the affairs of other states under the pretext of "humanitarian interventions" conducted without its authorization is steadily increasing.

Therefore, the reform of the UN and its main structures, such as the GA and the UNSC, is an essential requirement to transform them into effectively functioning entities. In addition, there is a demand for the reform and improvement of activities related to peace support, peacebuilding, and disarmament, the establishment of an effective human rights protection system, strengthening the judicial system, coordinating the work of specialized agencies and commissions, and enhancing the

UN's human resources capacity [27]. At the end of the 20th century, the world faced new problems associated with the process of globalization, and their resolution became beyond the capabilities of individual states or a few states. This necessitated the search for ways to reform the UN and its structures, as well as the improvement of the international security system within the framework of the UN Charter to provide an adequate response to the challenges and threats faced by the modern world.

Professor of History at Yale University, P. Kennedy, recognizes the need for reforms in the UN, which "increasingly appears anachronistic" as its Charter reflects the realities of the time of its adoption in 1945 [28, p. 245]. The active process of UN reform began with the appointment of Secretary-General Kofi Annan in 1997. During the 52nd session of the UNGA, the main directions for UN renewal were outlined, including structural transformations within the Secretariat, coordination of the UN system organizations at the country level, and improving interaction with civil society. This topic received further development at the "Millennium Summit" in 2000, immediately following the conclusion of the 55th session of the GA, which took place in September of the same year. The summit, attended by 185 delegations, including 105 heads of state and government of UN member states, discussed the report by UN Secretary-General K. Annan on global problems facing humanity in the "century of unstoppable scientific and technological progress", [29] deepening the gap between rich and poor countries, and the threat of a biosphere-ecological crisis.

The focus was on issues related to strengthening the role of the UN and increasing its effectiveness in international relations, as well as reaffirming the prerogatives of the Security Council, consolidating the fundamental principles of international law. Significant attention was given to the problem of globalization of the global community. Both in K. Annan's report and in the speeches of other participants, it was noted that globalization, despite its merits, also has significant drawbacks. For example, the world market is not yet governed by rules based on "common social goals," and the benefits of globalization are primarily enjoyed by industrially developed countries. However, the UN comprises states with different levels of economic development and diverse, sometimes mutually exclusive, interests. In this regard, the UN is called upon to facilitate the development of compromises. The MD became the main outcome document of the summit, outlining the directions for bringing the UN in line with the demands of the new era [30]. All subsequent reform projects and programs were to be conducted within the framework of the goals formulated in the MD.

The second most important report by the Secretary-General, titled "Strengthening the UN: An Agenda for Further Change," presented at the 57th session of the UNGA, made a significant

contribution to the UN reform. It addressed enhancing the effectiveness of the UN's work in areas such as human rights protection, public information, resource allocation, and human resources management. At the subsequent session of the UNGA, a decision was made to continue efforts in developing a comprehensive and effective strategy to respond to global threats and challenges [31]. The High-Level Panel on Threats, Challenges, and Change, also known as the "Wise Men's Group," played an important role in preparing the relevant conclusions and recommendations. In the report titled "Greater Freedom: Development, Security, and Human Rights for All" [32], the Secretary-General identified the key directions for UN reform, with the eradication of poverty and war being the central task of the UN reform.

Among the innovative proposals, the idea of creating a Commission for Peacebuilding was put forward, with a voluntary standing Peacebuilding Fund as its financial source. There was also a proposal to replace the Commission on Human Rights with a smaller, permanent Human Rights Council, as one of the main organs of the Organization or a subsidiary body of the GA. The members of this Council would be directly elected by a majority of votes from the member states of the GA, with the support of two-thirds of the present members participating in the voting. In March 2006, this proposal by the Secretary-General was implemented, and the Human Rights Council, consisting of 47 members, was created instead of the Commission on Human Rights [33]. The report also addressed the issue of UN Secretariat reform, which, at the request of the GA, involved the analysis of all mandates granted by the GA that had been in effect for more than 5 years, to determine their relevance and the possibility of reallocating allocated resources to address new tasks. It also included the coordination of providing the Secretary-General with authority and resources to implement a one-time program to stimulate early retirement of staff, which would contribute to the replenishment of personnel based on existing needs. Other topics discussed in the report were the decision by member states, in cooperation with the General Secretariat, to conduct a comprehensive review of budgetary and personnel rules that govern the organization's activities, the adoption of a package of measures to reform the management system aimed at increasing accountability, transparency, and efficiency in the Secretariat, and the adoption of a decision to conduct a comprehensive review of the activities of the Office of Internal Oversight Services to strengthen its independence and expansion.

Summarizing the achievements of the UN over the course of its existence, it is worth noting the transformation of the organization from primarily a conference-servicing body into a truly global service provider, operating in virtually every corner of the world, thereby contributing to the improvement of the lives of people in need. The following statistical information confirms the progress made: over 70% of the annual budget is allocated to peacekeeping and other field

operations, which is nearly 20% more than in the mid-1990s; the number of humanitarian representations has increased from 12 to 43; and the number of human rights representatives from the Office of the UN High Commissioner for Human Rights in countries has almost quadrupled [37]. However, there are still challenges that have not been overcome, with the most significant one being the reform of the UNSC. Discussions on the reform of the UNSC have been ongoing since the early years of the organization's existence [38, p. 31]. The need for SC reform is driven by significant changes in the world that have occurred since World War II, including economic, military-political, demographic, and other factors[39, p. 43]. The current composition of the UNSC does not proportionally represent conflict zones geographically. Among the 15 members of the UNSC, 5 seats are allocated to the Western European and Others Group (including three permanent members), 2 seats to Eastern Europe (including Russia), 3 seats to the Asian-Pacific region (including China), 3 seats to Africa, and 2 seats to the Latin American and Caribbean group of countries. These regional quotas indicate that one-third of the seats in the UNSC belong to the "golden billion" countries, while Eastern Europe, which has many unresolved conflicts, is represented only by Russia and one non-permanent member, and the Middle East, the source of the most acute conflicts, has only one representative from the Asian-Pacific group. Moreover, the Asian quota does not always allow for the consideration of the positions of countries whose interests are affected by a number of territorial conflicts in the South China Sea and East China Sea, which are major maritime routes of the world. The economic dimension of the global order shows that in recent decades, there has been a shift in the major economic centers from the West to the East. This global trend is reflected in the rapid growth of the GDP of Asian countries. The share of African countries in the global economy is also steadily increasing. Therefore, current realities require overcoming the asymmetry between developed and developing countries in order to avoid global confrontation along the North-South divide.

During its existence, the UNSC has failed to establish itself as a reliable foundation for global peace and security, effectively uphold international law, and prevent numerous destructive regional conflicts, including the Russian-Ukrainian war. One of the contributing factors to this failure is the veto power held by the five permanent members of the Security Council, which is not always used constructively. From 1946 to 2022, a total of 264 Security Council resolutions were vetoed [44]. In most cases, this allowed the Soviet Union/Russia and the United States to obstruct military actions against their allies in various parts of the world. Recent notable examples of the abuse of the veto power include the Israeli-Palestinian conflict (with the consistent support of Israel by the United States), the Syrian crisis (with Russia vetoing resolutions against the Syrian government), and the

Ukraine-related issues (with Russia unlawfully exercising its veto power to prevent the establishment of the International Criminal MH17).

Therefore, the main international organization responsible for maintaining peace and security often proves powerless in its efforts to halt violence, leaving acts of military aggression unpunished. While during the Cold War, the veto power could be perceived as a preventive mechanism to avert nuclear war, it is now primarily used as a tool to advance self-serving national interests, disregarding international law and the opinions of the majority of the global community. As a result, the veto power of the permanent members of the UNSC, along with the existing structure of the Council, no longer aligns with the realities of the modern world order and hinders efforts to achieve global peace and security.

In 2013, France proposed an initiative to limit the use of veto power by the "P5" permanent members of the UNSC in situations involving crimes against humanity and genocide. Mexico later joined this initiative as a co-sponsor. Currently, 114 countries support the idea of restricting the application of the veto power by the permanent members of the Security Council [45]. Therefore, during the reform of the Security Council, two main aspects should be considered: the representation of peoples and nations in the body should be broader, and the Security Council should be able to respond quickly and adequately to threats and make decisions when necessary. The Security Council should represent the international community, reflecting the real balance of participants in international relations. This would enhance its legitimacy in the eyes of the international community through objective representation of nations and peoples, as well as the status of the permanent members of the Council. By the way, there is already a precedent in the history of the UN for increasing the number of non-permanent members of the Security Council. On December 17, 1963, through a UNGA resolution, the number of non-permanent members was increased from 6 to 10 [46]. There has also been a precedent in the history of the UN for changing a permanent member of the Security Council. On October 25, 1971, the GA adopted a resolution recognizing the government of the People's Republic of China as the lawful representative of China in the UN, depriving the Republic of China (Taiwan) of UN membership [47]. This precedent is particularly interesting for Ukraine in the context of Russia's illegal occupation of a seat as a permanent member of the Security Council, according to M. V. Boromenskiy's perspective [12]. However, it should be emphasized that any institutional reform of the Security Council, like any other principal organ of the UN, should take place exclusively through amendments and additions to the UN Charter as the sole universal document capable of ensuring the international legal legitimacy of such transformations.

Today, at the beginning of the 21st century, fundamentally new global problems have emerged, which can only be solved through collective efforts. The most important among them are ensuring peace on the planet, territorial integrity of states, the threat of global terrorism, global ecological catastrophe, acute resource shortage, and the widening gap between the poorest and richest countries in the world [48]. The UN can and should become the organization that unites the efforts of the global community to address these issues. However, for this to happen, it needs to undergo reform. The foundations of the current crisis in the UN can be traced back to the moment of signing its Charter. This is because the lengthy and contentious process of reaching consensus on the basic provisions of this document was achieved through concessions and compromises by the Organization's members, which allowed for its future revision. In the early years of the UN's existence, there was no discussion about changing the conceptual foundations of the Charter. It was only with the intensification of the Cold War that the first signs of the organization's ineffectiveness became apparent. The ideological confrontation between the Soviet Union and the United States in the second half of the 20th century led to the inability of the UN to make consolidated decisions and gave rise to a number of international problems. The collapse of the bipolar world system and globalization created new challenges for the UN. Further reform of the GA, the Security Council, ECOSOC, the Trusteeship Council, and the UN Secretariat is necessary. The reform of the UNSC should be carried out gradually, establishing agreed conceptual foundations and practical measures to preserve and strengthen its role as the central organ of the UN. However, necessary transformations are required: the world has changed, and the structure that protects it needs to change as well. At the initial stage, it is necessary to increase the number of Security Council members, and the number of permanent members should reflect the regional picture of the world. New permanent members should not have veto power for a period of 15-20 years.

3. THE PLACE AND ROLE OF UKRAINE IN INITIATING UN REFORM

3.1. **Activities of the state authorities of Ukraine regarding interaction with the UNSC**

Ukraine became one of the founding member states of the UN in 1945. The Ukrainian delegation actively participated in the San Francisco Conference, making a significant contribution to the development of the UN Charter, particularly in coordinating the drafting process of the Preamble, Goals, and Principles of the UN Charter. Until 1991, while being part of the Soviet Union, Ukraine had its own representation within the UN as a de jure independent country.

Ukraine was a member of the UNSC, which, in accordance with the Organization's Charter, bears the primary responsibility for maintaining international peace and security, on four occasions: 1948-1949, 1984-1985, 2000-2001, and 2016-2017. Two of these occasions were when Ukraine was known as the Ukrainian Soviet Socialist Republic, and the other two were as an independent state.

Since declaring independence, Ukraine has entered a new phase of its engagement with the UN, which has been identified as one of the priority areas of the country's foreign policy.

As a participant in all international conventions and protocols regulating the fight against terrorism, Ukraine actively engages in the activities of the UNSC in the counter-terrorism domain. Additionally, the Ukrainian delegation has actively participated in the work on all agenda items of the Council, which includes over 540 formal and 315 informal meetings on more than 50 global agenda issues. Ukraine has contributed its ideas to over 130 UNSC resolutions and over 40 statements by the Council President. A representative of Ukraine has also chaired three subsidiary bodies of the Council, namely, Committee 1521 on Liberia, Committee 1591 on Sudan, and Committee 2127 on the Central African Republic.

In addition, in February 2017, during Ukraine's presidency of the UNSC, open ministerial-level debates were held on the issue of conflicts in Europe. Furthermore, at the initiative of the Ukrainian delegation, the first-ever UNSC resolution 2341 on the protection of critical infrastructure against terrorist attacks was adopted. In March 2017, Ukraine hosted an informal meeting of the UNSC under the Arria formula on "Hybrid Warfare as a Threat to International Peace and Security," which marked the first discussion of the issue of hybrid warfare within the UN framework. Additionally, in April of the same year, an informal meeting of the UNSC was organized on the topic of "The Impact of Climate Change on Security: Rising Sea Levels". During Ukraine's membership in the UNSC, special attention was given to the following areas:

- Countering Russian aggression against the territorial integrity and political independence of Ukraine.

- Ensuring the universal adherence to the goals and principles of the UN Charter.

- Strengthening the UN's peacekeeping potential.

- Enhancing transparency and democracy in the work of the UNSC.

- Strengthening the UN's capacities for conflict prevention and mediation.

- Supporting peace efforts in Africa.

- Combating terrorism.

- Supporting disarmament and non-proliferation processes.

- Advancing the agenda on women, peace, and security, as well as the protection of children in armed conflicts.

These issues have been of particular importance to Ukraine during its tenure in the UNSC, reflecting its commitment to upholding international peace, security, and respect for the principles of the UN Charter.

Ukraine's membership in the UNSC in 2016-2017 occurred amidst the ongoing military aggression by the Russian Federation, which is a permanent member of the Council. Consequently, this situation had a significant impact on the work of the Ukrainian delegation, whose top priority has always been and remains the defense of Ukraine's independence, sovereignty, and territorial integrity. As a non-permanent member of the Security Council, Ukraine utilized all available tools to counter Russian aggression, including ensuring the Council's prompt response to potential escalations in the political and security situation in the temporarily occupied territories of Ukraine and along the contact line [13, p. 393].

Given the challenging circumstances, Ukraine actively engaged in leveraging the Security Council's mechanisms to address the conflict and protect its interests. The delegation strived to draw attention to the situation in Ukraine, advocate for a peaceful resolution, and counter any attempts to legitimize the illegal actions of the aggressor state. The Ukrainian delegation consistently emphasized the importance of upholding international law, respecting Ukraine's sovereignty, and ensuring the implementation of relevant Security Council resolutions regarding the conflict.

Indeed, the inability of the Security Council to effectively protect peace and security was evident when one of the parties involved in the conflict was a country that held a permanent seat on the Council, as was the case with Russia's aggression against Ukraine in 2014-2015. Ukraine, as a

country to which all permanent members of the Security Council had provided direct security guarantees, faced a situation where the Council failed to adequately respond to the aggression.

This situation underscores the need to develop recommendations to enhance the effectiveness of the functioning of the UNSC as a whole and to strengthen Ukraine's cooperation with the Council [14, p. 316]. The military aggression by Russia against Ukraine, starting with the annexation of Crimea in 2014, represents an unprecedented challenge to the international system, its security, and the current global order.

Addressing the shortcomings and limitations of the Security Council's response to conflicts and ensuring the Council's ability to fulfill its primary responsibility of maintaining international peace and security are critical tasks. Ukraine's experience serves as a reminder of the importance of ongoing efforts to improve the functioning of the Security Council and strengthen its mechanisms to effectively address conflicts and crises worldwide.

On March 13, 2014, the Verkhovna Rada of Ukraine adopted an Appeal to the UN, stating that the Russian Federation was attempting to annex part of Ukraine's territory and would resort to an unprovoked act of aggression. It was already evident at that time that Russia's actions not only contradicted international norms of security maintenance but also violated existing bilateral agreements and the "spirit and letter" of international guarantees to Ukraine, as enshrined in the Budapest Memorandum [18, p. 284]. On March 15, 2014, a draft resolution on Ukraine was considered, which emphasized the illegitimacy of the "referendum" in Crimea and the absence of legal and political grounds for a change in the status of the Crimean Autonomy within Ukraine. The document also included recommendations for other states and international organizations to refrain from recognizing the results of the plebiscite in the Crimean Peninsula, abstain from actions that could be interpreted as accepting any change in the autonomy's status, and instead confirm Ukraine's sovereignty, independence, unity, and territorial integrity within its internationally recognized borders. During the voting on the resolution on Ukraine at the UNSC, 13 countries voted in favor, Russia voted against, and China abstained, citing that the invasion of Ukraine was caused by the consideration of the interests of opposition parties only. By exercising its veto power, the Russian Federation effectively blocked the UNSC's decision regarding the resolution of the situation in Ukraine at that time [20, p. 321].

On February 2, 2017, during Ukraine's presidency, a meeting of the UNSC took place. The statement issued at the end of the meeting condemned the use of heavy weaponry in Donbas and expressed support for Ukraine's territorial integrity. This meeting marked the debut of Nikki Haley, the new US Ambassador to the UN.

She clearly expressed her support for Ukraine and declared her intention to accelerate the reform of the UN. "Russia's attempts to destabilize the situation in Ukraine are one of the greatest challenges facing the European continent," Nikki Haley stated during a UNSC meeting dedicated to conflict resolution in Europe. UN Secretary-General António Guterres, in his speech at the Security Council meeting, noted that "the tragic conflict in Ukraine demonstrates how localized violence can escalate into a more serious confrontation that can have geopolitical consequences, undermine regional peace and security, and affect the capabilities of this Council." Following British Foreign Secretary Boris Johnson's visit to Ukraine on March 1, 2017, it was announced that "the Ukrainian issue will be among the priorities of the United Kingdom during its presidency of the UNSC in March." US Ambassador to the UN Nikki Haley also assured that the US "continues to condemn and call for an immediate end to the Russian occupation of Crimea. Sanctions imposed on Russia in connection with the annexation of Crimea remain in place until Russia returns control of the peninsula to Ukraine"[14, p. 152].

According to the provisions of the UN Charter, its member states are prohibited from using force that is inconsistent with the Charter. In practice, however, they are protected by the veto power from decisions and sanctions in case of their unilateral use of force. States regularly exercise the veto right in situations related to their interests. This is precisely the situation we observe today in the case of Ukraine and the Russian Federation. Russia, as a permanent member of the UNSC, blocks all decisions regarding Ukraine using its veto power [9]. In our opinion, Ukraine's position on UN reform should be two-tiered and include both strategic and tactical objectives, a kind of maximum program and minimum program. Strategic objectives should stem from the vision of the UN as an instrument for guaranteeing peace in the world and facilitating swift conflict resolution. Ukraine is interested in transforming the UN into an effective international institution for ensuring peace, stability, and development on the planet, equipped with a set of efficient instruments that the Organization can use based on the provisions of international law. The UN must have sufficient authority and tools to promptly intervene in order to prevent or resolve conflicts in cases of violations of internationally recognized borders, mass human rights abuses, genocide, and so on. Tactical objectives should be aimed at eliminating the veto power of the aggressor country in the UNSC, isolating the Russian Federation to the maximum extent on the international stage, and ensuring maximum support for Ukraine from other members of the international community [14, p. 317]. Furthermore, in the near future, it would be worth suspending Russia's membership in the Security Council until the cessation of armed aggression against Ukraine, namely the withdrawal of Russian forces from the occupied territories and the demilitarization of illegal armed formations, providing compensation to the Ukrainian state and apologizing to the Ukrainian people,

guaranteeing non-interference in Ukraine's internal affairs, and the final return of the occupied territories under Ukrainian jurisdiction [11, p. 67].

When Ukraine properly and formally establishes that Russia has occupied Crimea and exercises control over the quasi-state entities of Donetsk and Luhansk, the next step should be the deprivation of the Russian delegation's voting rights in the UNSC when considering the situation in Ukraine.

According to Article 27, paragraph 3 of the UN Charter, a member state involved in an international dispute should abstain from voting. This provision should facilitate the adoption of a resolution regarding the deployment of a peacekeeping mission in Donbas and other violations of international peace and security caused by Russia's aggression against Ukraine. It is worth noting that the Government of Ukraine and the UN have signed a Framework Partnership Program for 2018-2024.

This program, with an expected budget of $675 million USD, establishes the basis for strategic planning and activities of the UN system in Ukraine for the next five years, based on four main partnership directions:

1. Sustainable economic growth, environment, and employment.
2. Equal access to quality and inclusive services and social protection.
3. Democratic governance, rule of law, and civic participation.
4. Citizen security, social cohesion, and recovery with a particular focus on the East.

The strategic program, developed by UN entities in Ukraine and the Government of Ukraine in collaboration with representatives of civil society, expert community, and the international community, establishes a shared commitment to support the reform process, achieve international standards, Sustainable Development Goals, and the 2030 Agenda for Sustainable Development. It aims to ensure Ukraine's compliance with the requirements of international conventions, protocols, norms, and human rights documents.

3.2. **The activities of the UNSC in the context of the Russian-Ukrainian war and additional arguments regarding the prospects of reform**

In the context of Russian military aggression against Ukraine, the prospects and mechanisms for reforming the UNSC become urgent issues in the modern international order. By employing systemic, analytical, statistical, and comparative methods, there is a recognition of the need for institutional reform of the UNSC and its adaptation to the realities of the 21st century.

Organizational reform will allow for the improvement of the existing system of power balance to confront new challenges faced by the international community. Reforming the UNSC to enhance its effectiveness is an imminent but complex and contentious issue, particularly regarding the use of veto power by permanent members of the Security Council. Ukraine's initiative and active foreign policy towards UN reform will create a new avenue for exerting pressure on the aggressor, strengthening its own international positions, and making a significant contribution to the review and improvement of the global security architecture.

The Russian-Ukrainian war has intensified the need for reform within the UN and its key institution, the Security Council. Without such reform and the establishment of algorithms and mechanisms for swift and effective response to violations of international law, the UN faces a similar fate to that of the League of Nations. As a state that has received direct security guarantees from the permanent members of the UNSC and has simultaneously become a victim of direct aggression by one of them, Ukraine has every political, legal, and moral basis to firmly raise the issue of reforming the Security Council and to be among the leaders in creating a coalition of countries supporting such reform.

The question of reforming the UNSC has been the subject of scholarly and political debates for many years. Important aspects of this issue have been addressed in the works of E. Hodovanik [9], Y. Zhukorska [17], Y. Turchyn, and others. Additionally, Western scholars such as T. Dorfler, V. Fassbender, G. Lopez, and R. Butler have conducted research on the problem of UNSC reform in the contemporary stage.

The identified issue has been fairly well-explored in the scholarly literature. However, it should be noted that a number of important questions still remain overlooked. This pertains to the challenges that the UN has faced following the escalation of the situation in Syria and Ukraine. Practical guidance for the accelerated process of reforming the UNSC and adapting it to the realities of the 21st century is scarce in the scholarly literature.

Over its 77 years of existence, the UNSC has failed to become a reliable foundation for global peace and security, an effective defender of state sovereignty, or a preventive force against numerous bloody conflicts at the regional level. However, according to international norms and standards, despite its inadequate effectiveness, the UNSC remains the primary international institution for maintaining international peace, especially in the absence of other global organizations.

The UNSC, since its establishment as a guarantor of international peace and security, with broad powers to influence states that violate international law (including the right to impose sanctions and the use of military force against peace and security violators), has proven to be

ineffective in resolving a number of large-scale armed conflicts at the end of the 20th and beginning of the 21st century. One of the reasons for this failure is the veto power in the UNSC, which the five permanent members do not always use constructively. From 1946 to 2015, the veto was used to block 193 resolutions of the UNSC, of which only in 26 cases two or more states exercised this right. In most cases, this allowed the United States and the USSR/Russia to block coercive actions against their allies in various parts of the world. In certain cases, the use of a "hidden veto" had tragic consequences, such as in Rwanda, where approximately 800,000 people of the Tutsi ethnicity were killed in the 1994 genocide, 2 million people became refugees, and another 2 million were displaced within the country. France exercised the "hidden veto" in that case, which led to the absence of the term "genocide" in seven consecutive Security Council resolutions. This fact is indicative of the failure of the Secretariat, the Security Council, and UN member states in their attempts to put an end to the genocide, as an independent investigation conducted in 1999 under the mandate of the UN Secretary-General revealed their equal responsibility. After the investigation, the UN Secretary-General expressed deep regret and reiterated his firm commitment to taking measures to ensure that the Organization does not remain powerless in its efforts to stop mass bloodshed. The problem of the Security Council's inability to make decisions within its competence was officially recognized at the level of the highest administrative official of the UN [2].

In recent years, prominent examples of abuse of the veto power have been observed in the Israeli-Palestinian conflict (with the United States consistently supporting Israel), the resolution of the Syrian crisis (where Russia continues to block resolutions against the Syrian government), and, of course, the most painful example is the aggression of Russia against Ukraine (where Russia has utilized the veto power in matters concerning the recognition of the Crimean referendum as illegitimate and the establishment of an International Criminal Tribunal regarding MH17).

Moving from the analysis of historical conditions to the consideration of the activities of the UNSC, one can recall the speech by the former President of Ukraine at the UNSC in New York in 2016. At that time, Petro Poroshenko accused the Security Council of its inability to maintain peace and security in Syria and its insufficient resolve in ending the armed conflict and Russian aggression in Ukraine. "All of this calls for a critical need to reform the Security Council, primarily in terms of the veto power. Any veto should not block the actions of the Security Council, especially regarding issues of mass violence", emphasized Petro Poroshenko.

Thus, the main international institution responsible for maintaining peace and security often fails to halt violence, while aggressors and aggression go unpunished. While during the Cold War era, the veto power could be seen as a necessary safeguard to prevent a nuclear war, today it is primarily used as a means to pursue purely national interests, disregarding international law or the

position of the majority of the global community. Therefore, the veto power of the permanent members of the UNSC, as well as the current structure of the UNSC, do not meet the requirements of a functional international security system and serve as an obstacle to ensuring peace in the world.

Indeed, the rules of international interaction have become less predictable and controllable. The UNSC not only fails to fulfill its function of maintaining peace and security but also completely fails to reflect the current hierarchy of the world order. This disparity manifests itself in various dimensions. In the military-political dimension, the five major beneficiaries of the Second World War - the United States, the Soviet Union/Russia, China, the United Kingdom, and France - have lost their collective monopoly in the world order. Consequently, the United Kingdom and France lost many attributes of global powers as early as the 1950s due to processes of decolonization and assuming a secondary role in the world: the United Kingdom became a key ally of the United States, while France evolved from a leader of European integration to a crucial but junior partner of Germany in the EU.

Furthermore, it is necessary to consider the need for reforming the UNSC from Ukraine's perspective. The UN is the most legitimate and universal international organization, tasked with maintaining peace and international security. However, the main challenge to its effectiveness, as demonstrated by the course of the Russian aggression against Ukraine, is the inefficiency of existing mechanisms to achieve this goal. The actions of the UN are blocked by Russia's veto power as a permanent member of the Security Council, particularly regarding resolutions concerning countries where Russia acts as an aggressor. At the same time, the UNSC, as the primary international security institution, is responsible for maintaining international peace and security (in accordance with Article 24 of the UN Charter) and is the only organ of the UN authorized to initiate preventive and enforcement actions on behalf of the UN (Article 42), including the use of collective armed forces of UN member states. Six attempts to adopt resolutions on Ukraine in the UNSC, including those related to the annexation of Crimea and the establishment of a tribunal on the downing of the Malaysian Airlines plane, as well as the terrorist attack in Mariupol, have failed due to Russia's position. Other Council members did not oppose Russia's participation in voting on resolutions, as provided for in Article 27(3) of the UN Charter: "A party to a dispute shall abstain from voting when a decision under Chapter VI or under paragraph 3 of Article 52 is before the Security Council" [8].

Another important area that is also distorted under the influence of Russia's destructive actions is the system of international guarantees built on the principles of the UN. According to the Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons, signed in Budapest on December 5, 1994, Ukraine received

assurances, including from Russia. Russian diplomacy reaches significant demagogic heights in its advantageous interpretation of these assurances. For instance, on April 1, 2014, the Russian Ministry of Foreign Affairs stated that Russia's main obligation under the Budapest Memorandum is "only the non-use and non-threat of using nuclear weapons against non-nuclear-weapon states".

This interpretation was reaffirmed by the Russian Minister of Foreign Affairs, Sergey Lavrov, at the beginning of 2016. It is worth mentioning the conference of the participating states of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which took place at the UN in May 2015. During the conference, the Russian representative not only rejected the U.S. proposals for nuclear arsenal reduction but also threatened their "expansion under certain circumstances." What is alarming is that such expansion of nuclear arsenals could take place not just anywhere, but in Crimea. The negative consequences for the global denuclearization process are evident.

During the commemorative session of the UNGA, progress made by UN member states regarding Iran's nuclear program was acknowledged. However, this success was achieved despite the growing atmosphere of mistrust in the assurances received by countries in exchange for the dismantling of their nuclear programs.

Among the problems of the functioning of the UN, the systemic crisis of underfunding cannot be overlooked. The overall budget deficit of the UN for humanitarian aid alone amounts to approximately $12.5 billion. Despite the war and its negative consequences for the humanitarian sphere, Ukraine finds itself among the countries that simply lack sufficient financial support from the UN. The reasons for this lie both in the growing global crisis phenomena and the urgent need for reforming the budgetary sector of the UN [6].

All the aforementioned challenges have deep-rooted nature, and addressing them will require complex institutional changes. It seems problematic in the short-term perspective to agree on a mechanism that would deprive a permanent member of the UNSC of the right to vote when it is a party to the conflict. Certain legal principles for this exist, but they require an additional legal step - recognizing the violator as the source of armed aggression and a party to the conflict. This raises yet another problem, namely the justified qualification of Russia's actions towards Ukraine.

As Ukraine has been subjected to an armed attack by the Russian armed forces and their controlled mercenaries, the violation of territorial integrity can be considered as armed aggression by Russia against Ukraine. The actions of Russia fall within the definition of aggression as outlined in UN General Assembly Resolution 3314 "Definition of Aggression" of December 14, 1974. The fact of military invasion by Russia against Ukraine has already been recognized by organizations such as the European Council, the Parliamentary Assembly of the OSCE, NATO, and the Parliamentary Assembly of the Council of Europe. However, the UNSC, as the authorized body

capable of qualifying Russia's actions towards Ukraine as aggression, has not been able to do so for understandable reasons.

The United States Permanent Representative to the UN, Samantha Power, who recently visited Kyiv, pointed out that since Russia initiated aggression against Ukraine, the Security Council has convened 33 times. However, during none of these meetings have its members been able to reach a joint decision. The positions of democratic countries and Russia have proved to be polarized. Moscow blocks all documents that could theoretically contribute to establishing peace or even condemn the aggression. This position, by the way, is characteristic of Russia not only in relation to the Ukrainian conflict. "Russia even blocked the condemnation of the use of chemical weapons against the Syrian people," Samantha Power recalled in Kyiv. The same was true during the Balkan War when Moscow openly supported Serbian leader Slobodan Milosevic. According to Samantha Power, in the Ukrainian issue, it's a standoff of 14 to 1, with 14 in favor of Ukraine and 1 being Russia, which does not hesitate to exercise its veto power [3].

In that case, the question arises: Will non-permanent membership in the Security Council be helpful? After all, Russia can still veto any initiative we put forward. Membership in the Security Council allows us to utilize existing mechanisms: to propose initiatives, raise certain issues within the Council. Another important point is that without non-permanent members, no meeting can take place, and this is well understood by everyone, including users of the same "magical" veto power. In meetings, every voice matters if decisions are made by a majority without the use of a veto. And there are quite a few decisions of that nature. However, it is unlikely that Russia will allow the Council to adopt any decisions regarding Ukraine. The inability of one of the most important organs of the UN to resolve the conflict raises doubts about its overall effectiveness.

Indeed, the problems with the effectiveness of the UN as a global peacemaker did not arise today during the Russian-Ukrainian war but emerged practically immediately after its establishment. The UN failed to prevent the war between North and South Korea, mainly due to the confrontation between the Soviet Union and the United States in the Security Council. The UN also struggled to address the Yugoslav issue, failed to save Rwanda from genocide, and couldn't prevent the civil war in Congo, not to mention the conflicts in the Middle East, Afghanistan, Iraq, Iran, Syria, and now Ukraine. However, despite the evident weaknesses of the UN in a volatile international environment, it remains the indispensable global organization and the only platform that brings together such heterogeneous groups of states. Therefore, the adaptation of the UN to the realities of the 21st century is an urgent problem that requires immediate resolution, especially in the context of militarized international conflicts.

The current structure of the UN, primarily the Security Council, is ineffective in terms of

maintaining peace and security and does not reflect the realities of today's world order, the role and potential of different countries, their contributions to economic development and peacekeeping. Consequently, it is unable to provide effective responses to the challenges facing the world. Due to its inability to fulfill its functions and responsibilities in guaranteeing international peace and security, there is a need to explore mechanisms for reforming the UNSC to enhance its effectiveness.

Reforming the UNSC is a complex and, at the same time, controversial issue because increasing the number of permanent members expands the possibilities of veto power, thus creating additional challenges for making urgent decisions. There is a risk that such changes could lead to a power imbalance on the international stage and significantly complicate the decision-making process within the UN. On the other hand, preventing new members from joining the Security Council may undermine the trust of the global community in its activities, while organizational reform would democratize the Security Council. This would enable it to better confront new challenges facing the international community and improve the existing system of power balance.

The majority of countries pay great attention to issues of information security, internet governance, and the establishment of internationally accepted rules and norms based on the UN Charter, international law, and the basic principles of international relations. The desire to achieve a sustainable, stable, and secure society has united the international community, pushing for partnership, cooperation, and mutual understanding. Multilateral participation has become a hallmark of the process of ensuring international information security. The UN has actively engaged in promoting global development and building a secure world society. The topic of international cooperation in ensuring international security as a whole, and information security in particular, has become acute and relevant in the modern world. The international community, within the framework of the UN and through UN mechanisms, demonstrates a commitment to extensive cooperation, the pooling of efforts, interaction, collective participation, openness, transparency, responsibility, and innovation in addressing the common challenge of a secure world.

It is not possible to completely eliminate the veto power, which can have discriminatory implications towards new permanent members of the UNSC. One of the more acceptable approaches is to introduce a veto procedure that requires the support of not just one, but two or three permanent members of the Security Council, thereby significantly enhancing the legitimacy of the decisions made.

However, it is important to note that such a change in the veto procedure would require the consensus and amendment of the UN Charter, which can be a challenging task due to the necessary consensus among all the permanent members of the Council.

Gaining a non-permanent seat on the UNSC provides Ukraine with an opportunity to restore its agency within the UN framework. Ukraine's initiative and active foreign policy regarding UN reform can create a new avenue of pressure on the aggressor, weaken its position, and strengthen Ukraine's international standing. It enables Ukraine to make a significant contribution to the review and improvement of the global security architecture. It is crucial to finally initiate an independent and systematic game on the international stage.

The recent developments in the Russian-Ukrainian war suggest that the Russian leadership is not abandoning its plans to destabilize the Ukrainian state. Any compromises with Ukraine and the collective West would not only mark the end of Putin's era but also signify the collapse of the Russian Federation as a unified state. Therefore, for Putin, the only chance to save himself is to prolong the war.

In this regard, domestic and Western analysts are considering plausible scenarios for the future of Russia, Ukraine, Europe, and the rest of the world.

According to domestic and Western analysts, the following plausible scenarios are being considered for the outcome of the war:

1. Absolute military victory of Ukraine and its allies over Russia: This scenario envisions a return to the borders of 1991, including Crimea, Donetsk, and Luhansk regions. Such a development would lead to the collapse of the Putin regime and create real prerequisites for the international presence in Russia, conducting a referendum, and holding free elections regarding Russia's future.

Likelihood: While some Western experts consider an absolute victory for Ukraine a distant possibility, the effectiveness of this scenario will be determined on the battlefield. According to the head of military intelligence, K. Budanov, the "turning point" will occur in the second half of the summer when Ukraine will be prepared for a counteroffensive. The success of this scenario depends on various factors, including the West's commitment to supporting Ukraine financially and militarily and Ukraine's ability to repel Russia's massive attacks.

2. Protracted years-long standoff without significant shifts in the front lines: This scenario entails a prolonged war characterized by battles on the confrontation lines, guerrilla actions in the occupied territories, and bombardments of Ukraine from Russian or Belarusian territory. Transitioning to a positional war is undoubtedly an undesirable scenario for Ukraine, as it does not resolve the question of its future and gives Russia time to mobilize its economy and population for prolonged warfare.

Likelihood: Despite Putin's pursuit of a long and exhausting war to weaken Ukrainian resources, economy, and army, Ukraine will never agree to such a scenario if it can prevent it militarily.

3.   Military victory of Russia over Ukraine and its allies: The most negative scenario assumes that in spring, new Russian units launch an offensive and gradually seize Kryvyi Rih, Sloviansk, Kramatorsk, and Kyiv, forcing the Ukrainian authorities to accept capitulation. Most likely, immediately after Ukraine falls, Russian forces will invade neighboring countries, including the final absorption of Belarus by Russia. Baltic countries, Poland, Moldova, Finland, Georgia, and several Central Asian countries will also be critically endangered. Considering Russia's current relations with Iran, Syria, North Korea, and China, the likelihood of an anti-Western coalition emerging as a source of danger to the civilized world increases.

Likelihood: Complete seizure of Ukrainian territory and a regime change in Kyiv are currently highly unlikely, given the successes of Ukraine's military operations, Russia's operational-tactical mistakes, and extensive financial and military support from the West. The maximum achievable result for Russia would be maintaining control over territories in four Ukrainian regions it now considers its own. Therefore, in the summer of 2023 (before Ukraine receives significant Western weapon deliveries), Russians will undoubtedly attempt a large-scale offensive to "squeeze" the current line of demarcation in Donbas and other cities on the eastern front.

4.   Involuntary loss of power by Putin (palace coup, sudden death, or revolution): The collapse of the regime could lead to an immediate cessation of the war as Russia would be unable to sustain it amidst internal chaos. For a certain period, Russia would lack a strong central authority, allowing the opposition to become more active in reshaping the country's external and internal policies, fighting for the independence of their republics and other subjects of the federation while retaining controlled access to resources and military infrastructure of Russia. Through the mediation of the UN and global players, an international platform will be established for the civilized disintegration of Russia and the adoption of corresponding normative and legal acts guaranteeing the preservation of peace and partnership among former subjects of the federation.

Likelihood: This scenario is situational and depends on events on the frontlines and the effectiveness of Western sanctions.

The proposed scenarios are not exhaustive or definitively substantiated, but the likelihood of a positive outcome increases with the implementation of strategic plans by the Armed Forces of

Ukraine. The next crucial period of the war is expected to occur around mid-2023, and until then, active combat operations in the south and especially in eastern Ukraine will continue.

The activities of the UN and its leaders appear particularly ineffective in light of Russia's treacherous attack on Ukraine and the unfolding large-scale Russian-Ukrainian war. It was only 64 days after the start of the massive and bloody Russian aggression against Ukraine that UN Secretary-General António Guterres made visits to the warring countries. However, he primarily visited Russia. Although it would have been logical, as President of Ukraine Volodymyr Zelensky stated, to first visit and assess the scale of the destroyed and victimized Ukrainian settlements and people by the Russian invaders (many countries refer to it as a genocide), "if it is about providing real assistance to Ukraine, not political tourism." The President of Ukraine deemed the decision of Guterres to go to Russia first and then to Ukraine as "wrong."

The outcome of the UN leader's visit to Russia and the negotiations with its officials is shrouded in sorrow and misunderstanding. Instead of providing a clear and specific condemnation of Russia's actions in Ukraine as a war and its violation of all norms and rules of warfare, António Guterres spoke of "Russia's invasion of Ukrainian territory" and expressed understanding that "Russia had disagreements on certain issues regarding Ukraine that should be resolved within the framework of the UN Charter." In another instance, the war in Ukraine was qualified by the Secretary-General as a "complex situation." The negotiators also reached an agreement on the creation of a contact group consisting of Ukraine, Russia, and the UN to address humanitarian issues. Guterres also raised the issue of evacuating people from "Azovstal" and emphasized readiness to assess the situation in Mariupol within 2-3 days. Guterres announced that they had agreed with Putin on the creation of humanitarian corridors for the evacuation of people from "Azovstal." However, the next day, Dmitry Peskov, the spokesperson for the President of Russia, stated that during the meeting with the UN Secretary-General, "there were no specific agreements regarding assistance in evacuating people from Mariupol." Vice Prime Minister Vereshchuk also confirmed that "there were no agreements on creating humanitarian corridors from 'Azovstal' with the help of the UN." She is convinced that evacuating approximately 100,000 people who remained in Mariupol is only possible with the assistance of the UN, as it is the only organization that has the potential and power to prevent deaths. However, according to her, this international organization is merely observing the events.

To act adequately in line with the new balance of power, the UN requires comprehensive reform, which includes its major organs, especially the Security Council and the Secretariat. This reform should involve a review of several fundamentally important aspects of theory and practical activities, including issues related to the settlement of internal conflicts, international intervention,

the use of force for conflict resolution, as well as the challenges of humanitarian interventions, among others.

Indeed, the permanent members not only possess the veto power, which allows them to reject any decision that contradicts their narrow national interests, but also the chiefs of staff of the permanent member countries are part of the Military Staff Committee of the Security Council. Additionally, amendments to the UN Charter can only be made if they are approved by the parliaments of all permanent members. This means that making changes to the Charter is only possible if they do not contradict the interests of the permanent members. The negative stance of even a single permanent member becomes an insurmountable obstacle to the process of updating the Charter, which, as known, requires substantial revisions to adapt the UN to the realities of the present day.

Overall, most politicians and analysts tend to consider the UN as the best institution for multilateral diplomacy and an important indicator of "global governance." However, it requires immediate adaptation to contemporary security challenges. Additionally, the following scenario seems quite realistic: after achieving victory in the Russian-Ukrainian war, Ukraine will have the full right to become the ideologist and founder of a new collective security system, with its origins on the European continent, as it happened after the Second World War.

Conclusion

Therefore, with the increase in the number of international armed conflicts and the proliferation of nuclear weapons, the reform of the UNSC becomes critically important for all countries worldwide. The issue of reforming the UNSC revolves around the discussion on expanding its membership, the functional competence of this body, and the status of its members. The quantitative composition of the UNSC, which has only been expanded once in 1963, does not reflect the realities of the modern world, as the number of countries has significantly increased in the past 40 years, and new centers of power have emerged globally. The expansion of the membership can be achieved through the inclusion of Germany and Japan, as the largest financial contributors to the UN and poles of global economic power, as well as India, which represents nearly one-sixth of the world's population.

The veto power in the UNSC does not correspond to contemporary conditions, but there is no basis to suggest that the permanent members of the UNSC are willing to give up this right. Ukraine is an active supporter of UN reform and advocates for the need to strengthen rapid response mechanisms for conflict prevention. The Ukrainian delegation has proposed measures to democratize the work of the Security Council and advocates for limitations on the veto power of permanent members when making crucial decisions. The key element of our position remains unchanged: any increase in the number of non-permanent members of the Council should ensure enhanced representation of the Eastern European group of states by allocating at least one additional non-permanent seat to it.

The UNSC is currently not sufficiently effective in peacefully resolving international disputes and maintaining peace and security worldwide. However, there is no existing alternative to the UNSC at the moment. Any aspect of reforming the Security Council requires unanimity among its permanent members, and at the same time, the main proposals for reforming this body aim to diminish the role of the permanent members, making it unlikely for them to be approved.

The analysis of the competence of the UNSC in maintaining international peace and security has allowed for the first systematic classification of its functions and powers in this area. The following key findings of a specialized nature can be reached:

- The competence of the UNSC is determined by the UN Charter, which regulates its specific elements in different chapters of the Charter depending on the subject matter of its activities.

- The normative consolidation of the UNSC's competence in the field of

maintaining international peace and security is an important guarantee for the existence of a comprehensive system of international security at the universal level, based on the UN Charter.

- All the powers of the UNSC are conferred upon this body to fulfill its primary function of maintaining international peace and security.

The conducted analysis of the competence of the UNSC and the derived conclusions should serve as a proper foundation for facilitating further exploration of an optimal model for reforming the UNSC. The issue of defining and implementing its functions and powers constitutes the institutional essence and political-legal significance of the functioning of this principal organ of the UN. It substantiates its position and role while also being a fundamental factor in the effectiveness of efforts to maintain international peace and security in the modern world.

Therefore, considering that resolutions of the UNSC constitute obligations arising from an international agreement, of which Ukraine is a participant (the UN Charter), it is recommended to develop a draft law outlining the process of implementing UNSC resolutions or fulfilling obligations arising from international treaties of Ukraine. This is necessary because the current implementation of UNSC decisions is inconsistent and depends on specific circumstances. The proposed draft law should provide for the establishment of special departments or committees within the governmental bodies that would determine the procedures and mechanisms for fulfilling such obligations.

The development of an appropriate mechanism poses a complex challenge due to the wide range of issues to which UNSC sanctions can apply. However, legislative enactment of such a procedure would simplify the implementation of these resolutions into Ukrainian national legislation and ensure their effective enforcement. Additionally, such a legal framework should address the issue of compensation to participants in foreign economic activities for any losses incurred as a result of implementing UNSC resolutions, with the aim of minimizing potential economic losses for Ukraine.

It is advisable to utilize the capabilities of other organs within the UN system by submitting requests to the Security Council regarding the need for implementing measures provided for in the amended Articles 41 or 42 of the UN Charter.

It is argued that the implementation of all political and international legal changes and transformations in the structure and functioning of the Security Council will enhance the effectiveness of its decisions and ensure the fulfillment of its primary function, which is the maintenance of international peace and security.

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