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**INTERNATIONAL**  
**ORGANISATIONS**

*Study Guide*

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Moscow - 2025

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# **III**

## **Section**

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**REGIONAL  
INTERNATIONAL**

**ORGANISATIONS.  
UNIVERSAL  
INTERNATIONAL  
ORGANISATIONS –  
ORGANISATION  
UNITED NATIONS**

**Introduction to Section III**

In Section III, we will examine the activities of REGIONAL (comprehensive) international organisations established at the continental and intercontinental levels. These are the European Union (Chapter 9), the Commonwealth of Independent States (Chapter 10), the Association of Southeast Asian Nations (ASEAN) and the East Asian Community (Chapter 11), covering most of Eurasia, the North American Free Trade Agreement (NAFTA) and MERCOSUR (Chapter 12), covering North America and part of South America, respectively. These organisations have varying degrees of integration and different trends in their integration processes, ranging from further sustainable convergence to manoeuvring on the brink of collapse. An

analysis of these organisations will allow conclusions to be drawn about the mechanisms of development of "successful" integration associations and the problems of "unsuccessful" integration associations.

The European Union is one of the most successful integration associations, so this association will be examined in particular detail.

Here, we will also examine the activities of a universal international organisation — the United Nations. Given the large number of sources on the UN (monographs, reference books, internet sources, mass media), the book provides only basic information on the history, structure and functions of the United Nations. It highlights the unique role of the UN as the only universal international organisation that creates and supports the integration framework of the modern world.

Unfortunately, the concept of a unipolar world, currently being implemented by the United States, is turning the UN not into a platform for reaching compromise and finding balanced solutions, but into yet another tool for exerting pressure on regimes that are unwelcome to the United States. The methods of pressure on the UN are quite significant — they include the cessation of US funding for the UN, the refusal to issue visas to diplomats and UN staff, since the main UN bodies are located on US territory, and the conduct of information aggression against undesirable politicians, etc. As a result, the UN is often rendered ineffective, and fundamental changes are needed in its location, funding and activities.

## **Chapter 9**

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### **EUROPEAN UNION**

9.1 History of the creation of the EU

9.2. EU institutions, political integration and enlargement

- 9.3. Economic integration of the EU
- 9.4. Socio-cultural integration of the EU
- 9.5. Environmental integration of the EU
- 9.6. EU foreign policy
- 9.7. Cooperation with international organisations  
and neighbouring countries
- 9.8. The EU and Russia

## 9.1

### **History of the EU**

Europe has been integrating for over 70 years. The first integration treaty establishing the first European "community" — the European Coal and Steel Community (ECSC) — was signed in 1951. The most recent major treaties are the Treaty of Nice (2001) and the Treaty of Lisbon (2007).

Between 1951 and 2001, European countries signed more than 50 additional treaties, each of which gave further impetus to the process of European integration. Ultimately, this led to the need to draft a Constitutional Agreement that would incorporate all previously adopted treaties and transform the EU into a quasi-confederative state. This Constitutional Agreement, or more precisely, the Treaty establishing a Constitution for Europe, was signed by all heads of state and government in 2004, but was not ratified by France and the Netherlands (in 2005, referendums in the Netherlands and France saw a majority of citizens vote against the agreement). After the Constitution was revised, the Treaty of Lisbon was signed, amending previous treaties and calling for the EU to become more democratic, effective and

thus capable of addressing global issues such as climate change, security and sustainable development.

Thus, the European Union has gone through all three stages of integration — from intergovernmental cooperation to alliance and union — and is currently the most integrated and comprehensive continental union of states, which, if Turkey and other Asian states join, could become an intercontinental union.

The main stages of European integration are:

1. The diplomatic period and specialised associations in 1945–1951.
2. The creation of the first integration communities in 1951–1965.
3. The crisis of 1961–1970.
4. The first enlargements and return to integration processes in 1970–1985.
5. The adoption of the Single European Act and the implementation of major reforms in 1986.
6. The Maastricht Treaty and the birth of the European Union (1992).
7. The Treaty of Amsterdam 1997.
8. The Treaty of Nice 2001.
9. The Treaty establishing a Constitution for Europe (2004).
10. The Treaty of Lisbon 2007.

What happened during these stages of integration?

During the first post-war period from 1945 to 1951, the first intra-continental (regional) specialised groupings of countries were created in the areas of military security, economic and technical cooperation, and social cooperation. These included *the Treaty of Western Union*, signed in March 1948, which extended the military alliance between France, Great Britain and Belgium. The 1948 Brussels Treaty on Collective Defence expanded it to include the Netherlands and Luxembourg and transformed it into *the Western European Union (WEU)*.

In 1948, the **Benelux** Customs Union (Belgium, the Netherlands and Luxembourg) began operating, thanks to which by 1956 all internal trade within this union was duty-free, and in 1958 the Benelux Economic Union Treaty was signed.

In April 1948, **the European Organisation for Economic Cooperation (OEEC)** was established to rebuild the European economy and coordinate efforts to implement the European Recovery Programme (Marshall Plan). In 1961, this organisation was replaced by **the Organisation for Economic Cooperation and Development (OECD)**.

On 5 May 1949, ten European countries (Belgium, Great Britain, Denmark, Ireland, Italy, Luxembourg, the Netherlands, Norway, France, **and** Sweden) established **the Council of Europe**. The mission of this organisation was to protect democracy and human rights, as well as to develop European unity in the legal, cultural and social spheres.

Thus, the WEU, Benelux, the EEC and the Council of Europe laid the foundations for European integration in the military-political, economic and socio-cultural spheres and served as models for developing mechanisms for integration processes and solving integration problems.

During the second stage (1951–1965), the first European communities were created and a strong core of European integration was formed.

In his declaration of 9 May 1950, Robert Schuman (French Minister of Foreign Affairs) formulated the concept of a new "supranational Europe" based on the creation of genuine cooperation between states and a strong core of six European countries: France, Germany, Italy and the Benelux countries.

In 1951, the Treaty of Paris established **the European Coal and Steel Community (ECSC)**. The main task of the ECSC was to ensure access for German industry to the huge iron ore reserves of Lorraine, which after 1945 became part of France again (from 1871 to 1919 and from 1940 to 1945 it was part of

Germany). Thanks to the ECSC, the first step was taken towards the integration of two eternal enemies, France and Germany, and the creation of a "union of two countries," which later became the strongest part of the core of European integration. In addition to France and Germany, the ECSC included the Benelux countries, which represented the second core of European integration, and Italy. The ECSC was the first supranational decision-making body to be created, with a High Authority and a Council of Ministers making decisions on coal and steel issues, and a Parliamentary Assembly acting as an advisory body. As the Treaty of Paris was valid for 50 years, the ECSC ceased to exist on 23 July 2002.

In 1954, an unsuccessful attempt was made to create the European Defence Community (EDC). The main idea behind the EDC was to create a supranational European army to counter the USSR. However, the Scandinavian and Central European countries were opposed, and the opinions of France and Italy were also divided, so the EDC did not come into being. However, on 6 May 1955, a treaty was signed to create *the Western European Union (defence)*, and on 14 May 1955 the Warsaw Pact was established in Eastern Europe, which divided Europe into two military-political alliances for the next 36 years (until 1991).

*In* March 1957, according to the Treaties of Rome, two new communities were formed — *the European Economic Community (EEC)* and *the European Atomic Energy Community*, also known as Euratom. The EEC and Euratom included the same six countries as the ECSC. The EEC's task was to create a common market, a customs union and to pursue a common policy in the fields of agriculture, trade and transport. Euratom's task was to coordinate the efforts of member countries in the formation and development of the nuclear industry, including nuclear energy, research and development of auxiliary and related industries (waste storage and disposal, ensuring high safety standards,

supply of raw materials, etc.). Each community had its own supranational institutions, which led to partial duplication of functions. Therefore, the 1965 Treaty of Brussels merged the executive bodies of the three communities into *a* single ***Commission of the European Communities*** and created a single Council instead of three community councils.

From 1961 to 1970, the concept of a supranational Europe was criticised and a number of integration projects failed to materialise.

In 1961, a plan prepared by an intergovernmental committee headed by Christian Fouchet (the Fouchet Plan) failed. The plan envisaged a move towards the creation of a European political union that would pursue a common foreign policy and a common defence policy. Since the plan envisaged the creation of a European defence system independent of the North Atlantic Alliance and required the creation of supranational bodies, it was not supported by the members of the communities.

July 1965 was marked by the "empty chair" crisis. In response to the Commission's intentions to change the financing of the common agricultural policy, France boycotted the council meetings and adopted a political statement on the role of the commission and decision-making mechanisms.

Between 1970 and 1985, the Communities expanded, but economic integration faced difficulties due to the oil and dollar crises. In 1973, the United Kingdom, Denmark and Ireland became members of the Communities, followed by Greece in 1981 and Spain and Portugal. In 1974, ***the European Council*** began functioning *as a council of heads of state and government* (meetings are held three times a year). In 1979, the first direct elections to the European Parliament were held. In 1978, ***the European Monetary System (EMS)*** was created, based on the and the introduction of a single currency unit, the ECU. The treaties of 1970 and 1975 and the decision of 1985 established a common financial system for the communities (a

system for generating their own financial resources and budget).

The geographical and substantive expansion of European integration led to the need to reform the communities. In 1986, the Single Act (SINGLE ACT) was adopted, aimed at harmonising the legislation of countries necessary for the creation of a single market (from 1 January 1993), strengthening the role of the European Parliament, creating an economic and monetary union, and strengthening the role of the European Council as the body that formulates foreign policy.

In 1992, the Maastricht Treaty established the European Union, whose main task was to conduct a common foreign and defence policy, as well as cooperation in the field of justice and home affairs. The Maastricht Treaty created the core (supporting) structure of European integration, the first pillar of which was the existing communities, the second being a common foreign and defence policy (CFSP, Part V of the Treaty on European Union) and the third being a common policy in the field of justice and home affairs (JHA, cooperation between police and judicial authorities). Thus, ***the European Union is a socio-economic community with external (CFSP) and internal (JHA) policies.***

Under the Maastricht Treaty, the European Economic Community was renamed the European Community, which meant that the scope of the Community was extended to other areas of activity. The community's tasks included the creation of an economic and monetary union, the establishment of European citizenship, the formation of a common policy in the field of education and culture, the development of social projects and the enhancement of the community's role in solving social problems.

In 1995, the EU underwent another territorial expansion with the accession of Austria, Finland and Sweden.

In 1997, the Treaty of Amsterdam was adopted, strengthening the role of the European Union through coordinated policies on employment, migration and refugee

protection, as well as policies on EU enlargement, which allowed the process of integrating Central and Eastern European countries to begin in 1998.

In 2001, the Treaty of Nice was signed, resolving institutional issues related to EU enlargement that had not been resolved by the Treaty of Amsterdam. These issues concerned the work of the European Commission, the weighting of votes in the Council and the use of qualified majority voting in decision-making (previously, the principle of consensus had been used). The treaty simplified procedures for deepening cooperation and increased the efficiency of the judicial system. Thanks to *the Charter of Fundamental Rights of the European Union* adopted at the European summit in Nice, the groundwork was laid for further work on the European Constitution.

The European Constitutional Treaty, often referred to as the Constitution, incorporates all previously adopted treaties, with the exception of the Euratom Treaty. In addition to consolidating and simplifying the texts of previously adopted treaties, the Constitution includes a number of innovations. These include: a clear definition of power within the Union, the possibility of withdrawing from the Union, the inclusion of the Charter of Fundamental Rights, the institutionalisation of the European Council, which will be headed by a president elected for two and a half years, the establishment of the post of European Minister of Foreign Affairs, and others.

The Constitutional Treaty was signed in October 2004 and was to enter into force on 1 November 2006, after ratification by all EU member states. However, France and the Netherlands rejected the treaty establishing the Constitution, which was revised in December 2007 and replaced by the Treaty of Lisbon, which entered into force on 1 December 2009. The treaty amends previous treaties and provides for modern institutions and more efficient working methods.

## 9.2

### **EU institutions, political integration and enlargement**

Political integration is the crowning achievement of integration processes at the intergovernmental level. For it to take place, a high level of trust must be achieved not only between the peoples of the integrating countries, but also between the political elites. This is especially true for the political elites of countries that have fought major wars every 30-40 years, as was the case between France and Germany in the 19th and 20th centuries. If French and German politicians had not developed trust and mutual interest in progress, European integration would not have happened. The French took the first step towards integration. In a historic statement by French Foreign Minister Robert Schuman on 9 May 1950, he said: "The union of the peoples of Europe requires overcoming the centuries-old confrontation between France and Germany. On this basis, the French government... proposes that Franco-German coal and steel production be placed under a common supreme authority within an organisation open to other European countries. The unification of coal and steel production will immediately contribute to the creation of a common basis for economic development, which will be the first step towards a European federation and will change the fate of regions that have long been engaged in the production of weapons, of which they themselves have been the constant victims."<sup>1</sup>

The genius of the French proposal lay in the fact that it

<sup>1</sup> Europe: A New Beginning. The Schuman Declaration. 1950–1990. Moscow, 1994. p. 51.

immediately created the basis for comprehensive integration — economic, political, environmental and socio-cultural. In addition, Germany was transformed from an outcast of European politics into an equal partner. The French extended a helping hand to defeated Germany, and this step was appreciated. The subsequent integration process proved that the Franco-German core of European integration, together with the Benelux countries, acted as a magnet, attracting more and more European countries.

The political structure of European integration, in addition to the core of the five countries listed (France, Germany, Belgium, the Netherlands, and Luxembourg), is supported by four pillars: south-eastern (Italy and Greece), south-western (Spain and Portugal), north-eastern (Denmark, Sweden, and Finland), and north-western (the United Kingdom and Ireland). In the 1990s and 2000s, a Central and Eastern European core of political integration was formed, but it remains a rather loose formation. Moreover, Poland's unconstructive position (under the rule of the Kaczyński brothers) on many important issues concerning the future of the EU — from the treaty with Russia (a new partnership and cooperation agreement) to the adoption of the EU Constitution, — is causing growing irritation among 15 Western European countries and a possible split in the EU between the European West and the pro-American East.

At present, it is safe to say that the political elites of Western European countries are united in their views on democracy, human rights, the social market economy, environmental constraints on development, minority rights, non-violent conflict resolution and many other issues, in contrast to the quasi-democratic Eastern European countries (especially Poland and the Baltic republics). Therefore, the further development of the EU will depend on the extent to which existing EU institutions are able to resolve emerging contradictions.

The main EU institutions are the European Parliament, the

Council (including the European Council), the European Commission and the European Court of Justice. Let us consider them in more detail.

**The European Parliament.** The European Parliament (EP) is elected through direct elections in EU countries. Elections are held every five years, and every EU citizen registered as a voter has the right to vote. The last European Parliament elections (the tenth) were held in June 2024. Elections are held by country, and each country elects a certain number of MEPs in proportion to its population. According to the election results, 720 MEPs were elected. Germany has the largest representation with 96 MEPs, followed by France with 81, Italy with 76 and Spain with 61. The Benelux countries account for another 59 MEPs. Consequently, 52% of the seats are controlled by the political elites of the major Western European countries, and the European Parliament itself reflects the political priorities of voters in the Western European "core" of the EU.

In order to prevent the European Parliament from being divided along national lines, MEPs are grouped not by the countries where they were elected, but by political groups. They are divided into eight main political groups, ranging from left to right and from Eurosceptics to supporters of deeper European integration. The largest political group is the European People's Party (Christian Democrats) with 188 MEPs, followed by the Social Democrats with 136 seats.

The Parliament is based in three EU cities. The administrative offices (Secretariat-General) are located in Luxembourg, joint plenary sessions of the Parliament are held in Strasbourg and Brussels, and meetings of the Parliament's committees are held in Brussels.

The main functions of the Parliament are to express the political preferences of EU voters and to protect their interests in discussions with other EU institutions. To this end, the Parliament discusses and adopts European laws jointly with the

Council, exercises democratic control over the activities of other EU institutions (primarily the European Commission), and, together with the Council and the European Commission, draws up the EU budget and monitors its implementation.

**Council.** The second most important EU institution is the Council. It includes representatives of EU Member States at ministerial level. The Council's activities are divided into nine main areas: 1) general affairs and external relations; 2) economic and financial affairs; 3) justice and home affairs; 4) employment, social policy, health and consumer affairs; 5) competitiveness; 6) transport, telecommunications and energy; 7) agriculture and fisheries; 8) environment; 9) education, youth and culture. Each minister in the Council represents their national government, i.e. the minister's signature signifies the national government's agreement to the decision. In addition, the minister in the Council is accountable to their national parliament for the decision taken, which ensures democracy in the work of the Council and the legitimacy of the decisions taken. Four times a year, the presidents and/or prime ministers of the states and the president of the European Commission meet as the European Council. The European Council summits discuss issues that cannot be resolved at the ministerial level. For example, common foreign and defence policy, EU cooperation with major international organisations and states around the world.

Together with the European Parliament, the Council discusses and adopts EU laws, coordinates the economic policies of member states, concludes international agreements between the EU and other countries or international organisations, adopts the EU budget together with the European Parliament, conducts common foreign policy, coordinates internal policy and the fight against crime.

The Council's work is organised as follows. Each EU country has a permanent representation in Brussels, headed by an ambassador. The ambassadors meet once a week in the

Permanent Representatives Committee (COREPER), which, together with working groups of official representatives from the countries, prepares the Council's work.

Before the Lisbon Treaty came into force, a new presidency was appointed to the Council every six months, with all posts in the internal councils headed by ministers from one country. Currently, the European Council is headed by a president (chair), who is elected for a term of 2.5 years with the possibility of one renewal. Since December 2024, this position has been held by António Costa.

Decisions in the Council are made by voting. Each country has a different number of votes, depending on its population. Germany, France and Italy have 29 votes each, Spain and Poland have 27 votes each, the Netherlands has 13 votes, Belgium, the Czech Republic, Greece, Hungary and Portugal have 12 votes each, Austria and Sweden have 10 votes each, Denmark, Ireland, Lithuania, Slovakia and Finland have 7 votes each, Cyprus, Estonia, Latvia, Luxembourg and Slovenia have 4 votes each, and Malta has 3 votes. As we can see, countries with small populations have a slightly larger share of votes in the Council than in the European Parliament. A qualified majority of votes (2/3 of Member States representing at least 62% of the EU population) is required to pass a decision.

**European Commission.** The third EU institution is the European Commission. The Commission acts as the executive body and prepares draft laws to be adopted by the European Parliament and the Council. The Commission is independent of national governments and represents the interests of the EU as a whole.

Each country has one representative in the Commission, known as a 'Commissioner'. Although Commissioners have held high office in their own countries (usually as ministers), they work in the Commission not in the interests of their own

countries, but in the interests of the EU as a whole.

The composition of the Commission changes every five years, within six months after the next elections to the European Parliament. Six months are needed to carry out the following procedures. First, the governments of the member states agree on the candidate for the Commission President. Then, the European Parliament approves the candidate for the Commission President. Next, the President, in consultation with the governments of the member states, selects the other members of the Commission. Finally, the European Parliament discusses each member of the Commission and the composition of the Commission as a whole. Once the final appointments have been made, the new Commission can begin its work. Since 2019, the President of the Commission has been Ursula von der Leyen (representing Germany). The President determines the area of responsibility for each Commissioner.

The Parliament can dismiss the entire Commission, and individual members can resign at the request of the Commission President.

The Commission attends all plenary sessions of the European Parliament, where it must comment on current policy and respond to all written and oral questions from MEPs. Such work requires a huge number of experts, translators and assistants, which is why the Commission has 25,000 employees, i.e. 1,000 per commissioner.

The Commission is based in Brussels, has offices in Luxembourg, representations in all EU countries and delegations in many capitals around the world. In addition to preparing draft legislation, its main tasks are to implement EU policies and the EU budget, monitor the implementation of European laws (together with the European Court of Justice) and represent the EU at international level, for example in negotiations between the EU and other countries.

The Commission meets weekly in Brussels. Day-to-day

work is carried out by departments called Directorates-General. Overall coordination is provided by the Secretariat-General.

**European Court of Justice.** This governing body represents the judiciary. Initially, the ECSC, the European Economic Community and Euratom had their own courts. Then (in 1958) they were merged into a single court. The European Court of Justice reviews the acts of the Council and the Commission for their legal validity and hears disputes between Member States on trade, violations of monopoly legislation, environmental damage, etc. The European Court of Justice has the right to repeal the law of an EU Member State if it does not comply with European law.

The Court consists of 15 judges appointed for a six-year term and eight advocates general.

The EU's stable economic development, democratic decision-making procedures, consideration of the interests of small countries on an equal footing with large countries, and steady growth in living standards make the EU the most attractive integration group in the world. Therefore, the constant expansion of this union is inevitable.

The expansion of the EU took place in seven stages. The first stage (1973) was the north-western expansion, when the United Kingdom, Denmark and Ireland became members of the EU. The second stage was the south-eastern expansion in 1981, when Greece became a member of the community. The third stage (1986) was the south-western expansion with the addition of Spain and Portugal. The fourth stage (1995) was the north-eastern expansion with the addition of Austria, Sweden and Finland. After the fourth stage, the original six countries expanded to 15. In 2004, during the fifth stage of expansion, 10 countries joined the EU at once: Estonia, Latvia, Lithuania, Poland, the Czech Republic, Slovakia, Hungary, Slovenia, Cyprus and Malta. Thus, the EU now had 25 countries. In the sixth stage (2007), Bulgaria and Romania joined the EU. In

2013, Croatia became a member of the EU. To join the EU, a country must meet the three Copenhagen criteria defined in June 1993: 1) have stable political institutions guaranteeing democracy, the rule of law, human rights and the protection of minorities; 2) have a functioning market economy; 3) engage in the activities of the community and be committed to the political, economic and monetary objectives of the EU.

The Norwegian government tried twice (in 1972 and 1994) to join the EU, and the EU agreed, but according to the accepted accession procedure, the decision to join the EU must be supported by a national referendum. Each time, Norwegians voted against their country joining the EU. This is because a significant part of Norway's population is engaged in fishing, and the EU pursues a policy of restricting this industry, and people fear job losses. Thus, only Norway, Iceland, Switzerland and a number of Balkan countries remain outside the EU, which undoubtedly makes the EU the most powerful continental integration association in the world. The strength of the EU is primarily determined by its economic potential.

## 9.3

### **Economic integration of the EU**

Europe has gone through the classic stages of economic integration — from bilateral trade preferences to a customs union, a common market, and an economic and monetary union. Currently, economic integration is being pursued in the following main areas: 1) building a common EU market as an area without internal borders, in which goods, persons, services and capital can move freely; 2) building an economic and monetary union with a single currency and closely coordinated

macroeconomic policies (policies on employment, economic growth and inflation); 3) implementing a single agricultural, transport, industrial, innovation and other types of sectoral economic policies; 4) implementing a single competition policy, as well as regional policy and policy in the field of cross-border and transnational economic cooperation; 5) establishing uniform rules for doing business, uniform product quality standards and consumer protection; 6) creating a legal framework and mechanisms to combat counterfeiting, money laundering and other forms of economic crime; 7) developing economic cooperation with countries adjacent to the European Union, primarily EU candidate countries and neighbouring countries.

Among the areas of integration listed above, the most significant at present is the creation and functioning of the Economic and Monetary Union (EMU), as it is of enormous importance not only for Europe, but also for Eurasia and the whole world.

Below, we will look at the common agricultural, foreign trade and transport policies as the largest in terms of EU budget funding.

## **The EU's common agricultural policy**

Of the EU's €110 billion budget, 40% is spent on supporting European agriculture. There are several main reasons for this decision. Firstly, post-war famine forced Europeans to build up food reserves, which could only be achieved through surplus agricultural production. Secondly, agriculture acts as a multiplier for employment and economic growth, with each person employed in agricultural production accounting for 2-3 people employed in the processing of agricultural raw materials, two to three employed in the transportation of agricultural products, five to six employed in food trade and the restaurant business, three to five employed in auxiliary and service

industries (packaging, weather forecasting, biotechnology, etc.), and five to ten employed in seasonal work. Thus, the work of one farmer creates permanent jobs for 12–15 people working in other industries and 5–10 seasonal workers. The third reason is the greater political weight of the votes of rural voters compared to those of urban voters, which leads to the interests of rural residents being represented in the parliaments of European countries and the European Parliament by a sufficient number of deputies. Agricultural issues are at the top of political parties' agendas and European politicians' statements, so despite accusations from the US and other competitors that the EU's agricultural policy is protectionist, it will continue until food stocks become excessive. For example, wine stocks already exceed Europe's needs for 10 years.

The 1957 Treaty of Rome defined the main objectives of agricultural policy. The principles of the Common Agricultural Policy (CAP) were formulated in July 1958, and the mechanisms for its implementation were established in 1962. The legal basis for agricultural policy is currently the EU Treaty (Articles 32–38, Part 2).

So, the CAP is a set of rules and mechanisms that regulate the production, trade and processing of agricultural products in the EU for the purpose of rural development. This policy affects a large number of people (from 4 to 15% of the population of individual EU countries, or 11 million farmers across the EU as a whole), huge areas of land (from 40 to 60% of the territory of EU countries) and a significant volume of production (from 10 to 30% of GDP in various EU countries). Since agriculture plays an important role for the peripheral regions of Europe (especially in the south and north), agricultural policy has not only economic but also social significance. In addition, agricultural policy links two key areas of EU integration: the common market and monetary union.

The CAP is financed by the European Agricultural

Guidance and Guarantee Fund (EAGGF). The first section of this fund, the Guidance Section, provides funding for structural reforms in agriculture and the development of rural areas, while the second section, the Guarantee Section, provides funding for the purchase of surplus agricultural products and the promotion of agricultural exports.

The EU's agricultural policy has been criticised not only by the outside world (primarily the United States), but also internally, as it uses anti-market development mechanisms and requires ever-increasing expenditure due to the enlargement of the EU. As a result, the CAP has been reformed several times. According to the 2000 reform, the CAP should be aimed at strengthening the competitiveness of European agricultural products on the world and domestic markets, raising living standards in rural communities, creating new jobs for farmers in non-agricultural sectors of the economy, forming a new policy for the development of rural areas, taking into account environmental constraints on agricultural production, improving food quality and safety, simplifying agricultural legislation and decentralising decision-making. The 2003 reform provides for direct assistance to individual farms and associations that suffer losses on exports, incentives to reduce agricultural production, a transition to environmentally friendly production technologies, and the conversion of agricultural land to nature conservation areas. Since 2006, the CAP has been more focused on rural development through strengthening the competitiveness of agricultural production, improving the environment and land use, improving quality of life and diversifying economic activity. In the 2010s, agricultural spending began to decline, vineyards were reduced, milk and dairy production declined, and EU markets opened up to food products from Africa and Latin America. As a result, EU agricultural policy is currently undergoing fundamental changes.

## **EU foreign trade policy**

The aim of the Treaty of Rome was to create a customs union without internal trade barriers and with common external trade tariffs. Gradually, as a result of the growth of international trade, common trade policy became one of the most important policies of the Community. The expansion of the communities and the growth of the single internal market increased the attractiveness of the community for both internal trade and bilateral trade with third countries and multilateral trade within the framework of the GATT (later the WTO). The EU currently plays a leading role in international trade (20% of the total), ahead of the US and Japan.

The EU's unique role in international trade is determined by the fact that it acts as a single negotiator rather than as a collection of states. According to Article 133 of the EU Treaty, negotiations in the field of foreign trade policy are conducted by the European Commission. Since the European Commission includes representatives of all member states, it is able to reconcile all interests and act as an institution with a consolidated position on all negotiating issues.

The main instruments for implementing the common trade policy are common external tariffs on goods imported from third countries, trade defence instruments (anti-dumping, anti-subsidy policy, protectionist measures, regulation of trade barriers), instruments to improve access to third-country markets, preferential agreements and multilateral agreements. The latter include the European Economic Area, comprising the EU, Norway, Iceland and Liechtenstein, association agreements with Central and Eastern European countries, agreements with Mediterranean countries, and the Lomé Convention with African, Caribbean and Pacific countries.

A special relationship has developed between the EU and the WTO, which includes agreements on trade in goods (GATT),

services (GATS) and intellectual property (TRIPS). The EU fully supports the liberalisation of world trade based on the multilateral agreements that have been reached. Since the WTO Ministerial Conference in May 1998, the EU has proposed a new round of global negotiations covering areas such as agriculture, investment, the links between trade, competition, environmental and social standards, the fight against piracy, and enhancing the role of less developed countries in world trade.

## **Common transport policy**

The common transport policy was launched under the Treaty of Rome in 1958 and aims to develop cross-border transport systems that enhance the ability of Member States to move goods and people. , the ultimate goals of transport policy include the creation of a single internal market for transport services, maintaining the sustainable environmental condition of infrastructure corridors, deploying transport networks within the EU and in the immediate periphery, managing spatial development through transport, and developing external relations.

Transport accounts for 7% of the GDP of EU countries, 7% of all jobs, 40% of member states' investments and 30% of total energy consumption. Annual growth in freight transport within the EU is 2.3% and passenger transport is 3%. The current objectives of transport policy include the revitalisation of rail transport (especially high-speed transport), as well as maritime (especially coastal transport) and inland waterway transport, as the cheapest and at the same time most environmentally friendly modes of transport. In particular, there are plans to create an intra-European network of high-speed railways, which will make it possible to travel between European capitals in a few hours, as well as to develop maritime transport, which accounts for 90% of foreign trade transport and 43% of domestic freight

transport.

The high intensity of traffic on European highways leads to major accidents. During the year, about 40,000 people are killed and 1.7 million are injured. The total damage amounts to €160 billion, or 2% of the EU's GNP. Therefore, more and more attention is being paid to transport safety. The European Road Safety Charter has been developed and the Road Safety Action Programme for 2003-2010 has been adopted. Programmes to improve the safety of maritime transport, especially in connection with oil tanker accidents, and programmes to improve the safety of air transport have also been adopted. Aircraft disasters are often linked to the division of responsibility between air traffic control services, which is why the Single European Sky project is being implemented, which will establish joint airspace management, create uniform rules for air transport, gradually integrate civil and military air traffic control services, introduce modern technologies and improve staff training.

## **9.4**

### **Social and cultural integration of the EU**

The main areas of EU socio-cultural integration are: social policy (including employment, equality, education, health, etc.) and cultural integration policy (i.e. rapprochement and mutual understanding while preserving cultural diversity).

#### **Social policy**

Social policy issues have been reflected in all major integration treaties, from the Treaty of Rome to the Treaty of Amsterdam. Initially, they concerned only the labour movement and workers' rights in the context of the common market, but then spread to health and safety, human rights, education and many other areas of social policy.

The most important social policy issues are ***the fight against unemployment, human rights, and the development of education and healthcare.***

According to Article 2 of the EU Treaty, one of the objectives of the Community is to increase employment. To this end, an Employment Committee was set up to develop a coordinated strategy for employment growth. The essence of the strategy is to improve the skills and mobility of European workers, enabling them to compete in the labour market and move to employment hubs emerging in different EU countries. In theory, this should lead to absolute freedom of movement for workers within the EU, but there are still many obstacles to this. These include powerful national trade unions, which are not interested in increasing competition in their countries' labour markets through cheaper labour (the so-called "Polish plumber" problem, which frightens French trade unions), and national governments protecting the interests of their citizens. Under these conditions, European industry is fleeing outside the EU in search of cheap labour, leading to rising unemployment, which reaches 10-15% in the most developed EU countries. In Spain, youth unemployment reaches 40%.

The next area of social policy is the achievement of equality and the full realisation of human rights. First and foremost, this refers to equality between men and women (especially equal pay for equal work), equal career opportunities, equality between generations, equality between people of different ethnic and religious backgrounds, etc.

In general, human rights, democracy and the rule of law are

considered the fundamental basis of the EU. Human rights are considered universal and inalienable, regardless of the country in which a person lives. They are divided into civil, political, economic, social and cultural rights. The EU believes that the protection of minorities is important in itself, based on the principles of humanity and freedom. Therefore, refugees and migrants find asylum in the EU, 5 million workers from neighbouring countries work here, who have the right to live with their family members, and a system has been created for the temporary accommodation of people in the event of mass conflicts (as was the case during the conflict in the Balkans in the 1990s).

The EU supports the creation of a network of non-governmental organisations specialising in the protection of human rights. Between 2001 and 2006, €100 million was spent on these objectives. A series of cross-border cooperation programmes are being implemented to prevent illegal trafficking in human beings and combat the sexual exploitation of women and children.

The EU insists on respect for human rights not only within the Union, but also beyond its borders. Since 1992, all trade and cooperation agreements with third countries have been supplemented by provisions on respect for human rights. There are currently more than 120 such agreements. If an EU partner country violates human rights, the trade and cooperation agreement may be suspended and aid programmes terminated. The EU's approach is based on the assumption that the main objective of development policy, namely the fight against poverty, cannot be achieved without the establishment of democracy and human rights. The EU has three priority areas for cooperation: 1) candidates for EU membership from Eastern European and Balkan countries, 2) Russia and the republics of the South Caucasus and Central Asia, and 3) the countries of the Southern and Eastern Mediterranean, it is in these countries that

the EU promotes the protection of human rights and the development of democratic institutions through special programmes and funds (e.g. the European Initiative for Democracy and Human Rights, with an annual budget of €130 million). The EU carries out joint actions to protect human rights with organisations such as the UN, the Red Cross, the Council of Europe and the OSCE.

Only an educated person can defend their rights and be economically active. Therefore, the development of education is considered one of the EU's priorities.

Although the EU does not currently have a common education policy, the need to standardise education and raise its overall level makes such a policy extremely necessary in the near future. At the initial stage, such a policy may consist of encouraging the exchange of best ideas and practices and moving towards the standardisation of higher education (the Bologna Process), but in the long term it should lead to the formation of a European education system. The basic mechanisms of educational cooperation are cross-border education and professional development, the development of student mobility between countries and universities, the exchange of innovative educational technologies, the creation of an expert network in the academic environment, the development of contacts at the micro level — school classes, teachers, parents, lecturers, education managers, rectors, and at the macro level — professional organisations and ministers of education. These mechanisms are supported by special programmes: the ERASMUS programme in the field of mobility, the SOCRATES programme in the field of education, and the LEONARDO DA VINCI programme in the field of professional retraining. The TEMPUS programme links European higher education cooperation with the higher education systems of neighbouring countries (from North Africa to Mongolia). The result of these mechanisms and programmes

should be the creation of a single European educational space and the achievement of world-class education by 2010. Particular emphasis will be placed on the quality of basic skills such as *computer literacy, multilingualism, creativity, self-learning and information communication*. Russia joined European education policy in the early 2000s and has come a long way in achieving compatibility in the humanities (especially economics, sociology, and political science). However, this stimulated an outflow of personnel to European countries and inefficient spending of budget funds on training such bachelors and masters, as well as on conducting the Unified State Examination. By 2024, it became clear that European priorities in education should be replaced by Russian priorities, and a new reform of the Russian education system began.

Healthcare policy is also undergoing significant development. The existence of diseases such as mad cow disease, tuberculosis, foot-and-mouth disease, avian influenza, cancer and others requires a coordinated health policy across the EU. In May 2000, the Community's health strategy was made public. It includes: 1) improving health information at all levels of society; 2) establishing mechanisms for rapid response to threats to public health; 3) reducing health risks, including harmful habits and unhealthy lifestyles. In 2002, a Community action programme in the field of health was adopted. It includes a programme to combat cancer, a programme to combat AIDS and other related diseases, a public health monitoring programme, a programme to combat drug addiction and a number of other programmes. In particular, the programme to combat drug addiction provides for the fight against drug trafficking; the consumption and production of cannabis, amphetamines and ecstasy; street crime; and conducting information campaigns. In addition to physical health, the EU addresses mental health issues. This is particularly relevant in situations of stress and depression, which can lead to people

withdrawing from active participation in society and to negative attitudes towards them on the part of those around them.

At the international level, the EU cooperates with the UN and WHO on public health protection.

## **Culture policy**

European countries have a rich tradition and achievements in the field of culture and art. Making these achievements available to all Europeans is the main task in the field of cultural integration of the EU. The following programmes are being implemented in the EU. Culture 2000, European Cities of Culture, Programme to Support Organisations and Activities in the Field of Culture. Rules have been developed to regulate trade in cultural objects and the return of illegally moved cultural property. Numerous film festivals are held annually (Berlin, Cannes, Venice, Rome, etc.), theatre festivals (Avignon, Edinburgh), popular music festivals, including Eurovision, as well as art exhibitions and salons, theatre exchanges and many other events. All this leads to the revitalisation of European cultural life, which is not only socially but also economically significant, as it attracts millions of tourists from all over the world.

## **9.5**

### **Environmental integration of the EU**

Every year, EU countries produce 2 billion tonnes of pollutants (of which 40 million tonnes are hazardous waste), and this figure is increasing by 2% per year. Natural disasters (floods, droughts, forest fires, hurricane-force winds) are causing increasing

damage and occurring more frequently. The consumption of natural resources is constantly increasing. The quality of life in large cities is deteriorating and morbidity is increasing as a result of the deterioration in air quality. Therefore, the need for a common environmental policy is obvious.

The first environmental protection projects were implemented in the community as early as 1972. They were related to the development of environmental legislation in the areas of emission standards, water management, and water and air pollution. The Amsterdam Treaty enshrined the principles of sustainable development as one of the EU's priorities and a high level of environmental protection as an absolute priority. From 1992 to 2000, the Fifth Community Action Programme on the Environment, "Towards Sustainability", was in force, integrating the Community's activities at local level in the fight against pollution. From July 2002 to 2010, the Sixth Environment Action Programme was in force, aimed at preventing climate change, preserving biodiversity, improving the quality of the environment, and managing resources and waste. In the 2020s, it is planned to improve environmental legislation, develop the production of environmentally friendly products, and achieve a reduction in waste ( ).

The main instruments for achieving these objectives are: the LIFE programme, jointly funded by the EU and third countries; environmental taxes; European Investment Bank loans; eco-labelling of goods and projects; environmental inspections of Member States; environmental agreements; environmental information for EU citizens; and judicial protection of the environment. Statistical and scientific support for environmental policy is provided by the European Environment Agency.

The following results have been achieved in specific areas of environmental protection.

In terms of waste reduction, the community has achieved the reuse of cardboard packaging for goods by separating waste

at the collection stage and subsequently recycling it. Cross-border transport of polluted air outside the EU has been reduced thanks to the signing and implementation of the Basel Convention, and the service life of electrical goods (batteries, light bulbs, etc.) through the use of energy-saving technologies and new materials.

Significant measures are being taken to combat noise pollution, as it has been proven that noise above 60 decibels has a negative impact not only on hearing but also on human health in general. In particular, noise pollution from land and air transport and equipment operating outside buildings and structures is being limited.

Efforts are being made to reduce water pollution by establishing water quality standards (for drinking water, washing water and water for fish farms) and limiting the discharge of pollutants into water bodies, especially nitrates, petroleum products, heavy metals and organic compounds. Since 1995, the Water Framework Directive has been in force, promoting the sustainable use of Europe's water resources through coordinated decisions by member states. To protect aquatic ecosystems (marine, lake and river), the Barcelona Convention for the Protection of the Mediterranean Sea, the Convention on the Protection of the Baltic Sea, the Helsinki Convention on Transboundary Watercourses and International Lakes, the Conventions on the Protection of the Rhine and Danube, etc. have been adopted.

In the fight for air quality, the EU complies with international treaties: the UN Framework Convention on Climate Change (1992) and the Kyoto Protocol (1997). Although the countries that signed the protocol have committed to reducing carbon dioxide emissions by at least 5% by 2008-2012 (compared to 1990), the EU has committed to reducing emissions by 8% (the protocol came into force in February 2005 after its ratification by Russia). Two instruments are used to

combat emissions: emissions monitoring (all member states develop national emission reduction plans and report on their implementation) and emissions trading, which allows countries to receive financial compensation for reducing emissions. In addition to combating carbon dioxide emissions, the EU has been running the Clean Air for Europe programme since May 2001, which aims to reduce dust and ozone emissions, as well as national programmes to reduce other emissions.

The next area of nature conservation in Europe is the preservation of wildlife. There are more than 200,000 species of animals and plants in Europe. However, 42% of mammals, 15% of bird species and 52% of freshwater fish species, as well as about 1,000 plant species, are on the verge of extinction. To preserve biodiversity, the EU is creating a wide network of protected natural areas under the Natura 2000 programme. Some animal species receive special legal protection, such as seals, whales and dolphins. Forest ecosystems are protected by special status and monitoring under the Forest Initiative. In addition to its own initiatives, the EU implements international agreements on wildlife protection, such as the Bern Convention on the Conservation of European Wildlife and Natural Habitats, the CITES Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Bonn Convention on the Conservation of Migratory Species and the Rio de Janeiro Convention on Biological Diversity. The results of wildlife and ecosystem conservation efforts can be seen in EU settlements, which are home to foxes, wild boars, hares and many other animal species.

Among the natural disasters and technological threats to human life and ecosystems, floods and industrial accidents stand out. In 2005, following catastrophic floods in Europe, the Action Programme for the Protection of the Population 2007-2013 was adopted. The Community also signed the UN Convention on the Transboundary Effects of Industrial Accidents. Within the EU,

radioactive waste is managed collectively and the risks associated with the use of genetically modified organisms are being considered.

Countries joining the EU must bring their environmental legislation and standards into line with EU standards. To this end, the EU is developing the PHARE and LIFE programmes. In addition, these countries must participate in the work of the European Environment Agency and the European Environment Information and Observation Network (EIONET).

## 9.6

### **EU foreign policy**

Cooperation between Western European countries in the field of foreign policy, security and defence occupies a special place both within the European integration process and in the system of international relations.

The bipolar world system that emerged in the post-war period, represented by the opposing US and USSR, did not allow Western Europe to claim an independent role in the international and European security system. External factors had a dominant influence on the development of European cooperation in security and defence matters. However, the revolutionary changes in Europe at the turn of the 1990s opened up completely new prospects for the Western European integration centre, consisting in the formation of a new pole of international foreign policy and security. To achieve these ambitious goals, an institutional instrument such as the Common Foreign and Security Policy (CFSP) was created.

The creation of the CFSP has three main stages: the Maastricht Treaty, the Amsterdam Treaty and the post-

Maastricht stage.

Prior to the Maastricht Treaty, Europe had only one instrument of its own defence policy — the Western European Union (WEU). However, in terms of military potential and political capabilities, it was significantly inferior to NATO. In addition, the European Political System had been in operation since the early 1970s, but it too had extremely limited capabilities for coordinating political decisions. Therefore, with the collapse of the USSR, Europe sharply intensified its foreign policy integration. In accordance with Section 5 of the Maastricht Treaty, the EU countries adopted the Common Foreign and Security Policy.

The CFSP includes issues related to "the development, ultimately, of a common defence policy that could evolve over time into a common defence" (Article J.4.1) and the development of EU policy on key issues ("common position") on an intergovernmental basis and its subsequent implementation through joint action.

The lack of its own instruments for military-political cooperation prompted the EU to use the increased potential of the WEU. Military-political integration was included in the context of the Maastricht process, and the WEU was formally recognised as "an integral part of the development of the Union" (Article J.4.2). The WEU itself identified itself in the Declaration to the EU Treaty as "the defence component of the European Union," formally retaining its status as an independent organisation. However, the mechanism for interaction, which provided for the EU to refer to the WEU "for the purpose of developing and implementing Union decisions and actions of a defence nature" (Article J.4.2), was not specified. In the period prior to the signing of the new Amsterdam Treaty (2 October 1997), the EU did not exercise its right to refer to the WEU. This clearly demonstrates the tactics pursued by the EU/WEU countries in the field of CFSP: while opening the door wider and

wider to new opportunities for cooperation, they refrain from implementing them in any significant way until and unless it is deemed appropriate and necessary.

Along with the coordination of European security policy, after Maastricht the WEU defined two main areas of practical activity (Petersberg Declaration, 19 June 1992): expanding the membership of the union, including not only in the form of full membership, and forming its own military "dimension" (armed forces, planning and command structures). Subsequently, the Kirschberg Declaration of the Council (9 May 1994) defined the framework for associate membership of the union.

As a result, the "WEU family" grew significantly: Greece joined the "Nine" (1995); Iceland, Norway and Turkey were granted associate member status (1992); Denmark and Ireland (1992), Austria, Finland and Sweden (1995) received observer status; Bulgaria, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, the Czech Republic, Estonia in 1994 and Slovenia in 1996 became associate partners.

Given that the possibility of moving from ESDP to a common defence policy depends primarily on the material basis for its implementation, the EU/WEU countries declared for the first time in post-war history that their most important goal was to build their own autonomous operational capabilities. Since the EU did not have the necessary legal basis, this task was assigned to the WEU. Having delegated collective defence functions to NATO, the WEU could not claim to create European armed forces under its command, as this would have required their withdrawal from NATO structures. However, European countries managed to find another solution by adopting the concept of "WEU-accountable forces" in 1992 (ESF), which, at its request, can be placed at its disposal with the consent of the participating countries. Today, this includes more than 2,000 national and multinational military units (from ships, battalions and air squadrons to large formations such as divisions, army

corps, etc.).

At the same time, the ESDP's own military capabilities are still limited and, of course, cannot be compared to those of NATO. However, a solution to this problem has essentially already been found. In accordance with the Declaration on the ESDP, adopted as an annex to the main text of the Maastricht Treaty, it is also recognised as "a means of strengthening the European pillar of the Atlantic Alliance". The January and December (1994) sessions of the NATO Council approved the ESDP's activities in this capacity and expressed support for "European identity in the field of security and defence". This paved the way for close and expanding cooperation between NATO and the ESDP on the basis of agreed principles of complementarity and openness. This, in turn, enabled European countries to make a breakthrough in acquiring the military capabilities needed to turn their declared goal of collective defence into a reality. The concept of "Multinational Task Forces" (MTFs), adopted by the NATO Council (June 1996), laid the foundation for the transformation of its military structures, which can be used under the auspices of the WEU if necessary. The relevant legal framework has already been largely completed, opening up fundamentally new prospects for the EU/WEU tandem (full implementation of the MFF concept was completed at the end of 2004).

One of the most important achievements of Maastricht was the final recognition by European countries that the creation of the EU was impossible without the formation of its own "dimension" of security and military policy. The documented goal of implementing a common foreign and security policy defined the main perspective and accelerated integration in this direction. This, in turn, made it possible to include military-political integration within the framework of the WEU in the context of the development of the European Union. The legally enshrined prerogatives of the WEU, multiplied by the new

Maastricht guidelines for EU policy, provided European countries with a way to develop their own autonomous military capabilities.

At the same time, the Maastricht documents set limits on this acceleration, determined primarily by the vagueness of the relevant wording, the lack of a clear timeframe and procedural rules for moving towards the declared unity in the field of security and military policy. Thus, despite significant momentum in this direction, it still lagged "one step" behind integration in the economic and monetary-financial spheres.

The developing trend towards mutual convergence between the two institutions — the ESDP (EU) and the WEU — has been significantly strengthened by the Treaty of Amsterdam. Under this treaty, the procedures for adopting joint actions now also apply to defence issues (unlike the Maastricht Treaty, which stipulated that these actions were not an instrument for resolving defence issues). Under the Amsterdam Treaty, the European Council is empowered to "define the principles and main lines of the common foreign and security policy, including matters relating to defence" (Article 14). Accordingly, the CFSP covers all security issues, but the possibility of forming a common defence policy on its basis has been replaced by a more specific "gradual formation". The Treaty states that the ESDP provides the EU with access to the use of its capabilities (Article 17). It also states that the "Petersberg tasks" of the ESDP (humanitarian, rescue, peacekeeping and peacemaking) fall within the scope of this article. The Amsterdam agreements provide not only for the mutual desire of both organisations to develop cooperation, but also for "the possibility of integrating the ESDP into the EU, if the European Council so decides" (Article 17.1).

The CSDP mechanism has been significantly strengthened. The basis for "joint actions" and "common positions" is provided by the "common strategy" adopted by the European Council.

The principle of unanimous decision-making remains, but abstention in voting is not a reason for not adopting decisions. In addition, decisions on "joint actions", "common positions" and other decisions based on the "common strategy" are taken by a qualified majority. The Council decides on procedural matters by a simple majority. To ensure the successful functioning and coordination of the CFSP system, the post of High Representative for the CFSP/Secretary-General of the Council (HR/SG) has been created, who may also negotiate with third parties on behalf of the Council. On behalf of the presiding state, the EU Council is empowered to conclude international agreements within the competence of the CSDP on the basis of consensus among member states, guided by the recommendations of the presiding state, which may be entrusted with opening such negotiations. To enhance the effectiveness of the CSDP, a special Early Warning and Political Planning Body (EWPPB) is to be established within its framework, under the authority of the High Representative for the CSDP.

Thus, after the ratification of the Amsterdam Treaty in 1999, a legal basis was created for the first time that allowed the European Union to form its own military dimension.

**Post-Amsterdam phase.** On the eve of the EU summit in Potsdam in October 1998, British Prime Minister Tony Blair announced that the United Kingdom was changing its course and now supported the formation of a defence component in the EU. At the summit, he acknowledged that he did not rule out the prospect of integrating the WEU into the EU. On 4 December 1998, a Franco-British summit meeting was held in Saint-Malo, which gave the two countries an opportunity to confirm their shared determination to fully implement the articles of the Amsterdam Treaty on the CFSP. This commitment was soon supported by other members of the European Union, notably Germany, Spain and Italy. The Franco-British meeting in December 1998 thus paved the way for a series of important

decisions throughout 1999, notably at the European Council meetings in Cologne (4 June), Helsinki (10 and 11 December) and Nice. Javier Solana, former Secretary General of NATO, was appointed Secretary General of the European Council and High Representative for the CFSP; he was also appointed Secretary General of the WEU. From that moment on, many of the WEU's operational bodies came under the control of the European Union.

The change in the UK's position and its initiative to create a European defence dimension is truly impressive. After all, relatively recently, R. Cook, Foreign Secretary in the Labour government that came to power, said of the EU: "I do not see the Union as a security organisation"<sup>1</sup>. He also stated that his government did not want the ESDP to be the military arm of the EU, as this could undermine the role of NATO. According to him, the UK seeks cooperation between the EU and the ESDP, but not a merger. However, in Amsterdam, the UK softened its previous stance by agreeing to include the "Petersberg tasks" in the EU Treaty. During the same period, at the WEU Council in Paris in May 1997, R. Cook and Defence Minister J. Robertson said that they had come to Paris to end Britain's isolation in Europe. Indeed, Britain had practically transformed itself from one of the leaders of the "Atlantic" opposition into its only consistent representative. Its special relationship with the United States is no longer a reliable guarantee of its influence in Europe. The strengthening of federalist tendencies in the EU and the introduction of the euro have confronted Britain with the prospect of becoming a political outsider in the European integration process if it fails to take sufficient initiative and adopt a constructive approach. So the sharp change in British policy is entirely justified. And this suggests that the "new dynamic" in the EU's security and defence policy initiated by Britain goes

<sup>1</sup> Europe. 1997. No. 6974. 15 May. P. 4.

beyond tactical changes, becoming a long-term trend with far-reaching practical consequences.

Following the adoption of the joint Anglo-French declaration, the first session of EU defence ministers was held, the first meeting between the President of the EU Council and the NATO Secretary General took place, and the first joint EU/WEU Parliamentary Forum was held. In Cologne, it was decided to place enhanced military resources at the disposal of the European Union and to transform the European Corps (Eurocorps), created in 1992 with the participation of five European countries (France, Germany, Belgium, Spain and Luxembourg), into a Rapid Reaction Corps. During the European Union summit (Helsinki, December 1999), European heads of state set a goal to form a rapid reaction force of 60,000 troops in 2003, which could be mobilised within two months and deployed in special operations. The corps will use NATO weapons standards. Germany (13,500 troops), the United Kingdom (12,500) and France (12,000) have pledged to make the largest contributions to the Eurocorps. Other EU countries will also participate in the project. Italy and Spain have pledged to provide 6,000 troops each, the Netherlands 5,000, Greece 3,000, Finland and Sweden 2,000 each, Belgium, Portugal and Ireland 1,000 each, and Luxembourg 500. These forces, ready to respond in less than 60 days, were entrusted with the so-called Petersberg tasks. They must be self-sufficient and have the necessary capabilities in terms of command, control, intelligence and infrastructure. These forces will be able to receive support from other units and, if necessary, from the air force and navy. However, these forces were not created in 2003, as this would require enormous costs. Their creation was postponed until 2010.

The formation of the Common European Security and Defence Policy was completed in December 2000 in Nice, where permanent European political and military structures in the field

of defence were established: the Political and Security Committee and the EU Military Staff.

The Political and Security Committee, composed of ambassadors, will play a key role in defining the Union's policy in the event of a crisis and in monitoring its day-to-day implementation. In a crisis situation, the committee will be chaired by the EU High Representative for Foreign Affairs and Security Policy. The committee will exercise political control and strategic management of the operation. The EU headquarters, consisting of approximately 100 staff, will mainly be responsible for monitoring and analysing the situation, as well as planning prior to decision-making.

Despite the EU's desire for its own security system and certain differences with America, the European Union and the United States continue to act together. Europe and America are working together in the Balkans, the Middle East and Afghanistan. NATO's strategic concept, adopted in 1999, refers to a "Euro-Atlantic security system" that links the security of North America and Europe. And the alliance's Washington Declaration proclaims the "indivisibility of the destinies of North America and Europe." Europe perceived the terrorist attacks in New York and Washington on 11 September as a blow to all countries, including Europe, and therefore considered the US response to be legitimate and necessary. However, the legitimacy of this US action was confirmed by UN Security Council resolutions, which were approved not only in Europe but also in Asia.

Thus, the EU's foreign policy is currently being shaped as a unified, coordinated policy, although instead of "Atlanticist" Britain, the EU now has a group of pro-American political regimes in the Baltic republics and Poland that are capable of causing significant disagreements over the eastern direction of the EU's foreign policy. The EU's position on the Ukrainian crisis is characterised by considerable unity (except for Hungary

and Slovakia), but it sets absurd goals of defeating Russia militarily. This could lead to a military confrontation between Russia and the EU countries, which would be in the interests of the US, seeking to destroy the euro zone and its strongest economic competitor.

## 9.7

### **Cooperation with international organisations and neighbouring countries**

The European Union is determined to ensure that the accession of new countries in 2004 and all subsequent accessions do not create new barriers between the expanding Union and its neighbours. This is why the EU intends to strengthen its ties with its eastern neighbours (Russia, Ukraine, Moldova and Belarus) and its southern neighbours (the Mediterranean countries). As part of its European Neighbourhood Policy, the EU intends to give these countries access to its internal markets and offer them additional trade concessions and financial assistance. In return, the EU's neighbours must demonstrate their commitment to democratic reforms and market economy principles, as well as respect for human rights. As neighbouring countries serve as transit areas for the smuggling of illegal immigrants, drugs and human trafficking, the EU is helping a number of them to strengthen their border protection and immigration legislation. Russia, Ukraine, Moldova and most of the countries of the South Caucasus and Central Asia have agreements with the EU on trade, political cooperation, environmental protection, and cooperation in science and culture. The EU is developing a broad cooperation programme with its largest neighbour, Russia. These countries also receive assistance through the European

Union's TACIS programme, which has allocated €3.14 billion for the period 2000-2006. This programme finances projects in institutional reform, infrastructure, private sector development, agriculture and environmental protection.

Under the Barcelona Agreement, the EU has committed itself to establishing a free trade area with its Mediterranean neighbours by 2010. This region includes the Arab countries of the southern and eastern Mediterranean, Israel and the Palestinian territories. Trade relations are established between the Union and each of its partners, and the partners, in turn, take steps to expand mutual trade. For example, in 2004, Egypt, Morocco, Jordan and Tunisia signed the Agadir Agreement, a free trade agreement.

In the Middle East, the EU is negotiating a free trade agreement with six countries of the Cooperation Council for the Arab States of the Gulf (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates). In addition, the EU is supporting reconstruction projects in Iraq and establishing close ties with ASEAN countries.

**Relations with Latin America.** The European Union is Latin America's second most important trading partner, its most important source of foreign direct investment and the leading donor of development aid to the region. Every two years, the EU and all Latin American and Caribbean countries hold bilateral summits on a wide range of issues, including political, economic, educational, scientific, technical, cultural and social matters. All Latin American countries, both as a group and individually, currently have association, cooperation or trade agreements with the EU.

The EU is negotiating an association agreement with the MERCOSUR countries (Brazil, Argentina, Paraguay and Uruguay), including the creation of a free trade area between the two groups of countries.

At the end of 2003, the EU concluded two separate

agreements on political dialogue and cooperation: with the Andean Community and with the countries of Central America. The next step is to negotiate association agreements with both regions. The European Union has already concluded association agreements (including free trade agreements) with Mexico and Chile, signed in 1997 and 2002 respectively.

**Partnership with African countries.** In addition to its traditional ties with African countries through the mechanisms of the Mediterranean agreements or within the framework of the ACP (African, Caribbean and Pacific countries), the EU has initiated a dialogue with the African Union (AU). This involves conflict prevention and resolution and EU support for the African Union and UN peacekeeping operations on the continent. The partnership between the EU and Africa also covers regional economic cooperation, integration and trade, the fight against drought and desertification, measures against HIV/AIDS and infectious diseases, food security, human rights, democracy and the fight against terrorism.

The European Union and its member states allocate more than €30 billion annually in official aid to developing countries, of which more than €6 billion goes through EU institutions. The Union has committed to increasing its annual aid to €40 billion by 2020. Although EU countries, like other industrialised countries, have set a target of contributing 0.7% of their GNP to aid each year, only Denmark, Luxembourg, the Netherlands and Sweden are currently meeting this commitment. The others have promised to catch up with these countries. The EU average is 0.34%, which is higher than that of the US and Japan.

The EU actively helps countries affected by natural disasters. Relief efforts are funded through *the Humanitarian Aid Office (ECHO)*. Since its creation in 1992, ECHO has provided assistance in the event of serious crises in more than 100 countries around the world, delivering vital equipment and first aid to victims as quickly as possible. With a budget of over

€500 million per year, ECHO funds the work of medical professionals, demining experts, transport and logistical support.

ECHO does not have the resources to carry out all these activities on its own. It therefore works closely with humanitarian partner organisations: non-governmental organisations, specialised UN agencies and the Red Cross and Red Crescent Society to deliver food and equipment, send rescue teams, set up field hospitals and install temporary communication systems.

**Global cooperation.** Humanitarian aid is just one of the areas in which the EU works closely with international organisations such as the UN, WTO, NATO, OSCE, Council of Europe, and regional organisations in Africa, the Americas, Asia and the Pacific.

The European Union attaches great importance to the effective principle of multilateral relations, with the UN at its core. With its global mandate and legitimacy, the UN is uniquely placed to respond to common challenges.

EU Member States support the Millennium Development Goals adopted by the UN in September 2000:

- the eradication of extreme poverty and hunger;
- achieving universal primary education;
- promoting gender equality and empowering women;
- reducing child mortality;
- improving national health care;
- combating HIV/AIDS, malaria and other diseases;
- ensuring environmental sustainability;
- global partnership for development.

The EU as an organisation seeks to support the achievement of these goals by focusing on six priority areas where its unique expertise can be useful. These are:

- trade and development;
- regional cooperation;

- poverty reduction policies through support for health and education;
- transport infrastructure;
- food security and sustainable rural development;
- institutional development, democratic governance and the rule of law.

Thus, the EU is actively developing ties with neighbouring countries and international organisations at all levels and on all continents, sharing its vast experience of integration and providing real assistance in development. The EU's experience is the most attractive for integration processes in the world and can serve as a basic model for the development of continental integration.

## 9.8

### **The EU and Russia**

Relations between the EU and Russia started off quite well. In June 1994, the Partnership and Cooperation Agreement was signed by the heads of state or government of the EU member states, the President of the European Commission and the President of the Russian Federation on the island of Corfu. The agreement came into force on 1 December 1997 and was initially valid for 10 years, after which it was automatically extended for one year after 2007. In 2015, the European Parliament announced that Russia was no longer a strategic partner of the EU (after the annexation of Crimea and the war in Donbas). In 2022, diplomatic relations were severed, economic and political sanctions were imposed, and mutual civil aviation flights were suspended. Russian financial and investment assets in Europe were frozen, and the interest on their use was directed to support

Ukraine.

Trade between the EU and Russia began to decline sharply. Europe completely abandoned Russian gas supplies. The Nord Stream gas pipeline was partially blown up by Western special services. Russian oil supplies were restricted, the transit of goods through Russia to third countries was banned, and massive deliveries of NATO weapons to the Ukrainian army began. As a result of the EU's foolish and short-sighted actions, this organisation and its member states faced four serious problems: 1) relations between the EU and Russia were brought to the brink of war with the possible use of nuclear weapons; 2) the EU lost a reliable partner in the supply of cheap energy resources (worth \$118 billion a year); 3) European companies lost their market for goods in Russia (worth \$105 billion a year); and 4) European companies' transport costs for delivering passengers and goods to East Asian countries increased significantly.

The Americans insisted that the EU's foreign and defence policy ( ) be managed by Russophobes from the Baltic states (K. Kallas from Estonia and A. Kubilius from Lithuania), which makes military conflict very likely. Russia is ready for such a conflict. During the hostilities in Ukraine, the military potential of the European Union countries has been destroyed by 30%, and it has been convincingly proven that NATO countries' military equipment is inferior to Russian weapons, and the training of soldiers is inferior to that of Russian military personnel. This once again confirms the conclusion that the EU was an economic giant but a military and political dwarf. Currently, the EU's economic gigantism is rapidly deflating. Debt burdens are growing, thousands of businesses are going bankrupt, unemployment is rising, and companies are relocating their businesses to the US and East Asia. The EU is becoming a dangerous place to live and do business. Along with the massive influx of Ukrainian, Syrian, Afghan and African refugees, social divisions and socially dangerous behaviours are on the rise. The

EU, which was a paradise in the 1990s and 2000s, is turning into a socio-political cesspool and could become a living hell if hysterical decisions are made to take direct military action against Russia.

## **Conclusions to Chapter 9**

1. The success of European integration in the 20th century is determined by six main reasons:

a) the existence of a country that was the constant driving force behind the European integration process (France);

b) the existence of two strong cores of European integration — the Franco-German core and the Benelux;

c) the mandatory achievement of economic efficiency in integration decisions;

d) the use of consensus procedures for joint decision-making;

e) the advance legal provision of integration processes;

f) the multi-layered nature of integration processes, with each subsequent layer complementing and strengthening the previous layers.

2. The negative prospects for European integration (up to and including the collapse of the EU and national autonomy) are linked to short-sighted anti-Russian policies and the US's active hybrid war against the EU, aimed at economic collapse and the disintegration of the eurozone. Between 2022 and 2025, the American economy grew by 3% per year, while the European economy fell by 2-3% per year. In the best-case scenario, in 2025-2030, the EU will turn into a zone of economic stagnation. In the worst-case scenario, it will become a theatre of mass military action with the destruction of Europe's largest capitals

and agglomerations.

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# 10

## Chapter

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# COMMUNITY OF INDEPENDENT STATES OF INDEPENDENT STATES

- 10.1 Preconditions for the collapse of the USSR
- 10.2. Options for post-Soviet integration (USSR-2, USSR-1, Baltic-Black Sea Union, CIS)
- 10.3. Creation of the CIS
- 10.4. CIS institutions

## **10.1**

### **Preconditions for the collapse of the USSR**

A rigid system of governance cannot function indefinitely, as over time it begins to lag behind in making necessary decisions. Rejection of innovation leads to the accumulation of hidden contradictions, which ultimately destroy the system from within. This is precisely what happened to an integrative structure such as the USSR.

The main prerequisites for the collapse of the USSR were ideological, institutional, economic, social and environmental causes, as well as growing contradictions between the interests of the republics within the USSR.

The main integrating links in the USSR were the unified ideology of Marxism-Leninism and the system of social management institutions based on this ideology.

Marxism-Leninism recognised the working class as the leading social class, industry as the leading sector of the economy, and equality (including economic, social and political equality) as the leading principle of social organisation. Thus, the ideological and institutional basis for the integration of the USSR was the creation of an industrial society with the leading role of the working class and universal equality. In the first half of the 20th century, this ideology was quite successful and ensured the rapid transformation of the agrarian society of tsarist Russia into the industrial society of the USSR. The USSR became the world's leading industrial power and had an undeniable advantage in a number of technological areas (space,

strategic weapons, laser technology, etc.). However, in the second half of the 20th century, strategic mistakes were made that slowed down economic growth and social development. First and foremost, these mistakes concerned the focus on industrial rather than personal computers, insufficient development of the service sector, and excessive military and space spending. These mistakes slowed down the transition to a post-industrial (service and information) society and ultimately led to the collapse of the USSR.

Ideological mistakes made in the 1960s (the choice in favour of industrial rather than personal computers) and 1970s (restrictions on the development of the service sector and military-space spending) marked the beginning of the erosion of ideology and state institutions. This process intensified sharply in the 1980s, when not only the intelligentsia but also managers began to realise the need for radical changes in society. The rise to power of a representative of the new generation of the communist elite, Mikhail Gorbachev, led to a sharp weakening of the institutions of government and a rejection of communist ideology, which paved the way for the institutional and ideological collapse of the USSR.

Along with the crisis in the management system, the economic crisis was growing. The USSR's economy developed extensively due to the growth of its resource base (natural and human resources). The planned decision-making system hindered the rapid introduction of innovations necessary for intensive development, which reduced the efficiency of the economy. Significant expenditures on the development of the military-industrial complex and the conduct of local wars diverted resources from the civilian sector, leading to an increase in food and housing problems. The Baltic republics were the first to conclude that accelerated growth in the service sector and intensified economic development were necessary, but their request to the centre to develop tourism was denied. Moreover,

the centre insisted on the development of phosphate, oil shale and oil deposits, which would have led to serious environmental problems in these republics and made it impossible to develop tourism in the future<sup>1</sup>. In the second half of the 1980s, a number of erroneous decisions were made, leading to a complete imbalance in the economic turnover and state budget of the USSR and the complete collapse of the economic system. The introduction of restrictions on the production and sale of alcoholic beverages led to the growth of the shadow economy and the criminalisation of this sphere, while the removal of restrictions on wage growth contributed to rapid inflation and forced the introduction of a card system for the distribution of essential food products.

In the social sphere, inter-ethnic and inter-religious conflicts, which had been suppressed by force and ideology during the communist era, began to manifest themselves more and more sharply. The Armenian-Azerbaijani conflict, conflicts in the Central Asian republics, the republics of the North Caucasus and other border areas flared up as the restraining force disappeared and contradictions continued to grow.

Finally, environmental contradictions grew between the centre's desire to use the resources of the territories and the territories' unwillingness to damage the environment. The Chernobyl disaster, the tragedy of the Aral Sea, catastrophic radioactive contamination in areas of nuclear test sites, and industrial pollution in industrial centres gave rise to environmental protests among the population and led to the growth in popularity of environmental movements.

Thus, objective contradictions grew in all areas of interaction between the centre and the republics, which were catastrophically exacerbated during Gorbachev's rule by numerous subjective mistakes in his activities.

<sup>1</sup> *Bronstein, M. Estonia: Economy and Geopolitics // Economic Issues. 1995. No. 2. p. 116.*

The attempt to restore the USSR and communism as a result of the coup and Gorbachev's removal in August 1991 was a natural intention of the communist elite to return to traditional institutions and ideology. However, this intention was not supported by society. At the same time, it was clear to the leaders of the republics that Gorbachev's continued hold on power could lead to civil war throughout the USSR and complete chaos. Therefore, it was necessary to urgently make a decision on the institutional reorganisation of the USSR and the non-violent removal of Gorbachev.

## **10.2**

### **Options for post-Soviet integration (USSR-2, USSR-1, Baltic Black Sea Union, CIS)**

The following options for post-Soviet integration were considered: 1) Gorbachev's option — USSR-2 (SSR, or Union of Sovereign Republics); 2) the option of returning to the communist USSR-1; 3) the option proposed by the United States — the Baltic-Black Sea Union; and 4) the CIS option.

By the spring of 1991, all the union republics had declared their full sovereignty (Russia on 12 June 1990) and recognised the supremacy of republican laws over union laws, and some had held presidential elections. After Boris Yeltsin was elected President of Russia in June 1991 Mikhail Gorbachev finally realised that he could only retain his leadership by signing a new union treaty on the creation of a renewed USSR. Nine republics agreed to sign the new union treaty, a nationwide referendum was held, during which the people also voted in favour of the

new Union, and the signing was scheduled for 20 August 1991. However, this turn of events did not suit the communist part of the Russian ruling elite, the reformist part (Yeltsin's entourage), or the presidents of the republics, who would have received full power in their republics without a new union treaty .

The first to take action to remove Gorbachev from power were the conservative communists, who wanted to return to the USSR-1 model. On 19 August, tanks were brought into Moscow and a state of emergency was declared. However, the GKChP did not have a clear plan of action. Neither Gorbachev nor Yeltsin were arrested. The Alpha squad refused to storm the White House, where Yeltsin was staying, the troops did not obey the orders of the GKChP leaders, and the people took to the streets in support of Yeltsin. Therefore, on the morning of 21 August, Defence Minister Yazov gave the order to withdraw the troops. On 23 August, Yeltsin issued a decree suspending the activities of the Russian Communist Party, and the CPSU was banned from engaging in any activities on the territory of the RSFSR. Thus, there was no return to the USSR-1.

Gorbachev resigned as General Secretary of the CPSU Central Committee and proposed the preparation of a new draft treaty on the Union of Sovereign Republics, which was worked on until 25 November 1991. However, the presidential elections in Ukraine were not due to take place until 1 December, and only after these elections could the new president of Ukraine sign the union treaty, so the signing of the treaty on 25 November did not take place again.

For Ukraine, an alternative to the USSR-2 was the Baltic-Black Sea Union (BBSU) project, which had been discussed since 1990 by representatives of Poland, Belarus, Ukraine and the Baltic republics. From the point of view of the initiator of this project, the United States, its implementation would create a new security belt around Russia, detach two republics (Ukraine and Belarus) from Russia, on whose territory large military

contingents and nuclear warheads were located, as well as the defence industry, and ultimately expand NATO's area of operation ( ) at the expense of the BCS countries. For the CSTO countries, this alliance was seen as an opportunity to create a transit corridor for Middle Eastern oil and Norwegian gas to Europe, which would allow them to earn transit revenues and gain access to alternative sources of oil and gas supplies. From this point of view, it was not in Ukraine's interest to join the SSR or return to the USSR-1, since in the BCHS, along with Poland, it could claim the role of leader of the new union and special relations with the US and the European Community. However, it was first necessary to part with the USSR without bloodshed.

In these circumstances, a fourth option (the CIS) emerged, which was in the interests of Ukraine, Belarus and Russia. Under this option, no supranational governing bodies were created, which gave Boris Yeltsin and the other presidents the opportunity to get rid of the dual power with Mikhail Gorbachev and take full power into their own hands, while Belarus and Ukraine could calmly part ways with the USSR and begin moving towards Europe and the United States. Invited to join the fourth option, N.A. Nazarbayev (according to S. Shakhria) initially refused and even informed M.S. Gorbachev about this option. However, Nazarbayev later initiated the accession of all Central Asian countries to the fourth option, and the agreement on the creation of the CIS was signed in Almaty (then the capital of Kazakhstan) on 21 December 1991.

Thus, neither the option proposed by M.S. Gorbachev (the SSR), nor the option of returning to the USSR-1, nor the Baltic-Black Sea Union fully satisfied the leaders of the union republics. Only the CIS option (prepared by G. Burbulis, S. Shakray and other representatives of B.N. Yeltsin's team, as well as representatives of Belarus and Ukraine) ensured complete freedom for the republics and created the conditions for a civilised divorce. That is why it and were signed on 8 December

1991.

## **10.3**

### **Creation of the CIS**

On 8 December 1991, in the town of Viskuli near Minsk (the residence of the Belarusian government in Belovezhskaya Pushcha), the leaders of the Republic of Belarus, the Russian Federation and Ukraine signed an agreement on the creation of the Commonwealth of Independent States. The preamble to the Agreement stated: "We, the Republic of Belarus, the Russian Federation (RSFSR), Ukraine, as the founding states of the Union of Soviet Socialist Republics, which signed the Union Treaty of 1922, hereinafter referred to as the High Contracting Parties, declare that the Union of Soviet Socialist Republics as a subject of international law and a geopolitical reality ceases to exist." Thus, the main objective of the treaty was achieved: the removal of Mikhail Gorbachev from power and the attainment of complete political freedom by the leaders of the three Slavic republics.

In forming the CIS, the parties declared their commitment to the principles of respect for state sovereignty, equality and non-interference in each other's internal affairs, renunciation of the use of force, economic or any other means of pressure, and the settlement of disputes by consensual means; they guaranteed open borders, freedom of movement of citizens and the transfer of information within the Commonwealth.

In addition, as stated in the Agreement, the CIS states agreed to maintain a common military-strategic space under unified command, including unified control over nuclear weapons. The following areas were also included in the scope of joint activities

implemented through common institutions: coordination of foreign policy activities; cooperation in the formation and development of a common economic space, pan-European and Eurasian markets, and in the field of customs policy; cooperation in other areas.

In a special declaration, the parties announced that the Commonwealth was open to other states joining.

On 10 December 1991, the Agreement was ratified by the parliaments of Russia, Belarus and Ukraine. The Supreme Council of Ukraine adopted the Agreement without discussion, but with twelve reservations, the general meaning of which boiled down to changing the most "confederatively formulated" provisions of the Agreement. For example, instead of "coordination of foreign policy activities," the Ukrainian version referred to "consultations in the field of foreign policy"; in another reading, articles on open borders and armed forces were given.

On 13 December, at the initiative of the presidents of Turkmenistan, S. Niyazov, and Kazakhstan, N. Nazarbayev, a meeting of the presidents of the five Central Asian states was held in Ashgabat. The result was a statement in which the parties expressed their fundamental solidarity with the Belovezh agreements, while insisting that each of the republics of the former USSR had the right to claim the role of founder of the new Commonwealth. To consider issues related to the formation of the CIS, it was proposed to hold a special meeting of the heads of state of the former USSR.

Such a meeting took place on 21 December 1991 in Alma-Ata. Eleven of the 15 states of the former USSR were officially represented (excluding the Baltic states and Georgia, which limited its participation to the level of observers). The parties signed the Protocol to the Agreement on the Establishment of the Commonwealth of Independent States ( ), which expanded the number of CIS founders to 11, and a Declaration confirming

the main goals and principles of the Commonwealth, while stating that the CIS is neither a state nor a supranational entity.

From a legal point of view, therefore, the founders of the CIS are not the three states that participated in the Belovezhskaya Pushcha meeting, but eleven states. The dates of the Commonwealth's founding are 8 and 21 December 1991, and its founding documents are the Agreement on the Creation of the Commonwealth of Independent States of 8 December 1991, the Protocol to the Agreement, and the Alma-Ata Declaration of 21 December 1991.

At the meeting in Alma-Ata, the CIS states also declared that they "support Russia in continuing the USSR's membership in the UN, including permanent membership in the Security Council and other international organisations."

Subsequently, the legal basis of the CIS was formed by treaty. In 1993, the Charter of the Commonwealth was adopted. In the same year, Georgia also acceded to the Almaty agreements.

Despite their compactness, the three founding documents of the CIS were not free from contradictions. The agreement of 8 December, although it did not qualify the Commonwealth as a confederation, had a clearly expressed confederative principle (articles on open borders, coordination of foreign policy, a common economic space, and coordinating bodies of the Commonwealth). Moreover, one of the articles of the Agreement even contained an element of a union state ("The member states of the Commonwealth shall maintain, under a unified command, a common military-strategic space, including unified control over nuclear weapons").

The confederative principle of the initial agreements was also present in the subsequent decisions to maintain a single currency — the rouble; in the declared intention of the parties to coordinate their monetary and credit and general economic policies; in the stated and subsequently confirmed principles of

freedom of movement and transparency of borders, to the point of eliminating border, customs and other types of control. The summit in Almaty marked the beginning of the creation of common institutions of the Commonwealth, which again brought it closer to a confederative model.

"International organisation", "confederation" or "union of states" – at the time of the CIS's formation, this triple contradiction was inevitable, because each of these principles was backed by the interests of the founding states. Russia and the Central Asian republics were initially drawn to the confederation model: the latter had been discussing the idea of a confederative union among themselves as early as 1990. Ukraine was behind the idea of the CIS as a loosely associated international organisation.

In the context of the disintegrating union space, the union elements of the CIS's initial legal status seemed inevitable and even necessary: it was impossible to resolve the issue of control over the four nuclear arsenals of Russia, Ukraine, Belarus and Kazakhstan in any other way. The initial "CIS project," with all its legal contradictions, was therefore the broadest common denominator on which it was possible to achieve the initial reintegration of the post-Soviet space.

## **10.4**

### **CIS institutions**

The CIS Charter established for the first time the bodies of the Commonwealth, created by analogy with the institutions of the European Union.

The highest body of the CIS was the Council of Heads of State, which was to hold regular meetings twice a year, with

extraordinary meetings being convened at the initiative of one of the member states. The Council of Heads of Government was the body responsible for coordinating cooperation between the executive authorities of the CIS members in economic, social and other areas. The Charter stipulated that it would meet four times a year. The chairpersons of the Council of Heads of State and the Council of Heads of Government were to alternate in alphabetical order. In accordance with the Charter, both bodies could establish working and auxiliary bodies on a permanent or temporary basis.

A fundamentally important requirement of Article 23 of the Charter was that decisions of the Council of Heads of State and the Council of Heads of Government should be taken by consensus, i.e. with the agreement of all participants. At the same time, however, any CIS member state could abstain from participating in the discussion of a specific issue and voting on it by declaring its lack of interest. In practice, the mechanism of "abstention due to lack of interest" became a means of blocking constructive decisions on many pressing issues that were common to the entire Commonwealth.

Another body of the Commonwealth, designated in the Charter, was the Council of Foreign Ministers, which was responsible for coordinating the foreign policy activities of Commonwealth member states in international organisations, as well as organising consultations on global political issues of mutual interest. In addition, the Charter established the Coordination and Consultative Committee as the permanent executive and coordinating body of the Commonwealth.

The Charter also established the Council of Defence Ministers, the Council of Border Troop Commanders, the Economic Court, and the Human Rights Commission, and provided for the possibility of establishing sectoral cooperation bodies in the future. Cooperation between the representative authorities of the member states was to be carried out by the

Interparliamentary Assembly (IPA).

From the very beginning, not all CIS member states actually participated in the work of the Commonwealth bodies. For example, the ministers of Moldova, Ukraine and Turkmenistan are not members of the Council of Defence Ministers. The lack of supranational status significantly affected the effectiveness of the Commonwealth bodies. This is clearly evident in the example of the CIS Economic Court. The jurisdiction of the Economic Court includes the resolution of inter-state economic disputes and the interpretation of Commonwealth regulations. The Economic Court is composed of an equal number of judges (two judges) from each CIS member state. For obvious reasons, decisions in this body could not be taken in the same way as in the Council of Heads of State or the Council of Heads of Government, i.e. by consensus. Decisions in the collegiums of the Economic Court are taken by a simple majority of votes, and decisions are taken in the same way by the full composition of the Economic Court. , the decision-making procedure at the Plenum of the Economic Court has some peculiarities. The Plenum makes decisions by a simple majority of votes, but in the event of a tie, the proposal put to the vote is considered rejected. And this rather complicated structure does not work, since the decisions of the Economic Court are not enforced due to the lack of a mechanism for their implementation by coercive means.

As provided for in the text of the Charter, this document was registered with the UN. On 24 March 1994, despite strong objections from Ukraine, which opposed the recognition of the Commonwealth as a subject of international law, the CIS was granted observer status at the UN General Assembly. On 3 August 1994, the CIS Charter was registered by the UN Secretariat as a multilateral international agreement, in accordance with Article 102 of the UN Charter. Thus, from the point of view of international law, the Commonwealth of Independent States is a regional international organisation.

However, at the CIS summit held on 26–27 August 1994 in Kazan, Turkmenistan announced its withdrawal from the permanent membership of the Commonwealth, declaring itself an associate member of the CIS from that point on. Therefore, it can be said that today the CIS consists of nine states (excluding Georgia and Ukraine).

It should be noted that Turkmenistan has never been a particularly active member of the CIS. Having long declared itself a neutral country, this republic does not join any international blocs, including the Shanghai Cooperation Organisation (SCO), which consists of four other Central Asian states plus Russia and China, and does not maintain active relations with its neighbours in the region.

Since the CIS was founded in 1991, Turkmenistan has never really been a full member. Turkmenistan was one of the first to introduce a visa regime with all CIS states without exception. Turkmenistan has never been able to shake off its feelings of anxiety and suspicion that Russia, as the dominant element in this organisation, would like to use the CIS to maintain its dominance in the post-Soviet space, and has therefore always behaved in an isolated and independent manner.

Experts see Turkmenistan's withdrawal from the CIS as a desire to once again emphasise the country's separateness and isolation from other former Soviet republics, especially Russia, as well as to clear the way for manoeuvring with the West.

The CIS headquarters is located in Minsk (Belarus).

The experience of the CIS's functioning has led to the need to reform some of its structures. In October 1997, a protocol was drawn up on amendments and additions to the adopted Agreement on a Free Trade Area, and measures were outlined to reorganise the structure of the CIS bodies. Subsequently, the division of powers between the Council of Heads of State and the Council of Heads of Government was approved, new Regulations on the Council of Ministers of Foreign Affairs were

adopted, the CIS Economic Council was established, and the rotation principle was enshrined for the terms of chairmanship in the Commonwealth bodies. A new organisational form of work was established in the form of the Council of Permanent Representatives to the statutory and other bodies of the CIS.

In 1999, new amendments were made to the Commonwealth Charter, in particular, the original structure of the CIS was reorganised. This was done on the basis of the Decision of the Council of Heads of State of 2 April 1999 "On improving and reforming the structure of the CIS bodies". In October 1999, the Council of Heads of Government approved a mechanism for implementing the decisions of the Council of Heads of State and the Council of Heads of Government ( ).

The acts regulating the legal basis of the CIS included the Protocol on the Approval of the Regulations on the Executive Committee of the Commonwealth of Independent States of 21 June 2000 and the Annex thereto. As a result, the Executive Committee was formed as a permanent executive, administrative and coordinating body of the Commonwealth. The Committee is accountable to the Council of Heads of State, the Council of Heads of Government, and, within their competence, the Council of Foreign Ministers and the Economic Council. The Committee is financed from the budgets of the CIS member states from the single budget of the Commonwealth bodies.

On 25 January 2000, the Regulations on the CIS Economic Council, referred to in this document as the main executive body of the Commonwealth, were approved. The Economic Council promotes measures to establish and operate a free trade area, develops proposals for the creation of a system of mutual settlements and payments for trade and other transactions, and creates the legal, organisational and economic conditions for the transition to higher levels of economic cooperation based on the free movement of goods, services, capital and labour, and promotes the formation of a common agricultural market by

interested parties, etc.

The CIS structure also includes sectoral cooperation bodies (about seventy), whose activities are governed by the General Provisions on Interstate (Intergovernmental) Bodies of the Commonwealth of Independent States of 21 October 1994. These bodies include: the Council of Ministers of Internal Affairs, the Intergovernmental Council on Agricultural and Industrial Complex Issues, the Interstate Eurasian Coal and Metal Association ( ), the Council on Railway Transport of the CIS Member States; the CIS Electric Power Council the Interstate Scientific and Technical Council, the Council on Tourism, and many other similar structures. One of the latest examples of such structures is the Anti-Terrorism Centre of the CIS Member States, the decision to establish which was taken at a meeting of the Council of Heads of State of the CIS on 1 December 2000. CIS coordinating bodies are not usually authorised to take final decisions. Their tasks include coordinating the activities of sectoral ministries and submitting proposals to statutory bodies. However, the regulations on a number of sectoral bodies approved over the past five years provide for the possibility of independent decisions within the limits of their own powers. However, these decisions can only be of a recommendatory nature.

Over time, the CIS bodies became increasingly cumbersome, which inevitably affected their activities. At the meeting of the Council of Heads of State in Chisinau on 7 October 2002, another decision was taken to optimise the structure and size of the CIS bodies financed from the budgets of the Commonwealth member states. From 1 January 2003, the number of staff in the CIS bodies was reduced by 23.3%, and subsequently reduced to 350 people.

## 10.5

### **Problems and prospects of the CIS**

The Commonwealth of Independent States is a unique phenomenon, some characteristics of which do not quite fit into the generally accepted legal classifications due to the fact that the CIS is constantly changing. It is also significant that since the CIS was established, there has never been complete mutual understanding among the member states on the nature and objectives of this association. As a result, the legal framework of the CIS has been almost entirely dependent on the changing political situation.

Although the legal basis for the existence and activities of the CIS is well developed, it has a number of shortcomings that hinder the evolution of the Commonwealth into a full-fledged integration association. The wary attitude of a number of CIS member states towards the emergence of supranational functions within the CIS bodies leaves the countries of the former USSR outside the general global trend towards the creation of macro-regional integration structures (EU, ASEAN, NAFTA, MERCOSUR). Today, the CIS is an association with non-binding ties, where there is no responsibility for implementing decisions. More than half of the CIS members have not acceded to a huge number of treaties and agreements (more than 800) developed and adopted within the Commonwealth.

In early 2005, a number of CIS member states openly declared their lack of interest in the work of the Commonwealth's bodies. Whereas previously only the leaders of Turkmenistan and Georgia had made such statements, Moldova and Ukraine have now joined them.

In many ways, this is the logical outcome of imitating the

activities of the cumbersome bureaucratic structures of the CIS over many years. To justify inaction and major failures in integration policy, the idea of "multi-speed and multi-level integration" was put forward, which only blurred integration mechanisms and plans. Then there were opinions that there was no need to rush, that, for example, the unification processes in the EU had taken several decades. Recently, references to the Commonwealth as an integration structure have begun to disappear from official CIS documents.

At a time when regional integration processes are gaining momentum in other parts of the world, the further disintegration of the former USSR space poses a threat not only to the security of the peoples of Russia and its neighbouring countries, but also to global strategic security. The Russian president considers it necessary to update the model of cooperation in the Commonwealth of Independent States and under no circumstances allow the collapse of the CIS.

The last CIS summit took place in October 2024 in Moscow.

Issues discussed included an appeal to the peoples of the region on the 80th anniversary of victory in the Great Patriotic War, the development of cooperation in the field of artificial intelligence, and 12 other documents.

In general, it can be said that, unlike the EU, the CIS went through stages of disintegration in 1991-2024, turning the collapse of the USSR into a controlled process. Conflicts between CIS members remain, but they are gradually being transferred to diplomatic settlement.

This has happened thanks to the creation of additional specialised organisations with real integration potential. In the military-political sphere and in the fight against radicalism and terrorism, these are the CSTO (Collective Security Treaty Organisation) and the SCO (Shanghai Cooperation Organisation). In the economic sphere, it is the Eurasian Union (EAU).

Overall, while the EU has only just reached the brink of collapse and growing disintegration, the CIS has already passed these stages and is on the threshold of new integration processes.

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# **11**

## **Chapter**

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### **ASSOCIATION OF COUNTRIES OF SOUTHEAST ASIA**

- 11.1 Creation, stages of development and institutions of ASEAN
- 11.2. Main areas of cooperation
- 11.3. Problems and prospects of ASEAN
- 11.4. The East Asian Community and ASEAN

# 11.1

## **Establishment, stages of development and institutions of ASEAN**

The Association of Southeast Asian Nations (ASEAN) was formed on 8 August 1967 in Bangkok, Thailand. Initially, it included five countries: Indonesia, Malaysia, Singapore, Thailand and the Philippines. In 1984, Brunei joined ASEAN, followed by Vietnam in 1995, Laos and Myanmar in 1997, and Cambodia in 1999. Currently, ASEAN has 10 member countries, of which Singapore, Malaysia, Thailand and Brunei form the economic core of the association, Indonesia, the Philippines and Vietnam form the semi-periphery, and Laos, Myanmar and Cambodia form the periphery of the association. ASEAN countries have a population of 670 million people, cover an area of 4.5 million square kilometres, and have a combined GDP of \$10 trillion per year. By comparison, the EU has a population of 450 million, an area of 3.5 million square kilometres, and a combined GDP of over \$21 trillion per year.

**Stages of development and institutions.** Rich in natural and labour resources, Southeast Asia has always been an area of interest to the leading powers. In the first half of the 20th century, France and Great Britain dominated here. In the second half of the 20th century, the division of spheres of influence between the USSR and the USA began. By the mid-1960s, the United States had achieved dominance in the region. In 1964, they began bombing North Vietnam, in 1965, the pro-American president F. Marcos became president of the Philippines, and in the same year, Singapore became an independent state with the support of the United States and Great Britain. In 1966, representatives of the Communist Party were exterminated in

Indonesia ( ), and the pro-American General Suharto became president. Military dictatorships in Malaysia and Thailand were also supported by the Americans. This created the conditions for the Southeast Asia Treaty Organisation (SEATO), which since 1954 had included the United States, the United Kingdom, Australia, New Zealand, France, Pakistan, the Philippines and Thailand, to be supplemented by the political, economic and defence organisation ASEAN. Just as European communities were created under the umbrella of NATO, ASEAN was created under the umbrella of SEATO.

The adopted ASEAN Declaration set the following goals:

- to accelerate economic development and social and cultural progress in the countries of Southeast Asia (SEA);
- strengthening peace and regional stability;
- expanding active cooperation and mutual assistance in the fields of economics, culture, science, technology and human resources development;
- developing more effective cooperation in industry and agriculture;
- expanding mutual trade and raising the standard of living of the citizens of the participating countries;
- establishing strong and mutually beneficial cooperation with other international and regional organisations.

The Declaration noted that ASEAN is open to all countries in Southeast Asia that recognise its principles, goals and objectives. This document established the status of the annual conference of foreign ministers as the main working body of ASEAN, authorised to make decisions on the implementation of the provisions of the Declaration, discuss fundamental issues of the Association's activities, and decide on the admission of new members.

An important step in the political development of ASEAN was the adoption in November 1971 of *the Kuala Lumpur Declaration* on a Zone of Peace, Freedom and Neutrality in

Southeast Asia. It stated that the military-political neutrality of the region was a "desirable goal" and that all participating countries would make the necessary efforts to ensure the recognition and respect of Southeast Asia as a zone that rejected outside interference. The plan for moving towards neutrality involved resolving conflicts on two levels: among ASEAN members themselves and between ASEAN and extra-regional powers. The latter were to recognise the neutral status of the ASEAN subregion and guarantee non-interference in its internal affairs.

The end of the Second Indochina War in the spring of 1975 gave a powerful impetus to the development of ASEAN's legal and organisational framework. At the first ASEAN summit on the island of Bali (Indonesia), *the Treaty of Amity and Cooperation in Southeast Asia and the Declaration of Understanding* were approved. The first document enshrined the principles that the five founding states of the Association undertook to follow in the development of mutual relations, as well as in the settlement of emerging disputes and conflicts. In particular, the treaty stipulated that ASEAN partners would make efforts to peacefully resolve any mutual conflicts in the interests of strengthening peace in the region, renounce the threat of force, and resolve all contentious issues through friendly negotiations. The text of the Treaty reflected the idea of transforming Southeast Asia into a zone of peace, freedom and neutrality. The ASEAN Declaration of Agreement proclaimed that the five founding countries would jointly and individually strive to create favourable conditions for the establishment and development of cooperation between the states of Southeast Asia.

The Bali Summit also decided to establish a permanent ASEAN Secretariat and appoint a Secretary-General on a rotational basis. The first Secretary-General was Indonesian diplomat Hartono Rektokharso. An agreement was reached on

the establishment of the ASEAN Inter-Parliamentary Organisation (AIPO).

ASEAN leaders viewed the issues of neutralisation and security in close connection with granting the region nuclear-free status. Due to the particular complexity of the issue, it was not until 1995 that the participating states were able to sign *the Treaty on the Establishment of a Nuclear-Weapon-Free Zone in South-East Asia* (South-East Asia Nuclear Free Zone). However, for it to enter into force, a separate protocol to the Treaty must be signed by all nuclear powers.

In 1994, as part of preventive diplomacy, the ASEAN Regional Forum (ARF) mechanism was launched on the initiative of ASEAN. Its task is to ensure, through dialogue and consultation, the conflict-free development of the situation in both Southeast Asia and the Asia-Pacific region (APR). The annual ARF meetings are attended by ASEAN countries and their extra-regional dialogue partners, including Russia, the United States, China, Japan, and others. ARF participants have set themselves the task of moving from confidence-building measures through preventive diplomacy to the creation of a reliable security system in the APR. There are two "tracks" within the ARF. The first is dialogue at the official intergovernmental level, and the second is between non-governmental organisations and academic circles.

Given the particular complexity and potential explosiveness of the situation in the South China Sea, where the territorial claims of six coastal states and territories (Brunei, Vietnam, China, Malaysia, Taiwan, the Philippines), the ASEAN countries issued the *Manila Declaration* in 1992. It called on all parties involved to limit themselves to peaceful means in resolving disputes, as well as to avoid actions aimed at militarising the islands located in the South China Sea and to begin joint development of their resources. In July 1996, at a conference of ASEAN foreign ministers in Jakarta, the idea was

put forward to adopt a "regional code of conduct" in the South China Sea, which would serve as a foundation for strengthening mutual understanding in the region. However, as of the end of 2022, the terms and conditions for the adoption of such a code are still the subject of protracted debate between ASEAN and China.

Annual post-ministerial meetings with representatives of extra-regional partners (the United States, Canada, Japan, South Korea, China, Russia, Australia, New Zealand, India, and the EU) have become a regular feature, following the "10 + 1" format, i.e. the ASEAN "ten" plus one of the partners. ASEAN's annual events are as follows: the ASEAN Foreign Ministers' Meeting, the ARF meeting, and post-ministerial meetings on dialogue with extra-regional partners.

In 1996, on Singapore's initiative, regular meetings began to be held within the framework of the Asia-Europe Meeting (ASEM) as a form of interregional cooperation. ASEAN attaches great importance to this dialogue, given that the 25 European and Asian countries united in ASEM accounted for 54% of global GDP and 57% of international trade in 1995. However, with Myanmar's accession to ASEAN, the work of the AED began to stall due to sharp criticism from the European Union of the human rights situation in that country, in particular the methods used by Myanmar's military government to suppress the opposition.

Since 1997, regular meetings have been held between the leaders of the "ten" and the leaders of China, Japan and South Korea. They were initiated by Malaysia, which sought to create a kind of trade and economic bloc in the Asia-Pacific region. According to Kuala Lumpur's plan, its creation would level the playing field for East Asian countries in dialogue with regional associations such as the EU and the North American Free Trade Agreement (NAFTA).

The highest body of ASEAN is the meeting of heads of state

and government. The annual meetings of foreign ministers serve as the governing and coordinating body. The day-to-day activities of ASEAN are managed by a Standing Committee chaired by the foreign minister of the country hosting the next meeting of foreign ministers. The Permanent Secretariat, headed by the Secretary-General of ASEAN, is based in Jakarta, Indonesia.

## 11.2

### **Main areas of cooperation**

**Military-political cooperation.** Throughout the history of the Association, ASEAN leaders have categorically rejected the possibility and desirability of its transformation into a military-political bloc. This point of view is based on a number of objective reasons:

— the different experiences of the armed forces of member countries in the process of achieving national independence and the associated mentality of the military in ASEAN states;

— continuing mutual territorial and border disputes between ASEAN partners;

— the lack of a unified production and technological base for the standardisation and unification of weapons and military equipment, and the reliance on various external sources for the supply of weapons;

— the understanding that the combined defence capabilities of ASEAN are not capable of seriously countering external threats or direct aggressive actions.

Taking into account the above factors, military cooperation within ASEAN initially took the form of bilateral or trilateral cooperation to suppress left-wing rebel movements in

neighbouring regions (Malaysia–Thailand, Malaysia–Indonesia), exchange intelligence information, and conduct joint exercises.

With the decline of rebel movements in the late 1980s and early 1990s (except in the Philippines), the focus shifted to joint action against illegal migration, piracy, drug trafficking, and, in the early 2000s, regional terrorism.

Assessing the military-political situation in Southeast Asia as generally stable, ASEAN members seek to maintain the US military presence. Despite the termination of SEATO in 1977, Thailand and the Philippines maintain their previous military-political agreements with Washington on joint defence and military assistance. The territory of these countries is used to maintain the American presence in the region and for the transit of the US Air Force and Navy for operations in hot spots, including the Persian Gulf. As part of the US global anti-terrorism campaign, a group of American military personnel was deployed to the Philippines to fight the local terrorist group Abu Sayyaf. Malaysia and Singapore are parties to the "five-party defence agreement" together with the United Kingdom, Australia and New Zealand.

At the turn of the 20th and 21st centuries, the military-political doctrines of ASEAN countries are being revised in order to respond adequately to the changing situation in the Asia-Pacific region. International experts believe that this is not least due to the growth of China's potential, which has essentially turned it into a regional military superpower. Other reasons include economic losses from coastal piracy, illegal migration and smuggling. ASEAN countries are focusing on equipping their armed forces with modern weapon systems capable of defending their territory and maritime areas, which are zones of economic interest to these countries.

**The problem of international terrorism.** ASEAN countries responded quickly to the challenge of international

terrorism, which directly affected Indonesia, Malaysia, Singapore and the Philippines. At a meeting in Brunei in November 2001, a *Declaration on Joint Action to Counter Terrorism* was adopted. It expresses the determination to intensify joint and individual efforts to prevent, counter and suppress the activities of terrorist groups in the region. The intention was expressed to continue practical cooperation in this area, both within the association and within the international community. A special ministerial meeting in Kuala Lumpur in May 2002 adopted a "work plan" providing for increased cooperation between law enforcement agencies of the "ten" ( ) and expanded information exchange for the purpose of combating terrorism. The next declaration on terrorism was adopted at the eighth ASEAN summit in Phnom Penh in November 2002. It once again strongly condemns terrorism. At the same time, it emphasises disagreement with the tendency of some circles to identify terrorism with a particular religion (Islam) or ethnic groups.

Work is underway in Kuala Lumpur to establish a Regional Anti-Terrorism Centre, and a regional conference on combating money laundering and terrorist financing is planned. Despite certain successes, the problem of terrorism and separatism remains highly relevant in the 2020s.

**Economic cooperation.** Economic cooperation within ASEAN is mainly concentrated in the field of trade and is aimed at creating an ASEAN free trade area. The decision on the free trade area (AFTA) was taken at the fourth summit of the Association in 1992 in Singapore. It was seen as an important step in deepening regional cooperation, the first stage on the path to economic integration following the example of the European Union (the main initiators of AFTA were Singapore and Malaysia, which had the most developed trade links in the region).

It was decided to create a single market for goods by 2003,

within which tariffs on industrial products should not exceed 5% or should be completely eliminated by 2006. The agreement came into force in January 1993, and to a certain extent thanks to this, trade within ASEAN increased over the next five years from \$80 billion to \$155 billion in 1996 and to \$600 billion in 2016. Despite the growth in the share of intraregional trade, it remains at 25% of total trade of ASEAN countries. The main trading partner of ASEAN countries is China, with a turnover of \$975 billion in 2022.

The main instrument for implementing the AFTA agreements is the Common Effective Preferential Tariff (CEPT) agreement.

In December 1995, it was decided to accelerate the completion of AFTA from 15 to 10 years, completely reducing tariffs to 0-5% by 2003, and if possible, by 2000. It was established that the list of goods under CEPT would be approved at annual meetings of ASEAN economic ministers, and that the current work on agreeing commodity lists would be carried out by the AFTA Council, chaired in turn by one of the ministers.

The Achilles heel of AFTA was the almost complete exclusion from regional trade liberalisation of agricultural products, which were classified as "temporary exceptions". This list grew significantly with the accession of the Indochinese states and Myanmar to AFTA. A serious problem remained the liberalisation of tariffs on automotive products of ASEAN members, which were classified as "particularly sensitive" goods.

ASEAN countries considered the creation of the ASEAN Investment Area as the main means of attracting foreign direct investment. The plan envisaged the removal of internal barriers by 2010, with non-ASEAN countries enjoying preferential treatment from 2020. The main goal is to create a single capital market in the form of ASEAN. At the initial stage, it is planned to gradually eliminate existing restrictions and liberalise

legislation in the field of capital investment. All investors from ASEAN countries will receive equal status with national companies. The manufacturing sector will be the first to be opened.

**ASEAN and the 1997 Asian financial crisis** The economic development of ASEAN countries was dealt a painful blow by the currency and financial crisis that erupted in mid-1997. The national currencies of most of the six member countries were affected. The Malaysian ringgit depreciated by 40%, the Thai baht by 55% and the Indonesian rupiah by 80%. Household incomes in dollar terms halved. For Malaysia, for example, the 40% devaluation of the ringgit meant a reduction in per capita income from \$5,000 to \$3,000.

There was a decline in trade within ASEAN (from \$154.3 billion in 1996 to \$131 billion in 1997). There were gloomy predictions about the future development of AFTA. Although, in theory, the devaluation of national currencies opened up good prospects for boosting exports, the sharp shortage of liquid funds, the increase in bank lending rates, and the decline in demand negated the advantages that had arisen. The view spread that the implementation of AFTA would go backwards if national egoism and the desire to emerge from the crisis at the expense of partners prevailed in ASEAN.

In 1997, there was a 40% reduction in foreign direct investment. The financial crisis, which led to the flight of banking capital and a decline in production and domestic consumption, made the region less attractive to transnational corporations. Signs of growing political instability in some ASEAN countries, especially Indonesia, had a serious negative impact.

The response to the financial crisis that engulfed East Asia and the emerging rift within ASEAN was the document "**ASEAN Vision 2020**," adopted on Malaysia's initiative at the summit in Kuala Lumpur in December 1997. It stated that by

2020, ASEAN would become "a harmonious union open to dialogue in all directions, living in peace, stability and prosperity, linked by a partnership in dynamic development and the humane principles of its constituent societies."

Elaborating on this definition, the document stated that in almost two decades, Southeast Asia should become a nuclear-free zone of peace, freedom and neutrality, as envisaged by the Kuala Lumpur Declaration in 1971. The 1976 Treaty of Amity and Cooperation should become a comprehensive code of conduct binding on the governments of the countries in the region, and the ARF should become a robust instrument for implementing confidence-building measures and preventive diplomacy. The document referred to the emergence of a common regional identity and collective responsibility for addressing issues such as environmental conservation, combating drug abuse and transnational crime. Reviewing ASEAN's global role, the document interpreted the organisation's openness as active participation in international life, including through the intensification of relations with dialogue partners. However, due to the consequences of the 1997 currency and financial crisis, ASEAN's development in this direction was temporarily slowed down.

With the aim of gradually moving towards the implementation of the "ASEAN Vision 2020" concept, the Association's summit in 1998 adopted the "*Hanoi Action Plan*" for a six-year period. It envisaged:

- strengthening macroeconomic and financial cooperation;
- closer trade and economic integration;
- ensuring progress in science and technology and the development of information technology, and creating a pan-regional computer information network;
- progress in the social sphere, especially in overcoming the negative impact of financial and economic crises;
- developing human resources;

- environmental protection, creation of specialised agencies for meteorology and forest fire prevention;
- strengthening regional peace and stability, including the creation of a High Council for the Coordination of Compliance with the Treaty of Amity and Cooperation in Southeast Asia;
- encouraging extra-regional partners and other interested countries to accede to the Treaty with a view to transforming it into a code of conduct between SSE states and the outside world;
- strengthening the role of ASEAN as an effective instrument for ensuring peace, a just order and modernisation in the Asia-Pacific region and throughout the world;
- ensuring ASEAN's rightful place in international relations;
- improving the structure and mechanisms of ASEAN.

In practical terms, the implementation of this plan is stalling, with the details of its implementation being discussed at the level of ministries and departments of ASEAN member countries.

The adoption of such ambitious concepts and action plans has not been able to stop the emergence of some negative trends in the development of the Association, namely the revision of the fundamental principles of non-interference in each other's internal affairs and consensus-based decision-making. There has been a clear tendency within ASEAN to resolve emerging financial and economic problems on the basis of separate decisions.

In particular, as early as 1998, leaders in Thailand and the Philippines called for the introduction of the concept of "flexible or limited intervention" in the affairs of those partner states in the "ten" where sources of internal destabilisation were emerging. This was linked to a series of domestic political crises that engulfed the countries of Southeast Asia in 1996–1998 (1996 – Cambodia, 1997 – Myanmar and Malaysia, 1998 – Indonesia).

The second trend manifested itself in a lack of unity on how to overcome the 1997 currency and financial crisis. While Indonesia, Thailand and the Philippines fully accepted the recommendations of the IMF and the World Bank, Malaysia chose an independent course based on strengthening state regulation of the country's financial and economic sector. Subsequently, Malaysia sharply criticised Singapore's policy of concluding separate free trade agreements with non-regional partners.

## **11.3**

### **Problems and prospects of ASEAN**

Among the difficulties facing ASEAN's development, the following problems deserve priority attention:

- the adaptation of new members within ASEAN (the countries of Indochina and Myanmar) and the levelling of development levels based on a market economy with varying degrees of state intervention;
- the contradiction between maintaining the current intergovernmental status of ASEAN as an association based on the principles of consensus and mutual consultation, and moving towards an organisation with supranational governing bodies modelled on the European Union;
- the question of Indonesia's national structure (unitary or federal structure, the prospect of disintegration and inter-ethnic conflicts following the example of the former Yugoslavia);
- territorial and border disputes within ASEAN (Malaysia-Singapore, Malaysia-Philippines, Malaysia-Indonesia);

- issues related to the inclusion of ASEAN countries in the process of globalisation: reform of power structures, overcoming negative socio-economic consequences;
- the prospect of ASEAN being absorbed by the creation of a larger East Asian Economic Community (ASEAN, China, Japan, Republic of Korea).

All these factors weaken the process of regional integration within ASEAN and make it a much more amorphous organisation than the EU or NAFTA. At the same time, the common geographical location, proximity of historical destinies, and shared ideology of nationalism stimulate the rapprochement of ASEAN countries.

Regional integration within ASEAN conflicts with such global forums as the WTO and APEC. It can be said that two parallel processes are taking place in Southeast Asia. On the one hand, there is the strengthening of regional cooperation. On the other, there is the inclusion of ASEAN countries in the process of economic globalisation. The intertwining of these two contradictory trends is at the heart of discussions about the future development of ASEAN.

**Russia and ASEAN.** The countries of the Association believe that Russia is and will remain a great Eurasian power, and that regional security will benefit from its involvement in the most important political and economic processes taking place in the Asia-Pacific region and Southeast Asia.

Since 1992, Russia has been a regular participant in ASEAN post-ministerial conferences as one of the Association's dialogue partners. Since 1994, Russia has participated in the work of the ARF on security issues. At the initiative of the Russian Federation, the Forum's documents include the idea of gradually moving from confidence-building measures through a stage of preventive diplomacy to the creation of a regional security system covering the Asia-Pacific region.

In mid-1997, the ASEAN-Russia Joint Cooperation

Committee began operating, with meetings held periodically in Moscow or in one of the region's capitals. The Russia-ASEAN Fund, envisaged by the dialogue relations, has been established and is operating, dealing with issues of bilateral economic, trade and scientific-technical cooperation. Representatives from official, business and academic circles participate in its activities. The Fund was established on the initiative of the Russian Ministry of Foreign Affairs and operates under its patronage, as well as in close coordination with the Russian Federation Commission on ASEAN Affairs and the Russian Federation Government Commission on Participation in the APEC Forum. In addition, the Foundation interacts with the Administration of the President of Russia, the Federation Council, the government, ministries and departments, and regions of Russia.

The Fund's main task is to promote Russia's national interests in the Asia-Pacific region, consolidate the efforts of Russian entrepreneurs and organisations, and select, evaluate and finance joint projects and programmes in the areas of trade and economic, scientific and technological, investment, cultural and other cooperation. The Fund acts as an independent auditor and expert in preparing conclusions on projects and proposals related to cooperation with ASEAN member states and their partners in the Asia-Pacific region. Federal ministries and departments, local government bodies, public organisations and private structures proposing projects for joint financing can count on their promotion within ASEAN, provided they pass an independent expert review organised by the Fund. Since 1999, the Fund has been assigned the role of coordinator and organiser of the Russian Federation's permanent participation in ASEAN and APEC forums on economic, scientific, technical and humanitarian issues. In March 2000 the Fund became a party to the agreement between Rosaviakosmos and the Malaysian company Astronautics Technology on the launch of the

Malaysian artificial Earth satellite TiungSat-1, which was put into orbit on 26 September 2000 by the Dnepr conversion launch vehicle.

Since 1998, the Fund and its participants have concluded agreements in Malaysia worth over \$100 million. Investments totalling \$58 million have been secured. Russia's trade relations with ASEAN countries are developing successfully. Trade turnover in 2020 amounted to \$25 billion.

Military-technical cooperation plays a prominent role in relations with ASEAN countries such as Vietnam, Indonesia and Malaysia. Russian-made military equipment is being used to completely modernise strategic missile forces, and the Malaysian Air Force is equipped with Russian-made aircraft.

Russia's financial interests in ASEAN countries are developing quite successfully. Indonesia repaid its large debt, dating back to the 1960s, ahead of schedule. In 2000, an agreement was signed to settle Vietnam's large debt. A similar agreement is being implemented with Laos. The only problem is Cambodia's debt, which is relatively small, however.

## **11.4**

### **East Asian Community and ASEAN**

On 13-14 December 2005, the next ASEAN summit was held in Kuala Lumpur, at which the creation of the East Asian Community (EAC) was announced. The leaders of Russia, China, Japan, South Korea, India, Australia and New Zealand (ASEAN+7) were invited to the summit. Representatives of the United States were not invited to the summit.

The EAC is expected to create a free trade area covering all of East Asia, from Kamchatka to Australia and Oceania.

It is obvious that China, the country with the largest population and the most dynamically developing economy, which, according to the US, is considered the most dangerous potential rival, is at the centre of the RCEP. Therefore, Russia's application to participate in the TPP as a full partner was met with a negative response from pro-American Australia and Indonesia. After all, if China and Russia unite within the TPP, they will pose the strongest competition to the US not only in the economic sphere, but also in the military-political sphere. If India, Japan and the ASEAN countries ( ) join this duo, an integration association will emerge with the world's largest market (60% of the world's population) and the most powerful economic and resource potential.

This market is becoming increasingly attractive for Russia, given the obstacles that the US is building in the European direction with the help of puppet regimes in the transit countries of Eastern Europe. While in 2010 only 3% of Russian energy exports went to Asian countries, by 2020 this share had increased to 30%, and by 2025 to 60%. In addition, 90% of Russian arms exports go to ASEAN countries.

For ASEAN countries, the creation of the ASEAN Community will be a powerful stabilising factor for economic and political development. In 1999, Malaysian Prime Minister Mahathir Mohamad, recovering from the Asian financial crisis that had devastated his country, argued that if a regional monetary fund had existed, "the East Asian crisis of 1997 and 1998 would not have happened, or it would not have lasted so long and reached such scandalous proportions." The idea of creating an Asian monetary fund was proposed by Japan in 1997, but, like Dr Mahathir's own proposal in 1990 to create an East Asian economic community, it gradually fizzled out due to strong opposition from the United States. Former US Secretary of State James Baker admitted in his memoirs that he did everything in his power to "kill" Mahathir's proposal, even

though he "publicly took a moderate position on the issue."

The current Prime Minister of Malaysia, Abdullah Badawi, called the summit a "summit without leaders" because the major powers of Asia — China, Japan and India — are reluctant to play the role of true leaders due to rivalry between them. The summit took place at a time of growing economic interdependence in the region. It reflects a common desire to avoid future crises caused by financial instability, dangerous diseases, terrorism and natural disasters (earthquakes, typhoons and tsunamis). In the eyes of the summit's supporters, the East Asian framework is more robust than the cumbersome Asia-Pacific institutions, in particular the Asia-Pacific Economic Cooperation (APEC) forum, in which representatives of the United States participate.

The fact that the United States was not invited to the East Asia Summit is a demonstration of Asian identity, but it causes America's Asian friends to worry about China's dominant influence. It is this concern that prompted Japan, Singapore and Indonesia to insist that India, Australia and New Zealand be invited to participate in the summit.

Washington remains outwardly calm about the summit. Eric John, US Deputy Assistant Secretary of State for East Asian and Pacific Affairs, described the summit as so incomprehensible to Washington that it does not even realise what it is missing. But US political circles remain suspicious of regional groupings in which the US does not participate.

In June 2005, US Defence Secretary Donald Rumsfeld called on supporters of Asian regional cooperation not to exclude the United States from it. In a speech in September, US Deputy Secretary of State Robert Zoellick warned that "US concerns about China will increase if China attempts to become the dominant power (in East Asia)". He called on ASEAN countries, Japan, Australia and others to cooperate with the US in the interests of "regional security and prosperity through the ASEAN Regional Forum and the APEC forum."

Furthermore, the creation of the BRI runs counter to US interests in developing three main vectors of influence on neighbouring regions: Europe, Latin America and Asia. Europe, which in the 1990s and 2010s became increasingly independent from the US due to its expansion and strengthening of its defence capabilities, is now "deflating". Latin America is integrating through MERCOSUR and other continental alliances, while Asia has so far had only one pro-American core of consolidation — ASEAN. Now, however, the Asian vector is also slipping out of US control.

To a large extent, the prospects for the development of ASEAN and the BAS will depend on the balance of power in the region and the commitment of all participants to the principle of equality and mutual benefit.

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# 12

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## **NAFTA AND MERCOSUR**

12.1 North American Free Trade Agreement  
(NAFTA)

12.2. Southern Cone Common Market (MERCOSUR)

# 12.1

## **North American Free Trade Agreement of North America (NAFTA)**

**Prerequisites for North American integration.** There are only three countries in North America: the United States, Canada and Mexico. The United States has a huge concentration of technological and financial capital and the world's largest market for goods and services. However, the United States' natural resources are close to depletion, and its wage levels are among the highest in the world. As a result, manufacturing in the United States is becoming uncompetitive due to high environmental protection and labour costs. At the same time, there are two countries neighbouring the United States, one of which, Canada, is very rich in natural resources, and the other, Mexico, has a surplus of labour (the average wage in Mexico is 15% of the average wage in the United States). Therefore, it is extremely profitable for American capital to use the cheap natural and labour resources of neighbouring countries. This is also beneficial for Mexico and Canada, as Mexico solves the problem of unemployment in this way, and Canada gains free access to the American market for its oil and gas, metal, forest and other natural resources. Thus, the economic integration of the three countries brings objective benefits for the development of each of them.

In addition to internal prerequisites for integration, there are powerful external prerequisites. The main one is the growing economic integration associations in Europe (the European Union) and Asia (ASEAN). Each of these associations not only creates a common market, achieving increased labour

productivity and reduced costs, but also strives to introduce a single regional currency, which poses a real threat of displacing the US dollar as an international unit of account in international trade and reducing demand for this currency from central banks around the world. In these circumstances, the US is keen to ensure that a "dollar" area remains in place, at least at the continental level.

**Development of integration.** Integration began with the signing in 1988 of an agreement to create a free trade area between the US and Canada — CUFTA, which implied the complete elimination of barriers to trade between the US and Canada, the development of joint mechanisms to regulate markets, the creation of supranational judicial and arbitration bodies, and the promotion of American investment in Canada.

A large-scale rapprochement between the United States and Mexico began in 1989, when an agreement similar to CUFTA was signed between these countries. Thus, free trade agreements were signed between the United States and Canada on the one hand, and the United States and Mexico on the other. As a result of the US-Mexico agreement, a flood of American investment poured into Mexico and a flood of goods from Mexico poured into the US.

All that remained was to agree on a free trade regime between Mexico and Canada, and a trilateral agreement between the United States, Canada and Mexico could be signed.

In August 1992, a preliminary agreement on the creation of NAFTA was signed by the trade ministers of the three countries, and on 17 December 1992, a basic agreement on NAFTA was signed by the presidents of the United States (George H. W. Bush) and Mexico (Carlos Salinas), as well as the Prime Minister of Canada (B. Malruni). However, there were many serious obstacles to the ratification of the agreement by the highest legislative bodies of these states.

The idea of NAFTA met with the least resistance in Mexico,

and not only because the country's parliament was controlled by the Institutional Revolutionary Party, which was in power at the time and led by former President K. Salinas de Gortari, a staunch supporter of the agreement. Mexico, as a relatively poor country (compared to the United States and Canada), objectively benefits more than the other participants in the agreement. This was especially true in the first stage of its implementation, when, from 1 January 1994, 80% of Mexican exports were exempted from customs duties in the United States, while Mexico extended this preferential treatment to only 40% of American imports, which was done to compensate for the difference in economic development between these countries.

The situation was quite different in Canada, where 54% of the population opposed the North American Common Market and only 29% unconditionally supported it. The backbone of the opposition was made up of small and medium-sized entrepreneurs, part of big business, and trade unions (above all, the influential Canadian Labour Congress). Canadians are most concerned about the prospect of a significant part of US trade and industrial activity being redirected from Canada (trade between these countries amounts to \$180 billion) to Mexico, with which Canada's trade turnover amounts to no more than \$3 billion.

This raises the acute issue of employment, as many American companies currently operating in Canada may prefer the obvious benefits that NAFTA promises on Mexican soil. Moreover, the influx of significantly cheaper Mexican goods could cause considerable losses to local producers. As a weighty argument, opponents of the agreement cited the far from unambiguous results of the bilateral Free Trade Agreement previously signed between Washington and Ottawa (which came into force on 1 January 1989), according to which, in the engineering sector alone, Canada lost up to half a million jobs in the engineering sector alone.

The Mexican factor, they said, threatened Canada with complete disaster. "It will be the final nail in the coffin of Canadian engineering," said Mel Hartig, one of the country's leading entrepreneurs. The leader of the opposition New Democratic Party, O. McLaughlin, described NAFTA as "a cheap sell-off of Canada." The premiers of Ontario, British Columbia and Saskatchewan were equally outspoken.

The federal government, the ruling Progressive Conservative Party and, above all, former Canadian Prime Minister Brian Mulroney took a different position. Under his influence, the Canadian Parliament, where Conservative MPs were in the majority, finally ratified the agreement in June 1993.

There were no fewer problems with the ratification of the agreement in the United States itself.

In 1993, Bill Clinton became president, and it fell to him to convince the American people and the American establishment of the need for the agreement. Despite Clinton's support from three former US presidents — Bush, Carter and Ford — on the issue of NAFTA, the debate with his opponents was not easy. At the level of public consciousness, polls and surveys showed that 36 to 41% of Americans, mainly fearing for their jobs, opposed the agreement, about 34% could not form a clear opinion on this matter, and only 25% supported Clinton. At the political level, this directly threatened the ratification of the treaty in Congress. However, in a decisive vote, the House of Representatives approved the NAFTA agreement by 234 votes to 200. The North American Common Market thus received the approval of the American political elite.

After ratification by the parliaments of all three countries, the agreement came into force on 1 January 1994.

Mexico, Canada and the United States view the agreement as a kind of "locomotive" for powerful economic expansion throughout the Latin American region. The agreement is open to all countries in the Western Hemisphere. In terms of territory

(21.6 million square kilometres), NAFTA exceeds the EU and ASEAN combined, but in terms of population (412 million people), it is inferior to both the EU (450 million people) and ASEAN (650 million people).

**NAFTA's objectives and institutions.** NAFTA's objectives are set out in Article 102 of the Agreement:

- removing barriers to trade and promoting the free movement of goods and services between countries;
- establishing fair conditions of competition within the free trade area;
- significantly increasing investment opportunities in the member countries of the agreement;
- ensuring an adequate and effective system for the protection of intellectual property rights in each country;
- effective implementation and application of this agreement for dispute settlement;
- establishing a framework for future regional multilateral cooperation to expand and strengthen the benefits of this agreement.

To achieve these goals, it was necessary to coordinate the positions of the parties on more than 20,000 trade restrictions (quotas, duties, etc.), adopt relevant legal acts, develop infrastructure corridors connecting Canada, the United States and Mexico, and carry out a huge amount of other work.

To coordinate this work, more than 30 committees and working groups were established under the Free Trade Commission, the central body of NAFTA. The Commission is composed of representatives at the level of trade ministers from the three participating countries. The permanent body is the NAFTA Coordinating Secretariat (NCS), located in Mexico City. The Secretariat serves as the official archive of NAFTA's work and acts as the working secretariat for the Commission.

The administration of NAFTA provisions related to dispute resolution is entrusted to the Canadian, American and Mexican

national sections of the NAFTA Secretariat. They also resolve disputes under other free trade agreements concluded by these countries outside NAFTA. For example, in 1997, the Canadian section of the NAFTA Secretariat was given responsibility for the dispute resolution process under the Canada-Israel and Canada-Chile free trade agreements. The American and Mexican sections perform similar work.

**NAFTA achievements.** After the North American Free Trade Agreement came into force on 1 January 1994, the total volume of trade between the United States, Canada and Mexico began to grow rapidly. Thus, the average annual growth in total trade volume for the three-year period ending 31 December 1996 was 13.8%. Over a ten-year period (1994-2004), total trade between NAFTA countries increased by 88% and exceeded \$ ,700 billion.

There was a sharp increase in the flow of factors of production — labour, natural resources, investment, and information. In particular, between 1997 and 2005, the population of the United States increased by almost 14 million people, 75% of whom were migrants from Latin American countries, including 5 million Mexicans. As a result, the number of Latin American immigrants reached 43 million people (50%) of the total non-white population of the United States (which also includes 40 million African Americans). In addition to legal migrants, 3-4 million illegal migrants enter the United States annually, including 1.5 million Mexicans. This leads to a reduction in the cost of labour in the US states bordering Mexico (especially California and Texas). In turn, more Americans have begun to move to Mexico for permanent residence. Their number has now reached 1 million.

The flow of raw materials (oil, gas, timber, non-ferrous metals) has increased, and the total volume of direct investment is growing by 7-9% annually, with investment going to the most competitive sectors and industries of the economy, stimulating

economic growth and labour productivity. During the first five years of the agreement, industrial growth in the United States was 6-8% per year, and labour productivity increased by 5-7%.

The higher education systems of the NAFTA countries are being harmonised. A programme of mutual recognition of diplomas is being introduced, university consortia of American and Mexican universities are being created, and joint study programmes are being implemented, with Mexican students studying for two years in Mexico and two to four years at universities in the United States and Canada.

According to most experts, by the end of the 1990s, the North American integration process had become irreversible. This was evidenced not only by indicators such as the dynamics of foreign trade and the movement of capital and services. In the United States, Canada, and Mexico, none of the political parties or large business organisations opposed NAFTA. However, after 2000, the situation began to change for the worse.

**Problems with NAFTA.** The prosperity of the first five years of NAFTA's existence was linked not only to the situation on the North American continent, but also to favourable global conditions. The industrial systems of Eastern Europe and the former USSR required modernisation, which led to an increase in demand for engineering products and high-tech industrial goods from the NAFTA zone, and the economies of East Asian countries grew rapidly. However, the financial crisis hit the ASEAN countries in 1998 and a number of CIS and Eastern European countries (including Russia) in 1999. As a result, American exports fell by 14%, while Mexican and Canadian exports fell by 15-20%. The tragedy of 11 September 2001 led the US to tighten border controls on the border with Mexico, where a triple barrier system is currently being erected. Despite existing agreements, the US maintains a number of trade barriers for products from Mexico and Canada. For example, the United States has imposed an 8.4% duty on exports of softwood lumber

from Canada, and although the Canadian government has been challenging this decision for eight years within the WTO and the NAFTA Free Trade Commission, the restriction remains in place.

In recent years, jobs have begun to flee from NAFTA countries to Asian countries. By 2015, American companies will move more than 3 million jobs outside the United States, with most of them going to India and China, as well as to Eastern European countries and Chile.

In addition to job losses, the transfer of production to neighbouring countries has exacerbated the main problem of the American economy — the trade deficit. After all, goods produced by American companies in Mexico are consumed not only in Mexico and Canada, but also in the US market. Whereas American companies previously exported finished products to Mexico, they now only supply low value-added components there. Goods produced from these components have a higher added value than the original components. Thus, as a result of the transfer of production capacity to neighbouring countries, exports from the US to these countries are declining in monetary terms, while imports are growing. While in 1987 the share of imported goods in total consumption in the US was 31%, it now exceeds 50%.

In addition, products from third countries are imported into the United States via Mexico and Canada, allowing importers to circumvent the prohibitive tariffs imposed on such goods imported directly into the United States.

Not all citizens of NAFTA countries benefit from the growth in trade. Statistics show a steady increase in the share of national income accounted for by the wealthiest 10% of citizens in the United States, Canada and Mexico. At the same time, the share of income of the poorest 10% of citizens is steadily declining. This is leading to an increase in crime, which is evident in all NAFTA countries, especially in the border states

of the United States and Mexico.

Finally, along with the growth of social problems, environmental problems are becoming more acute in Mexico, which has been forced to significantly relax its environmental legislation in order to attract investors from the US.

Thus, unlike the EU and ASEAN, NAFTA shows both significant benefits of integration and serious problems for participating countries.

**Prospects for NAFTA.** In January 2017, Donald Trump proposed cancelling NAFTA as a threat to the US manufacturing sector. However, in September 2018, an agreement was reached to replace NAFTA with a new agreement, the USMCA (US-Mexico-Canada Agreement), which came into force on 1 July 2020. At the very beginning of his second presidential term (20 January 2025), Trump again made claims against Canada and Mexico regarding cross-border trade. He proposed that Canada become the 51st state of the United States and promised Mexico that he would impose tariffs on Mexican goods (currently 10-15%). Therefore, in the period up to 2028, trade relations between the three countries will decline and be further complicated by the problems of illegal migration, drug trafficking and political aggression on the part of the United States. Criticism of the US from Asian and Latin American countries is growing over its unilateral trade advantages and attempts to exert political pressure on these countries. It is therefore becoming increasingly clear that the NAFTA model is no longer attractive and is losing ground to models such as ASEAN and the EU.

## 12.2

### **Southern Cone Common Market (MERCOSUR)**

**MERCOSUR** (Mercado Común del Cono Sur — MERCOSUR) is an intra-continental trade and economic union comprising Argentina, Brazil, Paraguay and Uruguay. Bolivia and Chile are associate members. The union accounts for 45% of South America's population, or more than 200 million people, 50% of total GDP (over \$1 trillion), 40% of foreign direct investment, more than 60% of total trade turnover and 33% of the South American continent's foreign trade.

The name "MERCOSUR" translates from Spanish as "Southern Cone Market" — the commonly accepted name for the part of South America located south of 18° south latitude — the Southern Cone. The organisation's emblem depicts the Southern Cross constellation.

MERCOSUR's strategic goal is to create an association capable of guaranteeing the economic growth of its members on the basis of intensive mutual trade and effective use of investments, as well as increasing the international competitiveness of the region's economies.

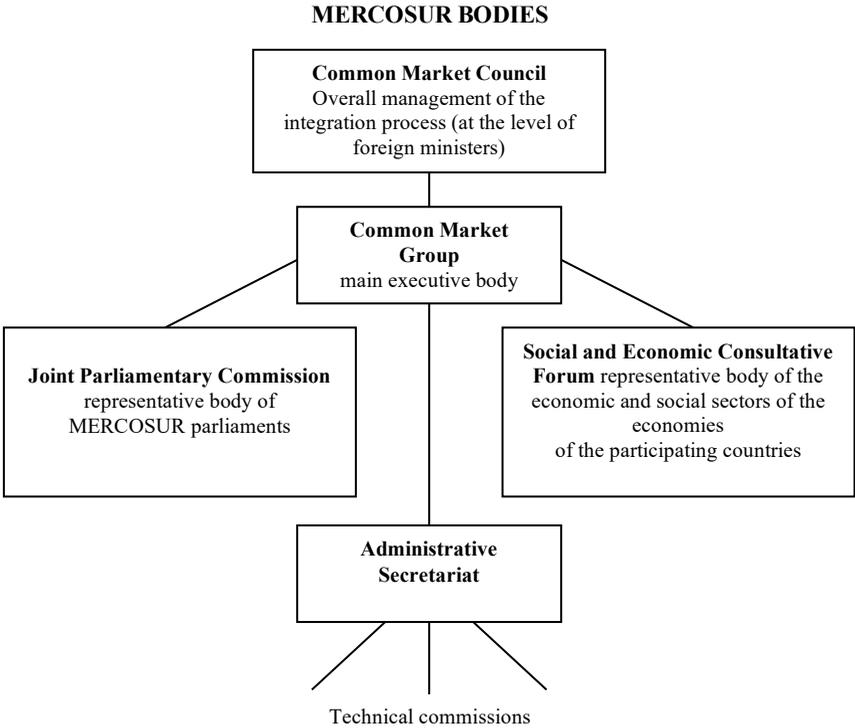
**History of creation.** Attempts to develop regional economic integration in South America based on the EU model have a long but not very successful history. As early as the 1960s, South America first began discussing the creation of a free trade area, and then a Central American common market. In 1960, the Latin American Free Trade Association (LAFTA) was created (since 1980 — the Latin American Integration Association (LAIA)), which included 10 countries (Argentina, Brazil, Mexico, Uruguay, Paraguay, Peru, Chile, Colombia,

Ecuador, Venezuela and Bolivia). However, the political and economic crises of the late 1960s prevented these ambitious plans from being realised. Due to the significant differences between Latin American countries, further attempts at regional economic integration were aimed at uniting only a few countries that were most economically similar to each other. Thus, in 1969, a smaller group was formed within LAFTA, the Andean Group ( ) (Bolivia, Colombia, Ecuador and Chile; later joined by Venezuela, but left by Chile). However, neither the "large" LAFTA nor the "small" Andean Group were able to achieve any particular success in developing mutual trade.

A new wave of interest in integration agreements arose in the 1980s, when Latin American countries' disappointment with US aid after Argentina's Falklands War with the UK stimulated their interest in rapprochement on a South American regional basis. In 1986 Argentina and Brazil, the two largest economic powers in Latin America, put forward a joint project for economic cooperation and subsequent integration, declaring it open to other countries. The buffer states between Brazil and Argentina, Uruguay and Paraguay, soon responded to this initiative. In March 1991, a four-party agreement was signed in Asunción (Paraguay) on the creation of a customs union and a common market, MERCOSUR. The confusion in the literature regarding the date of creation of this economic union is due to the fact that the trade bloc did not actually take shape until 1995. Prior to that, complex preparatory work was carried out. In 1994, as a follow-up to the Asunción Agreement, a supplementary agreement was concluded, confirming the creation of a free trade area and proclaiming the goal of subsequently transforming it into a customs union. In 1995, this agreement came into force — common customs tariffs on imports of goods from third countries began to apply at the external borders of the bloc, covering approximately 85% of all types of goods imported into the MEPKOCYP countries.

The organisation's prestige began to grow, and in 1996 Bolivia was accepted as an associate member, followed by Chile in 2000. In July 2004, official negotiations began on the accession of Mexico as the fifth full member of the bloc ( ). Venezuela joined the bloc in December 2005, and Colombia is considering the prospect of joining.

**Organisational structure.** As can be seen from the diagram (Fig. 10), the main governing body of MERCOSUR is *the Common Market Council*. It meets periodically at the highest level (heads of state and government, foreign ministers) and carries out political planning for the development of integration. *The Common Market Group* is the main executive body, functioning on a permanent basis. It has an administrative secretariat headquartered in Montevideo (Uruguay), as well as 10 technical commissions reporting to the Common Market Group and dealing with issues of trade, customs regulation, technical standards, monetary and financial policy, macroeconomic policy, land and maritime transport, industrial technology, agriculture and energy.



**Fig. 10.** MERCOSUR organisational structure

**Successes and prospects for development.** The Southern Cone Market has proven to be the most effectively developing integration bloc in Latin America. The creation of MERCOSUR has led to an increase in mutual trade between its members: between 1991 and 1997, it grew approximately sixfold, although trade between the Southern Cone countries and developed countries has remained virtually unchanged. In the free trade zone of the four countries, customs duties and other restrictions

on 90% of goods have been eliminated, and common external tariffs for trade with third countries have been agreed upon for 85% of imported goods. Discussions are underway on the conditions for creating a single collective currency in the medium term (modelled on the European euro).

Economists note that the creation of the bloc has repeatedly helped to stabilise the economies of its member countries. In the 1990s, inflation was kept in check by increasing imports, and tariff policy regulation helped to slow down the pace of economic decline, for example in Argentina and Brazil. It was noted that during the economic stagnation in Brazil in 1991-1993, local industry was able to survive largely thanks to access to the Argentine market, whose economy was booming at the time. And in 1994-1995, amid economic decline in Argentina, access to the dynamically developing Brazilian market became a lifeline for Argentina. The experience of MERCOSUR has shown that for the successful development of an integration group, it is necessary to have at least two economically strong countries that are capable of supporting weaker partners in a crisis situation.

During the existence of MERCOSUR, trade and economic cooperation with other regional trade groups in Latin America has expanded. Fifteen English-speaking countries in the Caribbean region, united since 1973 in the Caribbean Community (CARICOM), have shown interest in cooperation. Mexico and Chile, due to their geopolitical position, are seeking to become a link between NAFTA and MERCOSUR. In Central America, the Central American Integration System (SICA) (six countries: Guatemala, Honduras, Costa Rica, Nicaragua, Panama, and El Salvador), established in 1991, concluded an agreement in 1998 to merge its free trade area with a similar area of MERCOSUR.

Mutual investment activity has increased significantly, as has the region's investment attractiveness for foreign companies.

In December 1995, MERCOSUR and the EU signed a Framework Interregional Agreement with the aim of creating a free trade area between the blocs by 2001. One of the main initiators of the agreement on the EU side was Spain, which has traditional ties with Latin American countries. During the protracted negotiations on the liberalisation of mutual trade, it became clear that the creation of such a zone, which would cover 10% of the world's population, required more coordination and preparation, and was therefore postponed to a later date — 2008 or even 2010.

In the early 2000s, Russia repeatedly called for the development of cooperation with MERCOSUR, which accounts for more than half of Russia's trade turnover with Latin America, totalling about \$6 billion. Russia has been engaged in direct dialogue with this integration association since 2000. In this regard, it lags significantly behind, for example, the European Union, which has held ten rounds of association negotiations with it since 1991. For the countries of the region, deepening cooperation with the EU and Russia is a certain counterweight to the natural dominance of the United States.

Successful economic and political rapprochement between Latin American countries has prompted the US to attempt to control integration trends in the Western Hemisphere. In 1994, the Clinton administration organised a meeting in Miami of 34 heads of state and government from both American continents to discuss ways of accelerating economic development in Latin American countries. The Free Trade Area of the Americas (FTAA) project was proposed and approved. However, during the discussion, it became clear that there was competition between two projects — the Brazilian and the American. The Brazilian project envisaged the separate development of integration in MERCOSUR and NAFTA with the gradual economic "catch-up" of Latin America and the parallel convergence of customs and tariff policies between the blocs

based on the concept of "open regionalism". The American option proposed the creation of a Pan-American free trade area based on (and on the terms of the founding members of) NAFTA, i.e. effectively through the dissolution of Latin America's regional integration groups.

Given that NAFTA is twice as large as MERCOSUR in terms of territory and population, seven times larger in terms of GDP, and 28 times larger in terms of trade turnover, the Latin American participants in the summit voted in favour of Brazil's proposal.

Many researchers note that Latin Americans see MERCOSUR as an important buffer against US penetration into Latin America in the form of either the FTAA or bilateral agreements. It is clear that the economic crisis in Argentina in 2002 temporarily weakened MERCOSUR's potential and its claim to leadership in South America. Many critics even saw the Bush administration's refusal to help the Argentine economy as a deliberate attempt by Washington to weaken this economic bloc.

**Development problems.** Despite its good results (by the standards of integration groups of developing countries), MERCOSUR suffers from the same problems that hinder the development of virtually all integration associations in the "third world." The main ones are the heterogeneity of the participating countries and their relatively low level of economic development.

Within MERCOSUR, the large and relatively strong "new industrial countries" (Brazil and Argentina) are trying to integrate with the much weaker Paraguay and Uruguay. The creation of uniform conditions for industrial competition means that Paraguay and Uruguay, which are less industrialised to begin with, risk finding themselves in a subordinate position to their stronger neighbours. Therefore, certain exceptions to the rules of trade liberalisation remain in place for them.

Nevertheless, the small countries of the Southern Cone still feel that they are being treated as poor relatives — they are readily sold goods that are difficult to export to more developed countries, but foreign investment flows to them very sparingly.

As in NAFTA, MERCOSUR has an absolute leader — Brazil, which surpasses all other member countries combined. However, this leadership does not inspire the same fears in other members of the integration bloc as the leadership of the United States in NAFTA, but it does create some tension.

Research by economists shows that trade between MERCOSUR countries is dominated by goods that are not very competitive on the world market. As a result, mutual trade becomes an important source of support for producers, but does not bring any particular benefits to consumers, who prefer imported goods from more developed countries. The experience of other integration groups of this kind shows that mutual trade in "second-rate" goods has no long-term prospects. However, the share of high-tech goods in intraregional trade in the Southern Cone countries has shown a steady upward trend: while in 1970, engineering products accounted for only 3.4%, in 1985 they accounted for 12.6%, and in 1996, 16.4% (for comparison: in the Andean countries, it increased only from 0.4% to 3.1% over the same period).

It is difficult to say how viable MERCOSUR will prove to be in the future — whether it will enjoy a prosperous future or turn out to be a "hollow" union, like most integration blocs in the "third world" (the East African Community, the Economic Community of West African States, etc.). The bilateral economic ties between the "new industrial countries" of Brazil and Argentina are quite strong, but their integration with weaker countries is less stable. Nevertheless, MERCOSUR has an undeniable advantage for the new Latin American governments in that decisions are made on the basis of consensus rather than the imposition of one country's interests on others. The last Pan-

American Summit, held on 5 November 2005 in the Argentine city of Mar del Plata, attended by leaders from 34 Latin American countries, the United States and Canada, demonstrated that virtually all Latin American leaders, and above all the leaders of the MERCOSUR countries, openly opposed Bush's plan to create a free trade area (FTAA). They believed that the plan proposed by the United States threatened the economies of their countries. The obvious leader of the anti-American bloc at the summit was Venezuelan President Hugo Chávez, who arrived in Argentina with the slogan "The FTAA agreement is dead, and we will bury it here." After the summit ended unsuccessfully for the US, Chávez proclaimed: "The main loser today was Mr. Bush." Argentine President Néstor Kirchner also blamed US policy for his country's economic woes. Representatives of the countries participating in the summit signed an addendum to the final declaration of the meeting, which reflects the views of both sides. The only thing the US achieved was confirmation that 29 of the 34 countries intend to resume negotiations on the creation of the FTAA in the future. Venezuela and four countries of the South American Common Market (MERCOSUR) — Brazil, Argentina, Uruguay and Paraguay — opposed this, believing that the free trade area would not bring them economic benefits.

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# 13

## Chapter

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### **UNIVERSAL INTERNATIONAL ORGANISATIONS - UNITED NATIONS**

13.1 Creation of the UN

13.2. Stages of the establishment of the UN

13.3 The current structure and functions of the UN

# 13.1

## **Establishment of the UN**

In the 20th century, the main reason for the creation of large-scale universal international organisations was the problem of war and peace. Humanity had acquired the technical capability for self-destruction, and the First World War demonstrated this capability with monstrous cruelty. It was therefore no coincidence that in 1919 the League of Nations was established "to develop cooperation between nations and to ensure their peace and security."

Unfortunately, the noble goal of the League of Nations was refuted by World War II, during which the need for a viable international organisation that would not only declare but also have powerful tools to achieve global peace became apparent. Therefore, in the midst of the war, on 1 January 1942, representatives of 26 states signed the United Nations Declaration, in which they pledged on behalf of their governments to continue the joint struggle against the countries of Hitler's coalition.

In 1945, representatives of 50 countries gathered in San Francisco at the United Nations Conference on the Establishment of an International Organisation to draft the UN Charter. The delegates based their work on proposals developed by representatives of China, the Soviet Union, the United Kingdom and the United States at Dumbarton Oaks in August-October 1944. The Charter was signed on 26 June 1945 by representatives of 50 countries. Poland, which was not represented at the Conference, signed it later and became the 51st founding state.

The United Nations has officially existed since 24 October

1945, by which date the Charter had been ratified by China, France, the Soviet Union, the United Kingdom, the United States and most of the other signatory states. 24 October is celebrated annually as United Nations Day.

Between 1946 and 2006, 141 more states joined the UN, and currently, the UN has 192 member states. Of the internationally recognised independent states, only the Vatican is not a member of the UN.

At the end of the 20th century, in connection with NATO's war against Yugoslavia and the formation of a unipolar world, a crisis emerged in the organisation's activities, which is particularly evident at present.

## 13.2

### **Stages of the creation of the UN**

Between 1946 and 2006, the UN underwent four main stages of development. ***The first stage*** (the second half of the 1940s) was characterised by the creation of the main bodies of the UN — the General Assembly, the Security Council, and the Secretary-General — and the construction of a complex of buildings to house them in New York. During ***the second stage***, in the 1950s and 1960s, the bureaucratic structure of the UN and mechanisms for resolving local and regional conflicts were formed. The former African and Asian colonies gained independence, leading to a significant expansion of the UN membership. ***The third stage***, the 1970s and the first half of the 1980s, was associated with the prevention of a global military and environmental catastrophe caused by the sharp confrontation between the USSR and the USA. At this stage, the UN's peacekeeping, socio-cultural, humanitarian and environmental

activities intensified. *The fourth stage* — the second half of the 1980s, the 1990s and the 2000s — was associated with the formation of a unipolar political system in the world and attempts to subordinate the UN to the interests of one country (the US). In this capacity, the UN will cease to satisfy the international community, which may lead to a return to a multipolar world through the strengthening of large continental organisations (the EU, SCO, ASEAN, NAFTA, MERCOSUR), as we demonstrated in the third section of the textbook.

The following events can be considered the most important during the periods under review.

## First period

**10 January 1946** — The first General Assembly opens in the Central Hall of Westminster Palace in London, with 51 states represented.

**17 January 1946** — The Security Council meets for the first time in the same venue to adopt rules and procedures for its activities.

**24 January 1946** — The General Assembly adopts its first resolution. Its main themes are the peaceful use of atomic energy and the elimination of atomic and other weapons of mass destruction.

**1 February 1946** — Trygve Lie (Norway) becomes the first Secretary-General of the United Nations.

**10 December 1948** — The General Assembly adopts the Universal Declaration of Human Rights.

**24 October 1949** — The cornerstone of the current UN Headquarters building in New York is laid.

Thus, by the early 1950s, the main bodies of the UN (the General Assembly, the Security Council, the Secretary-General) had been formed and their permanent location had been determined — New York, USA.

## Second period

In the 1950s and 1960s, the UN was involved in resolving local conflicts in the Middle East, South Africa and Asia.

On **1 November 1956**, the first Emergency Special Session of the General Assembly was convened to address the crisis in the Suez Canal zone; it decided to establish the first UN peacekeeping force, the United Nations Emergency Force (UNEF).

In September 1960, 17 new independent states join the UN, including 16 African countries — more than in any other year.

**7 August 1963** — The Security Council votes to impose a voluntary embargo on arms supplies to South Africa.

**4 March 1964** — The Security Council authorises the dispatch of peacekeeping forces to Cyprus.

**27 October 1966** — The General Assembly revokes South Africa's mandate over South West Africa (Namibia), and **on 16 December 1966**, the Security Council imposes mandatory sanctions against Rhodesia (now Zimbabwe).

**22 November 1967** — After the Six-Day War, the Security Council, following lengthy negotiations, adopts resolution 242 (1967) as a basis for achieving peace in the Middle East.

**12 June 1968** — The General Assembly approves the Treaty on the Non-Proliferation of Nuclear Weapons and calls for its ratification.

**4 January 1969** — The International Convention on the Elimination of All Forms of Racial Discrimination enters into force.

Thus, addressing security and socio-cultural issues became the main focus of the UN's activities in the 1950s and 1960s.

## Third period

In the 1970s and the first half of the 1980s, in addition to security issues, the UN began to address environmental issues and the equality of women for the first time.

**In June 1972**, the first UN Conference on the Environment was held in Stockholm, which resulted in the establishment of the United Nations Environment Programme (UNEP) with headquarters in Nairobi (Kenya) .

**In June-July 1975**, declared International Women's Year, the Conference on the Status of Women in the World was held in Mexico City. The conference decided to declare the decade 1975-1985 the Decade of Women.

**18 December 1979** — The General Assembly adopts the Convention on the Elimination of All Forms of Discrimination against Women, which affirms the political, economic, social, cultural and civil rights of women.

**8 May 1980** — Three years after the last case of smallpox was recorded, the World Health Organisation officially declares the disease eradicated.

**1981** — The UN High Commissioner for Refugees is awarded the Nobel Peace Prize for his work helping Asian refugees.

**25 November 1981** — The General Assembly adopts the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

**December 1984** — Secretary-General Javier Pérez de Cuéllar establishes the United Nations Office for Emergency Operations in Africa to help coordinate emergency relief efforts for the starving.

**10 December 1984** — The General Assembly adopts the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

## **Fourth period**

In the second half of the 1980s, the 1990s and the 2000s, the UN intensified its activities on issues of security, socio-cultural development, humanisation and ecology. The following achievements in these areas are particularly significant.

*In the field of security.*

In **1988**, UN peacekeeping operations were awarded the Nobel Peace Prize; at that time, seven peacekeeping or observation operations were being carried out.

In **April 1989**, the United Nations Transition Assistance Group (UNTAG) was deployed throughout Namibia to monitor the withdrawal of South African troops and assist in the conduct of elections. Four months after the elections, Namibia became independent.

**31 December 1991** — Thanks to the efforts of the Secretary-General, an agreement was signed at United Nations Headquarters between the Government of El Salvador and the Farabundo Martí National Liberation Front (FMLN), leading to a ceasefire and the establishment of peace after a 10-year war.

**17 June 1992** — Secretary-General Boutros Boutros-Ghali distributes the report "An Agenda for Peace" on preventive diplomacy, peacemaking, peacekeeping and peacebuilding.

In **1993**, as a result of elections held under the auspices of the UN in Cambodia, a new constitution was drafted and a new government was established, bringing an end to 15 years of civil war in that country.

**10 September 1996** — The General Assembly adopted the Comprehensive Nuclear-Test-Ban Treaty, **and on 10 December 1996**, an international treaty banning the use, production and stockpiling of landmines was adopted.

**12 October 2001** — The United Nations and its Secretary-General, Kofi Annan, were awarded the Nobel Peace Prize for their contribution to creating a more organised world and strengthening peace throughout the world.

**13 April 2005** — The General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism.

**14–16 September 2005** — Heads of State and Government gathered at the World Summit at United Nations Headquarters in New York adopted an outcome document on a range of global issues.

**7 October 2005** — The International Atomic Energy Agency (IAEA) and its Director General, Mohamed ElBaradei, were awarded a prize for their efforts to prevent the use of nuclear energy for military purposes and to ensure its safest possible use.

Even more impressive are the results of the UN's activities *in the field of humanisation and socio-cultural development*.

**2 September 1990** — The Convention on the Rights of the Child enters into force.

**June 1993** — The World Conference on Human Rights is held in Vienna as part of the International Year of the World's Indigenous People (1993).

**6 May 1994** — at the request of the General Assembly, the Secretary-General distributes the report "Agenda for Development" — an action plan to improve people's living conditions.

**March 1995** — The World Summit for Social Development is held in Copenhagen, the largest gathering of world leaders in history; its participants reaffirm their commitment to combat poverty, unemployment and social exclusion.

**September 1995** — The Fourth World Conference on Women is held in Beijing, focusing on the continuing problems common to women around the world.

**31 August–7 September 2001** — The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is held in Durban, South Africa, providing a unique opportunity to develop a new global perspective on the fight

against all forms of racism.

**19 December 2001** — The General Assembly established the Ad Hoc Committee on a Comprehensive and Consolidated International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities.

**8–12 April 2002** — The World Assembly on Ageing adopted the Political Declaration and the Madrid International Plan of Action on Ageing.

**8–10 May 2002** — Heads of state and government, representatives of non-governmental organisations, specialists in information and advocacy work for children, and representatives of young people themselves gathered for a Special Session on the Situation of Children.

**24 January 2005** — Special Session of the UN General Assembly dedicated to the 60th anniversary of the liberation of the first prisoners of concentration camps.

*In the field of ecology*

**September 1987** — Thanks to the efforts of the UN and in accordance with the 1985 Vienna Convention for the Protection of the Ozone Layer, the Treaty for the Protection of the Ozone Layer, known as the Montreal Protocol, was signed — the first global agreement on environmental protection.

**June 1992** — The UN Conference on Environment and Development — the Earth Summit — was held in Rio de Janeiro, Brazil, with the participation of 104 heads of state and government and other leaders. At this largest intergovernmental meeting in history, the Agenda for the 21st Century, an action plan for sustainable development, is adopted.

**5–15 September 1994** — The International Conference on Population and Development is held in Cairo, attended by representatives from 179 countries and featuring 249 speakers. The overall theme of the conference includes issues of population, sustainable economic growth and sustainable environmental development.

**4 September 2002** — the World Summit on Sustainable Development adopted a declaration and action plan.

Thus, as can be seen from the list of achievements, over the sixty years of its activity, the UN has formed three main areas of integration activity: 1) issues of security and non-violent resolution of international problems; 2) issues of socio-cultural development and protection of the rights of vulnerable groups (women, children, the elderly, indigenous peoples, refugees); 3) environmental protection and sustainable development.

According to the theory of international integration (section 1), a universal organisation should also deal with issues of economic development. However, the list of UN achievements does not include any significant economic successes. Moreover, it is recognised that in the post-war period, the problems of hunger and poverty have worsened worldwide, and the income gap between underdeveloped and highly developed countries has widened dramatically. This situation is due to the fact that, at the same time as the UN, two global economic organisations were created — the International Bank for Reconstruction and Development (1 July 1944) and the International Monetary Fund (27 December 1945) — which are supposed to perform the economic function of the UN as its specialised agencies.

According to the UN Charter (Article 55), "The Organisation shall promote higher standards of living, full employment, and conditions of economic and social progress and development...". Articles 57-59 further state that specialized agencies may be established to achieve this and similar goals, the activities of which shall be coordinated by the United Nations Economic and Social Council (ECOSOC). The powers of ECOSOC are defined (Article 63) as follows: "1. The Economic and Social Council shall be empowered to enter into agreements with any of the agencies referred to in Article 57, defining the terms and conditions under which the agencies concerned shall be associated with the Organisation," while

Article 64 states that "The Economic and Social Council shall be authorised to enter into agreements with Members of the Organisation and with specialised agencies for the purpose of obtaining from them reports on the action taken by them in pursuance of its own recommendations and those of the General Assembly on matters within its competence." Thus, the resolution of global economic problems is coordinated by the UN Economic and Social Council, but the main role is played by such specialised UN agencies as the World Bank and the International Monetary Fund.

Thus, from 1946 to 2006, the UN developed into a universal international organisation addressing issues of security, humanitarian and socio-cultural development, and environmental problems. Together with the World Bank and the International Monetary Fund, the UN also addresses global economic issues (primarily hunger and poverty).

## **Sources**

1. [www.un.org/russian/basic/history/unhistory](http://www.un.org/russian/basic/history/unhistory).
2. <http://wbln0018.worldbank.org/ECA/Rus.nsf/ECADocByUnidB52746BAD57741585256C02007B5D75?OpenDocument>.

## **13.3**

### **The modern structure and functions of the UN**

According to the UN Charter (Article 7), the main organs of the UN are the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the

International Court of Justice and the Secretariat. In addition, it is stipulated that "subsidiary organs may be established as may be necessary". Thus, the UN consists of a core (the main organs of the UN) and a semi-periphery (the subsidiary organs of the UN). In addition, the periphery of the UN consists of specialised agencies associated with the UN.

The core includes six main bodies, listed above in order of importance. If we compare the structure of the main bodies of the UN with the structure of the government bodies of any country with a republican form of government, the General Assembly performs the function of parliament, the Security Council performs the function of secret councils or security councils (ministers of defence), the the Economic and Social Council performs the function of the government, the International Court of Justice performs the function of the supreme court, and the Secretariat and the Secretary-General perform the function of the presidential administration and the president. The only body that has no direct counterpart in the structure of government is the Trusteeship Council, which suspended its activities on 1 November 1994 after the last remaining United Nations trust territory, Palau, gained independence on 1 October 1994.

Thus, the principal organs of the UN are conceived as organs of world government and currently perform this principal joint function. Let us consider each of the principal organs separately.

## **Principal and subsidiary organs of the UN**

### **General Assembly**

The UN General Assembly was established and operates in accordance with Articles 9-22 of the UN Charter. It currently has

the following structure<sup>1</sup> .

### **General Committee**

The General Committee, consisting of the President, 21 Vice-Presidents of the Assembly and the chairpersons of the six main committees, makes recommendations to the Assembly concerning the adoption of the agenda, the allocation of agenda items and the organisation of work.

### **Credentials Committee**

Appointed by the General Assembly at each session, the Credentials Committee reports to the Assembly on the credentials of representatives.

### **Six Main Committees**

Since the number of issues to be considered by the Assembly is very large, it distributes the agenda items, according to subject matter, among its six Main Committees, which discuss them, endeavouring, as far as possible, to harmonise the various approaches of States, and then submit draft resolutions and decisions to the Assembly for consideration at one of its plenary meetings. The Committee on Disarmament and International Security (*First Committee*) deals with disarmament and related international security issues. The Committee on Economic and Financial Issues (*Second Committee*) considers economic issues. The Committee on Social, Humanitarian and Cultural Affairs (*Third Committee*) considers social and humanitarian issues. The Committee on Special Political and Decolonisation Issues (*Fourth Committee*) considers a wide range of political issues not dealt with by the First Committee, as well as decolonisation issues. The Committee on Administrative and Budgetary Questions (*Fifth Committee*) deals with administrative and budgetary matters of the United Nations, while the Committee on Legal Affairs (*Sixth Committee*) considers issues of international law.

<sup>1</sup> <http://www.un.org/russian/ga/61/committees.shtml>.

However, on some agenda items, such as the question of Palestine and the situation in the Middle East, the Assembly takes decisions directly in its plenary meetings.

Under the UN Charter, the General Assembly may establish subsidiary bodies. Currently, the structure of the General Assembly's subsidiary bodies includes <sup>1</sup> :

#### **Agencies**

- United Nations Relief and Works Agency for Palestine Refugees in the Near East [A/RES/302(IV)].

#### **Commissions**

- International Law Commission [A/RES/174(II)].
- United Nations Commission on International Trade Law (UNCITRAL) [A/RES/2205(XXI)].
- Disarmament Commission [A/RES/502(VI) and A/RES/S-10/2].
- Commission on International Civil Service\* [A/RES/3357(XXIX)].
- Board of Auditors\* [A/RES/74(I)].
- Technical Branch of the Conciliation Commission OOH for Palestine [A/RES/194(III)].

#### **Committees**

- Committee on Contributions [A/RES/14(I) A].
- Committee on Information [A/RES/33/115 C].
- Committee on the Peaceful Uses of Outer Space\* (COPUOS) [A/RES/1472 A (XIV)].
- Committee on Conferences\* [A/RES/43/222B].
- Committee on the Elimination of Discrimination against Women [A/RES/34/180 and A/RES/51/68].
- Committee on the Elimination of Racial Discrimination\* [A/RES/2106(XX)].
- Committee on the Exercise of the Inalienable Rights of the Palestinian People\* [A/RES/3376(XXX)].

<sup>1</sup> <http://www.un.org/russian/ga/subsidiary.shtml>.

- Committee on the Rights of the Child\* [A/RES/44/25, A/RES/47/112 and A/RES/49/211].
- Committee on Human Rights\* [A/RES/2200 A (XXI)].
- Committee for the Award of the United Nations Population Award [A/RES/36/201].
- Committee on Relations with the Host Country [A/RES/2819(XXVI)].
- Committee for Programme and Coordination\* [A/RES/31/93 and E/RES/2008(LX)].
- Advisory Committee on the United Nations Development Fund for Women [A/RES/31/133 and A/RES/39/125].
- United Nations Scientific Committee on the Effects of Atomic Radiation\* (UNSCEAR) [A/RES/913(X)].

#### **Executive Committees**

- Executive Committee of the Programme of the United Nations High Commissioner for Refugees\* [A/RES/1166(XII)].

#### **High-level committees**

- High-level Committee on the Review of Technical Cooperation among Developing Countries [A/RES/33/134].

#### **Advisory Committees**

- Advisory Committee on Administrative and Budgetary Questions\* [A/RES/173(II)].
- Advisory Committee on the OOH Programme of Assistance in the Teaching, Study, Dissemination and Wider Recognition of International Law [A/RES/2099(XX)].

#### **Special Committees**

- Special Committee of the General Assembly on the Declaration of Voluntary Contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East [A/RES/1729(XVI)].
- Special Committee of the General Assembly on the Declaration of Voluntary Contributions to the Programme of the

United Nations High Commissioner for Refugees [A/RES/1729(XVI)].

- Ad Hoc Committee on the Negotiation of a Convention against Corruption [A/RES/55/61].

- Special Committee on a Comprehensive and Consolidated International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities [A/RES/56/168].

- Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [A/RES/1654(XVI)].

- Special Committee on the Indian Ocean [A/RES/2992(XXVII)].

- Special Committee on Peacekeeping Operations [A/RES/2006(XIX)].

- Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories [A/RES/2443(XXIII)].

- Special Committee on the legal protection provided for in the Convention on the Safety of United Nations and Associated Personnel [A/RES/56/89].

- Special Committee on the Charter of the United Nations (and on the Strengthening of the Role of the Organisation) [A/RES/3349(XXIX)].

- Special Committee established by General Assembly resolution 51/210 [A/RES/51/210].

### **Groups**

- Panel of External Auditors of the United Nations, Specialised Agencies and the International Atomic Energy Agency [A/RES/347(IV) and A/RES/1438(XIV)].

- Joint Inspection Unit\* [A/RES/2150 (XXD)].

### **Working Groups**

- Working Group on the Future Functioning of the International Research and Training Institute for the Advancement of Women [A/RES/56/125].

- Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) [A/RES/2656(XXV)].

#### **Open-ended working groups**

- Open-ended High-level Working Group on the Financial Situation of the United Nations [A/RES/49/143].

- Open-ended Working Group on the Question of Equitable Representation on and Expansion of the Membership of the Security Council and Other Matters Related to the Security Council [A/RES/48/26].

- Open-ended working group to consider the objectives and agenda, including the possible establishment of a preparatory committee, of the fourth special session of the General Assembly devoted to disarmament [A/RES/57/61].

#### **Ad hoc working groups**

- Open-ended ad hoc working group on the causes of conflict and the promotion of durable peace and sustainable development in Africa [A/RES/54/234].

- Ad Hoc Working Group on the Integrated and Coordinated Implementation of and Follow-up to the Decisions of the Major United Nations Conferences and Summits in the Economic and Social Fields [A/RES/57/270].

#### **Councils**

- Human Rights Council [A/RES/60/251].
- Trade and Development Board [A/RES/1995(XIX)].
- United Nations University Council\* [A/RES/3081(XXVIII)].

#### **Executive Boards**

- Executive Board of the United Nations Children's Fund\* [A/RES/ 57(I) and A/RES/48/162].

- Executive Board of the World Food Programme\* [A/RES/50/8].

- Executive Board of the United Nations Development Programme and the United Nations Population Fund\* [A/RES/2029(XX) and A/RES/48/162].

### **Governing Councils**

- Governing Council of the United Nations Human Settlements Programme (UN-Habitat) [In its resolution 56/206, the General Assembly decided to transform the Commission on Human Settlements and its secretariat, the United Nations Centre for Human Settlements, including its Fund, into the United Nations Human Settlements Programme, to be known as UN-Habitat].

- Governing Council of the United Nations Environment Programme\* [A/RES/2997(XXVII)].

### **Governing Boards**

- Board of the United Nations Joint Staff Pension Fund [A/RES/248(III)].

### **Tribunals**

- United Nations Administrative Tribunal [A/RES/351(IV)].

### **Consultations**

- Open-ended Informal Consultative Process on Oceans and the Law of the Sea\* [A/RES/54/33 and A/RES/57/141].

As we can see, the structure of the subsidiary bodies of the General Assembly is quite complex. It allows for constant monitoring of all previous decisions made by the General Assembly.

As for the functions and powers of the General Assembly (according to <http://www.un.org/russian/ga/61/presskit/functions.shtml>), the Charter of the United Nations stipulates that the General Assembly of the United Nations has the following functions and powers:

- to consider the general principles of cooperation in the maintenance of international peace and security, including in the field of disarmament, and to make appropriate recommendations;

- to discuss any matters relating to the maintenance of international peace and security and to make recommendations on such matters, except when any dispute or situation is being dealt with by the Security Council;

- to discuss any matters within the scope of the Charter or relating to the functions of any organ of the United Nations and, subject to the same exceptions, to make recommendations on such matters;

- to organise studies and make recommendations with a view to promoting international cooperation in the political field; the development and codification of international law; the promotion of human rights and fundamental freedoms; and international cooperation in the economic, social, humanitarian, cultural, educational and health fields;

- recommend measures for the peaceful settlement of any situation that could undermine friendly relations between nations;

- to receive and consider reports from the Security Council and other organs of the United Nations;

- to consider and approve the budget of the United Nations and to determine the amount of contributions to be assessed on Member States;

- elect non-permanent members of the Security Council and members of other councils and bodies of the United Nations and, on the recommendation of the Security Council, appoint the Secretary-General.

According to the General Assembly resolution "Unity for Peace" adopted in November 1950 (resolution 377 (V)), the Assembly may also take action if the Security Council is unable to act due to a veto by one of the permanent members in cases

where there is reason to believe that there is a threat to peace, a breach of peace or an act of aggression. The Assembly may immediately consider the matter with a view to making the necessary recommendations to the Members of the Organisation regarding collective measures for the maintenance or restoration of international peace and security at special or emergency special sessions.

Although the Assembly is only authorised to make non-binding recommendations to states on international issues within its competence, it has nevertheless initiated political, economic, humanitarian, social and legal measures that have affected the lives of millions of people around the world.

The next most important organ of the UN is the Security Council.

## **Security Council**

According to the Charter, the Security Council has primary responsibility for maintaining international peace and security. It is organised on the basis of continuous functioning, for which each of its members must always be represented at the United Nations Headquarters.

When the Council receives a complaint about a threat to peace, it usually first recommends that the parties try to reach agreement by peaceful means. In some cases, the Council itself conducts an investigation and provides mediation services. It may appoint special representatives or request the Secretary-General to make such appointments or provide good offices. It may establish principles for peaceful settlement.

If a dispute leads to hostilities, the Council seeks to end them as quickly as possible. In many cases, the Council has issued ceasefire directives that have played an important role in preventing the escalation of hostilities. In addition, it sends United Nations peacekeeping forces to help ease tensions in

conflict areas, separate the forces of the warring parties and create a calm environment in which to seek peaceful solutions. The Council may decide to take coercive measures, impose economic sanctions (such as trade embargoes) or undertake collective military action.

On the recommendation of the Security Council, the General Assembly may suspend the rights and privileges of a State as a member of the Organisation if the Security Council has taken preventive or enforcement measures against that State. A Member State that systematically violates the principles set forth in the Charter may be expelled from the United Nations by the Assembly on the recommendation of the Council.

A Member State of the United Nations that is not a member of the Security Council may participate, without the right to vote, in its deliberations in cases where the Council finds that the interests of that country are affected. Member States of the United Nations and non-member States shall be invited to participate, without the right to vote, in the deliberations of the Council if they are parties to the dispute; the conditions for the participation of a non- -member State shall be determined by the Council.

The chairmanship of the Council shall rotate monthly in accordance with the list of its member states in English alphabetical order.

The Council consists of five permanent members — China, the Russian Federation, the United Kingdom, the United States and France — and 10 non-permanent members (the date of expiry of membership is indicated in brackets):

Belgium (2008)	Qatar (2007)	Peru (2007)
Ghana (2007)	Congo (2007)	Slovakia (2007)
Indonesia (2008)	Panama (2008)	South Africa (2008)
Italy (2008)		

Non-permanent members of the Security Council are

elected for a two-year term. In the first election of non-permanent members, following the expansion of the Security Council from eleven to fifteen in 1965, two of the four additional members are elected for a one-year term. A retiring member of the Security Council is not eligible for immediate re-election.

Each member of the Council has one vote. Decisions on procedural matters are considered adopted when at least 9 of the 15 members vote in favour. Decisions on substantive matters require nine votes, including the concurring votes of all five permanent members. This is the rule of "unanimity of the great powers," often referred to as the "veto power."

Under the Charter, all members of the United Nations agree to submit to the decisions of the Security Council and to carry them out. While other United Nations bodies make recommendations to governments, only the Security Council has the power to make decisions that member states are obliged to carry out under the Charter.

The structure of the Security Council includes:

### **Standing Committees**

There are currently two such committees, each of which includes representatives from all member states of the Security Council.

- Committee of Experts on Rules of Procedure (studies rules of procedure and other technical issues and makes recommendations on them).

- Committee on the Admission of New Members.

### **Open-ended committees**

These committees, which include all members of the Council, are established as necessary and hold closed meetings.

- The Counter-Terrorism Committee, established by resolution 1373 (2001) of 28 September 2001.

- Committee on the Prevention of the Proliferation of Nuclear, Chemical or Biological Weapons and Their Means of Delivery (1540 Committee).

- Security Council Committee on the Question of Meetings of the Council Away from Headquarters.

- The Board of Trustees of the United Nations Compensation Commission established by Security Council resolution 692 (1991).

### **Sanctions Committees**

- **Afghanistan** [Al-Qaida and Taliban] — resolution 1267 (1999).

- **Democratic Republic of the Congo** — resolution 1533 (2004).

- **Iraq** — Resolution 1518 (2003).

- **Iran** — Resolution 1737 (2006).

- **Democratic People's Republic of Korea** — Resolution 1718 (2006).

- **Côte d'Ivoire** — Resolution 1572 (2004).

- **Liberia** – Resolution 1521 (2003).

- **Lebanon** – Resolution 1636 (2005).

- **Rwanda** – Resolution 918 (1994).

- **Somalia** – Resolution 751 (1992).

- **Sudan** – Resolution 1591 (2005).

- **Sierra Leone** – Resolution 1132 (1997).

### **Working Groups**

- Working Group on Peacekeeping Operations. Between 1948 and November 2007, there were 63 United Nations peacekeeping operations.

- Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.

- Working Group established by Resolution 1566 (2004) (to consider and submit to the Council recommendations on practical measures to be applied to individuals, groups or entities involved in or associated with terrorist activities, other than those designated by the Al-Qaida and Taliban Sanctions Committee).

- Working Group on Children and Armed Conflict.

### **International tribunals**

- International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia — established by Security Council resolution 808 (1993).

- International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States ( ) — established by Security Council resolution 955 (1994) of the Security Council.

According to the Charter, the Security Council has *the following functions and powers*:

- to maintain international peace and security in accordance with the principles and purposes of the United Nations;

- to investigate any dispute or situation that may lead to international friction;

- to make recommendations on the methods of settling such disputes or the conditions for their resolution;

- to formulate plans for determining the existence of a threat to peace or an act of aggression and to make recommendations regarding the necessary measures;

- call upon the members of the Organisation to implement economic sanctions and other non-military measures to prevent or terminate aggression;

- to take military action against the aggressor;

- make recommendations regarding the admission of new members and the conditions under which states may become parties to the Statute of the International Court of Justice;

- to exercise the functions of the United Nations in "strategic areas";
- make recommendations to the General Assembly on the appointment of the Secretary-General and, together with the Assembly, select the judges of the International Court of Justice.

The third most important of the main organs of the UN is the Economic and Social Council.

## **Economic and Social Council**

The Economic and Social Council (ECOSOC) was established by the Charter as the principal organ for coordinating the economic, social and other activities of the United Nations, as well as the specialised agencies and institutions known as the "UN family". In accordance with the UN Charter, ECOSOC is responsible for promoting higher standards of living, full employment and economic and social progress; identifying ways to resolve international problems in the economic, social and health fields; promoting international cooperation in culture and education; and encouraging universal respect for human rights and fundamental freedoms. ECOSOC has at its disposal more than 70% of the human and financial resources of the entire United Nations system.

To achieve its goals, ECOSOC consults with the scientific community, representatives of the business world and more than 2,100 registered non-governmental organisations. Every year in July, the Council holds a four-week main session, alternating between New York and Geneva. The session includes a high-level segment, during which ministers of national governments, heads of international institutions and other high-level officials discuss a specific topic of global importance.

In 2007, the theme chosen was "Promoting an integrated approach to rural development in developing countries for

poverty eradication and sustainable development." The Council will adopt a ministerial declaration containing programmatic guidelines and practical recommendations.

In 1998, ECOSOC established a tradition of holding an annual meeting in April, outside the main sessions, with finance ministers who chair key committees of the Bretton Woods institutions — the World Bank and the International Monetary Fund. These consultations led to inter-agency cooperation, which paved the way for the successful International Conference on Financing for Development, held in March 2002 in Monterrey, Mexico. At that conference, ECOSOC was assigned a key role in monitoring and evaluating the implementation of the Monterrey Consensus.

The members of ECOSOC are elected by the General Assembly for a term of three years. Seats on the Council are allocated on the basis of geographical representation, with 14 seats allocated to African states, 11 to Asian states, 6 to Eastern European states, 10 to Latin American and Caribbean states, and 13 to Western European and other states. Decisions are taken by a simple majority vote; each member of the Council has one vote.

The work of ECOSOC is directed by a Presidium, whose members are elected by all members of the Council at the beginning of each annual session. The main functions of the Presidium are to prepare the agenda, draw up the programme of work and organise the session with the support of the United Nations Secretariat.

The Economic and Social Council coordinates the work of 14 specialised UN agencies, 9 functional commissions and 5 regional commissions; receives reports from 11 UN funds and programmes; and makes programme recommendations to UN organisations and Member States.

The subsidiary bodies of ECOSOC are:

**(a) Nine functional commissions**, which are advisory

bodies whose task is to consider and prepare recommendations on matters within their areas of responsibility and competence.

- Statistical Commission.
- Commission on Population and Development.
- Commission for Social Development.
- Commission on Human Rights.
- Commission on the Status of Women.
- Commission on Narcotic Drugs.
- Commission on Crime Prevention and Criminal Justice.
- Commission on Science and Technology for

Development.

- Commission on Sustainable Development;

**(b) Five regional commissions.**

- Economic Commission for Africa (Addis Ababa, Ethiopia).

- Economic and Social Commission for Asia and the Pacific (Bangkok, Thailand).

- European Economic Commission (Geneva, Switzerland).

- Economic Commission for Latin America and the Caribbean (Santiago, Chile).

- Economic and Social Commission for Western Asia (Beirut, Lebanon);

**(c) Six standing committees and expert bodies**

- Committee on Programme and Coordination.

- Commission on Population.

- Committee on Non-Governmental Organisations.

- Committee on Negotiations with Intergovernmental Institutions.

- Committee on Energy and Natural Resources.

- Committee on Public Administration;

**(d) A number of expert bodies** on issues such as development planning, natural resources, economic, social and

cultural rights, and **the Permanent Forum on Indigenous Issues.**

The Council also interacts with and, to a certain extent, coordinates the work of United Nations programmes (UNDP, UNEP, UNICEF, UN-HABITAT and UNFPA) and specialised agencies (FAO, WHO, ILO and UNESCO). All of them submit reports and recommendations to the Council for its main sessions.

The Economic and Social Council has the following functions and powers:

- to serve as a central forum for the discussion of international economic and social problems and for the formulation of policy recommendations for Member States and the United Nations system;
- to conduct and organise research, prepare reports and make recommendations on international issues in the economic and social fields, in the fields of culture, education, health and related matters;
- to promote respect for and observance of human rights and fundamental freedoms;
- to assist in the preparation and organisation of major international conferences on economic and social problems and related matters, and to promote the implementation of agreed follow-up action to such conferences;
- coordinate the activities of specialised agencies by consulting with them and making recommendations to them, as well as by making recommendations to the General Assembly.

By discussing international economic and social problems and developing practical recommendations, ECOSOC plays a key role in promoting international cooperation for development and in determining priority areas of activity.

Among all the principal organs of the United Nations, ECOSOC has the most developed links with non-governmental organisations.

According to the Charter, the Economic and Social Councils consult with relevant non-governmental organisations (NGOs) on matters within their competence. More than 2,700 NGOs have consultative status with the Council. The Council recognises that these organisations should be able to express their views to it and that they have special expertise or technical knowledge that is valuable to the work of the Council.

The Council divides NGOs into three categories: Category I includes organisations relevant to most of the Council's activities; Category II organisations have special competence in specific areas; and there are organisations that the Council calls upon in specific cases, which are included in the list of organisations for special consultation.

NGOs with consultative status may send observers to meetings of the Council and its subsidiary bodies and submit written statements relating to the work of the Council. They may also consult with the United Nations Secretariat on matters of mutual interest.

Over the years, the relationship between the United Nations and its associated NGOs has developed significantly. NGOs are increasingly seen as partners in policy and programme consultations and as important links between the UN and civil society. The number of NGOs working on a regular basis with the United Nations community to achieve the goals set out in the United Nations Charter is growing worldwide.

The fourth of the principal organs is the Trusteeship Council.

## **The Trusteeship Council**

When the international trusteeship system was established by the UN Charter, the Trusteeship Council was set up as one of the principal organs of the United Nations, with the task of

supervising the administration of trust territories under the trusteeship system. The main objectives of the system were to promote the welfare of the peoples of the trust territories and their progressive development towards self-government or independence. The Trusteeship Council consists of the five permanent members of the Security Council: China, the Russian Federation, the United Kingdom, the United States and France.

The objectives of the trusteeship system were achieved when all trust territories attained self-government or independence, either as independent states or through union with neighbouring independent countries, and the Trusteeship Council therefore suspended its work on 1 November 1994, after the last remaining United Nations trust territory, Palau, gained independence on 1 October 1994. Through a resolution adopted on 25 May 1994, the Council amended its rules of procedure in to remove the obligation to hold annual meetings and agreed to meet as necessary, either on its own initiative or at the request of its Chair, or at the request of a majority of its members or of the General Assembly or the Security Council.

In accordance with the Charter, the Trusteeship Council is authorised to consider and discuss reports from the administering power concerning the political, economic and social progress of the peoples of the trust territories and progress in the field of education, as well as to consider, in consultation with the administering power, petitions from the trust territories and to arrange for periodic and other special visits to the trust territories.

The fifth most important UN body is the International Court of Justice.

## **The International Court of Justice**

The International Court of Justice, established by the

Charter of the United Nations as the principal judicial organ of the United Nations, was formed and operates in accordance with the Statute of the International Court of Justice.

The Court consists of a panel of independent judges elected, regardless of their nationality, from among persons of high moral character who meet the requirements for appointment to the highest judicial offices in their countries or who are lawyers of recognised authority in the field of international law.

The Court shall consist of 15 members, no two of whom may be nationals of the same State.

The members of the Court shall be elected by the General Assembly and the Security Council. In the election, consideration shall be given not only to the qualifications of each individual candidate, but also to the composition of the Court as a whole, which should represent the principal forms of civilisation and the principal legal systems of the world. Candidates who receive an absolute majority of votes in both the General Assembly and the Security Council are considered elected.

Members of the Court are elected for a term of nine years and may be re-elected. Members of the Court may not hold any political or administrative office and may not engage in any other professional activity.

A member of the Court may not be removed from office except in the case where, in the unanimous opinion of the other members, he or she no longer fulfils the requirements of the office.

Members of the Court shall enjoy diplomatic privileges and immunities in the performance of their judicial duties.

The Court shall elect a President and Vice-President for a term of three years. They may be re-elected.

The seat of the Court shall be The Hague. This shall not, however, prevent the Court from sitting and exercising its functions in other places whenever the Court deems it desirable.

A quorum of nine judges shall be sufficient for the formation of a judicial panel.

Only States may be parties to cases before the Court.

Under the terms of its Rules of Procedure and in accordance with them, the Court may request information from public international organisations relating to cases before it, and shall receive such information submitted by those organisations on their own initiative.

The Court, which is required to resolve disputes referred to it on the basis of international law, shall apply:

a) international conventions, both general and specific, establishing rules that are definitely recognised by the disputing states;

b) international custom as evidence of a general practice accepted as law;

c) general principles of law recognised by civilised nations;

d) subject to reservation, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for determining rules of law.

The official languages of the Court are French and English. The Court shall, at the request of any party, grant that party the right to use a language other than French and English.

All questions shall be decided by a majority vote of the judges present. In the event of a tie, the President or the judge replacing him shall have the casting vote.

The decision of the Court is binding only on the parties to the case and only in that case. The decision is final and not subject to appeal. In the event of a dispute over the meaning or scope of the decision, its interpretation belongs to the Court at the request of any party.

During its period of activity (from 1946 to the present), the Court has experienced periods of active activity and relative inactivity. Since 1985, the number of cases referred to the Court has increased, with more than a dozen cases on its list each year.

This figure may seem modest, but it should be remembered that the potential number of disputing parties is small (only about 210 states and international organisations have access to the Court).

The first case before the International Court of Justice concerned the loss of life and damage caused by the mining of British warships passing through Albanian waters in the Corfu Channel in 1946, and issues relating to the law of the sea and the responsibility of states.

In its 1949 decision, the Court ruled that the mines could not have been laid without Albania's knowledge, that Albania was responsible and therefore liable to pay compensation. The Court ruled that in peacetime warships have the right of peaceful passage through international straits and that, therefore, the United Kingdom had not violated Albania's sovereignty as a result of the passage of its warships. However, it did violate sovereignty by subsequently sweeping mines in the strait without Albania's consent.

The dispute was finally settled only in 1992, when Albania agreed to pay compensation to the United Kingdom, while the latter undertook to return Albanian gold stored in the vaults of the Bank of England since the Second World War.

Subsequently, more than half of all cases concerned territorial and border disputes. A significant number of cases related to maritime disputes and issues concerning the law of the sea, as well as issues of state jurisdiction and diplomatic and consular law. The most important disputes concerned allegations of the unlawful use of force.

In addition, the Court is asked to rule on commercial claims or private law claims against one state that is supported by another state.

As a result of its consideration of cases, the Court has settled a large number of disputes between states.

For example, in 1962 the Court ruled that the Preah Vihear temple, a place of pilgrimage and worship for the Khmer people,

which had been under Thai control since 1954, was in fact located on Cambodian territory and that Thailand must therefore withdraw its police and armed forces and return all objects removed from the ruins. Thailand complied with the Court's decision.

In 1986, in a case concerning a border dispute between Burkina Faso and Mali, the parties fully recognised the border line established by a special chamber (group of judges) formed by the Court.

In 1992, another chamber formed by the Court put an end to a 90-year dispute between El Salvador and Honduras over land and sea borders and borders between islands. In 1969, tensions surrounding the dispute were so high that a football match between the two countries' teams in the World Cup led to a short but bloody "football war".

The Court has also made important decisions on issues of diplomatic and consular law. For example, in 1979, the United States brought a case before the Court concerning the seizure of its embassy and the detention of its diplomatic and consular personnel in Tehran after the Shah's regime in Iran was overthrown and Ayatollah Khomeini became the country's leader. In its decision, adopted in May 1980, the Court ruled that Iran was obliged to release the hostages, return the embassy premises to the United States and pay compensation. The Court did not determine the amount of compensation, as the parties subsequently concluded the Algiers Accords in 1981, under which the American hostages were finally released.

With regard to disputes concerning the use of force, in 1986, in , a case brought by Nicaragua (then under Sandinista rule) against the United States in connection with American support for the Nicaraguan Contras (military and paramilitary activities in and against Nicaragua), the Court ruled that the United States, by supporting these forces and laying mines near the ports of that country, i.e. by committing acts which, according to the Court's

decision, the United States could not justify on the basis of collective self-defence, had violated its obligations under international law not to interfere in the affairs of another State, not to use force against another State, not to infringe upon the sovereignty of another State, and not to interfere with peaceful maritime trade. Accordingly, the Court ruled that the United States should pay compensation. However, Nicaragua withdrew its claim before the amount of compensation was determined.

In April 1999, at the height of the Kosovo crisis, Yugoslavia asked the Court to order provisional measures to stop the bombing of Yugoslav territory by ten NATO member states. However, the Court ruled that it did not have jurisdiction to order such measures.

With few exceptions, states have generally complied with the Court's decisions since 1946 and implemented their provisions in good faith.

The sixth principal organ is the UN Secretariat.

## **The UN Secretariat**

According to the UN Charter (Article 97), the Secretariat consists of the Secretary-General and such staff as may be required by the Organisation. The Secretary-General is appointed by the General Assembly on the recommendation of the Security Council for a term of five years, with the possibility of re-election for a new term.

The Secretary-General is the chief administrative officer of the Organisation.

The Secretariat is the international staff working in offices around the world who carry out the diverse day-to-day work of the Organisation. It serves all the principal organs of the United Nations and implements their programmes and policies.

The responsibilities of the Secretariat are as diverse as the

issues addressed by the United Nations, ranging from managing peacekeeping operations to mediating international disputes, from compiling reviews of economic and social trends and problems to preparing studies on human rights and sustainable development. In addition, Secretariat staff guide and inform the world's media about the work of the United Nations; organize international conferences on issues of global importance; monitor the implementation of decisions taken by United Nations bodies; and translate speeches and documents into the official languages of the Organization.

The central offices of the United Nations are located in New York, but the Organisation maintains a significant presence in Geneva, Vienna and Nairobi. The United Nations Office at Geneva serves as a centre for diplomatic meetings and a forum for discussion of disarmament and human rights issues. The United Nations Office at Vienna is the headquarters of the Organisation for international control of drug abuse, crime prevention and criminal justice, the peaceful use of outer space, and international trade law. The United Nations Office in Nairobi serves as the centre for United Nations activities in the field of human settlements and the environment.

The structure of the Secretariat is as follows.

#### **Office of the Secretary-General**

- Protocol and Liaison Service.

#### **Internal Oversight Services**

- Internal Audit Division.
- Monitoring, Evaluation and Advisory Division.
- Internal Oversight Services

#### **Legal Affairs Department**

- Office of the Legal Adviser.
- General Legal Affairs Division.
- Codification Division.
- Ocean and Maritime Law Division.
- International trade law sector.

- Contracts Section.

### **Department of Political Affairs**

- Security Council Affairs Division.
- Elections Assistance Division.
- Office of the Special Adviser on Cyprus.
- Office of the Special Adviser on Africa.

### **Department for Disarmament Affairs**

- Weapons of Mass Destruction Branch.
- Conventional Arms Branch.
- Control, Databases and Information Branch.
- Regional Activities Division.

### **Department of Peacekeeping Operations**

- Operations Management.
- Mission Support Division.
- Logistics, Management and Mine Action Service.

### **Humanitarian Coordination Office**

- Inter-Agency Standing Committee and Executive Committee on Humanitarian Affairs.
- Emergency Communications Sector.
- Policy, Advocacy and Information Division. Geneva Headquarters.
- International Strategy for Disaster Reduction.

### **Department of Economic and Social Affairs**

- Office of the Deputy Secretary-General.
- Development Policy and Analysis Division.
- Development Finance Management.
- Department for Economic and Social Council Support and Coordination.
- Office of the Special Adviser on Gender Issues and Advancement of Women.
- Division for the Advancement of Women.
- Division for Sustainable Development.
- United Nations Forum on Forests.

- Social Policy and Development Division.
- Division for Public Administration and Development Management.

- Statistics Division.
- Population Division.

### **Department for General Assembly and Conference Management**

- Central Planning and Coordination Service.
- Department for General Assembly and Economic and Social Council Affairs.

- Interpretation, Meeting Services and Publishing Services Division.

- German Translation Service.

### **Department of Public Information**

- Information Centres Service.
- News and Media Division.
- Strategic Information Activities Division.
  - Palestine and Decolonisation Section.
- Public Relations Division.
  - Dag Hammarskjöld Library.
  - Cartographic Section.
  - Non-Governmental Organizations Section.
  - Publishing Service.
  - Sales and Marketing Section.

### **Management Department**

- Treasury.
- Programme Planning, Budget and Accounts Division.
  - Peacekeeping Financing Division.
  - Programme Planning and Budgeting Division.
  - Accounts Division.
  - Secretariat of the Advisory Committee on Administrative and Budgetary Questions.
  - Secretariat of the Board of Auditors of the United Nations and the Panel of External Auditors of the

United Nations, Specialised Agencies and the International Atomic Energy Agency.

- Human Resources Management Office.
  - Special Services Division.
  - Operations Service Division.
  - Medical Services Division.
- Central Support Services Department.
- Project to create a comprehensive management information system.
  - Security and Safety Service.
  - Travel and Transportation Service.
  - Facilities Management Department.
  - Commercial activities service.
    - UN Postal Administration.
  - Information Technology Services Department.
  - Records and Documentation Section.

The main figure in the Secretariat is the Secretary-General.

As diplomat and advocate, civil servant and chief administrative officer, the Secretary-General is the symbol of the ideals of the United Nations and the voice of the world's peoples, especially the poor and vulnerable. The current Secretary-General, the eighth to hold the post, is Mr. Ban Ki-moon of the Republic of Korea, who took office on 1 January 2007.

The Charter authorises the Secretary-General to "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security." These provisions define the powers of the person holding this office, while at the same time providing him with broad scope for action. The Secretary-General would not be able to fulfil his responsibilities if he did not take into account the interests of Member States, but he must also uphold the values and moral authority of the United Nations and speak and act in defence of peace, even if this means occasionally risking

challenging or disagreeing with the views of those Member States.

Each year, the Secretary-General submits a report on the work of the Organisation, which assesses its activities and sets out priorities for the future. The Secretary-General also chairs the United Nations System Chief Executives Board for Coordination, which meets twice a year.

**Some of the functions of the Secretary-General are:**

- bringing to the attention of the Security Council any matter which, in the opinion of the Secretary-General, may constitute a threat to international peace;
- submit matters for discussion to the General Assembly or any other organ of the United Nations;
- act as arbitrator in disputes between Member States.

One of the most important aspects of the Secretary-General's work is the use of his "good offices" — steps taken both publicly and confidentially on the basis of his independence, impartiality and good faith to prevent the outbreak, escalation or spread of international disputes.

In addition, each Secretary-General defines his or her role in light of the particular circumstances of his or her tenure.

***UN Secretaries-General***

- Kofi Annan (Ghana): January 1997 – December 2006
- Boutros Boutros-Ghali (Egypt): January 1992 – December 1996
- Javier Pérez de Cuéllar (Peru): January 1982 – December 1991
- Kurt Waldheim (Austria): January 1972 – December 1981
- U Thant (Burma, now Myanmar): November 1961 (appointed Acting Secretary-General; officially appointed Secretary-General in November 1962) – December 1971
- Dag Hammarskjöld (Sweden): April 1953 until his death in a plane crash in Africa in September 1961.

- Trygve Lie (Norway): from February 1946 until his resignation in November 1952.

## **Sources**

1. Basic Facts about the United Nations. Moscow: Legal Literature, 1995, and press release ORG/1211/Rev.1.
2. The United Nations: Basic Facts. Moscow: Ves Mir, 2005.
3. Charter of the United Nations.
4. Websites of the main UN bodies.

## **APPENDICES**

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# 1

## Appendix

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### CSCE-OSCE

OSCE (Organisation for Security and Co-operation in Europe) is the largest intercontinental security organisation, comprising 57 states in Europe, Central Asia and North America (Austria, Azerbaijan, Albania, Andorra, Armenia, Belarus, Belgium, Bulgaria, Bosnia and Herzegovina, Vatican City, United Kingdom, Hungary, Germany, Greece, Georgia, Denmark, Iceland, Ireland, Spain, Italy, Kazakhstan, Canada, Cyprus, Kyrgyzstan, Latvia, Lithuania, Liechtenstein, Luxembourg, Macedonia, Malta, Moldova, Monaco, Mongolia, Netherlands, Norway, Poland, Portugal, Russia, Romania, San Marino, Serbia, Slovakia, Slovenia, the United States, Tajikistan, Turkmenistan, Turkey, Uzbekistan, Ukraine, Finland, France, Croatia, Montenegro, the Czech Republic, Sweden, Switzerland, and Estonia. It effectively includes the states of two military blocs – NATO and the former Warsaw Pact, as well as neutral states – Sweden and Switzerland. It has been in operation since 1 January 1995.

The main bodies of the OSCE are the Summit (High-Level Meeting), the Ministerial Council, the High Council, and the Permanent Council, headed by the Chairperson, who holds this position for one year. In 2006, the OSCE Chairperson was Belgian Foreign Minister Karel De Gucht, and in 2007, it was Spanish Foreign Minister Miguel Ángel Moratinos. In 2021, the OSCE Chairperson was Ann Linde, Minister of Foreign Affairs of Sweden, and in 2022, it was Zbigniew Rau, Minister of Foreign Affairs of the Republic of Poland.

The main areas of activity of the OSCE are military-political, environmental-economic, and socio-cultural. The main regions of activity are the Balkan Peninsula, Eastern Europe, the Caucasus, and the former republics of the USSR.

Currently, the OSCE has a staff of about 370 people working in the organisation's governing bodies, as well as about 3,500 employees working in the regions. The OSCE headquarters are located in Vienna (Austria). The organisation also has offices in Copenhagen, Geneva, The Hague, Prague and Warsaw.

Its annual budget is approximately €140 million.

From 1973 to 1994, the OSCE's predecessor was *the Conference on Security and Cooperation in Europe* (CSCE). The CSCE was convened in 1973 on the initiative of the USSR to reduce military confrontation and create a space of security in Europe.

The conference was held in three stages:

**Stage 1:** 3–7 July 1973 – Helsinki – meeting of foreign ministers.

**Stage 2:** 18 September 1973 – 21 July 1975 – Geneva – submission of proposals, amendments and agreement on the text of the Final Act.

**Stage 3:** 30 July–1 August 1975 – Helsinki – summit. The Helsinki Final Act was signed at the summit on 1 August<sup>1</sup>.

The Final Act includes intergovernmental agreements grouped into several sections:

- in the field of international law – consolidation of the political and territorial outcomes of World War II, setting out the principles of relations between participating states, including the principle of the inviolability of borders;
- in the military-political sphere – coordination of confidence-building measures in the military sphere (advance notification of military exercises and large troop movements, presence of observers at military exercises);

<sup>1</sup> <https://www.osce.org/helsinki-final-act>

- in the economic sphere – coordination of key areas of cooperation in the economy, science and technology, and environmental protection;
- in the humanitarian sphere – coordination of commitments on human rights and fundamental freedoms, including freedom of movement, contact, information, culture and education.

At subsequent meetings (1977–1978 – Belgrade, 1980–1983 – Madrid, 1984 – Stockholm, 1986 – Vienna) these agreements were used to discuss conflict situations and deepen trust between Western countries and the socialist camp.

As a result of the Paris Conference (19–21 November 1990), *the Charter of Paris for a New Europe* was signed, proclaiming the end of the Cold War, and *the Treaty on Conventional Armed Forces in Europe (CFE)*, a joint declaration was adopted by 22 states (NATO and CSCE members), and a three-stage mechanism for political consultation was created: summit meetings, the Council of Foreign Ministers (CFMS), and the Committee of Senior Officials.

At the Helsinki meeting in 1992, a document entitled "*The Challenge of Change*", which marked the beginning of the transformation of the CSCE from a forum for primarily political dialogue between participating states into an intercontinental organisation with the goal of maintaining military-political stability and developing cooperation "from Vancouver to Vladivostok".

At the Budapest meeting in 1994, it was decided to rename the CSCE as the OSCE — the Organisation for Security and Cooperation in Europe — from 1 January 1995. A political declaration entitled "*Towards a Genuine Partnership in a New Era*" was adopted, along with an agreement to begin developing a model of common and comprehensive security for 21st-century Europe, and other agreements (the "Code of Conduct concerning Military-Political Aspects of Security," "Principles Governing Non-Proliferation," etc.).

The main tasks of the OSCE were proclaimed to be:

- control over the proliferation of weapons;
- diplomatic efforts to prevent conflicts;
- measures to build trust and security;
- protection of human rights;
- development of democratic institutions;
- election monitoring;
- economic and environmental security.

In 1996, at the Lisbon meeting of heads of state and government of adopted the Lisbon Summit Declaration and the *Declaration on a Common and Comprehensive Security Model for Europe in the 21st Century*, which

emphasises the need to build a united, peaceful and democratic Europe without dividing lines. On Russia's initiative, the participating States undertook to exercise restraint in their military efforts, including levels of armaments and their deployment.

In 1999, at the Istanbul meeting of the Heads of State and Government of the OSCE participating States, *the Charter for European Security* (see below), the agreement on the adaptation of the CFE Treaty, the final Political Declaration and the modernised Vienna Document on confidence-building measures were adopted as a basis for further work. Since the Istanbul meeting, at which Russia agreed to withdraw its troops from Georgia and Transnistria, relations between Russia and the OSCE have deteriorated. The war in Chechnya, the situation in Georgia and Transnistria, and the "orange revolutions" in Central Asia, the South Caucasus, and Ukraine led to increased disagreements between Russia and most OSCE member states, which is why no political declarations have been adopted since 2003.

In 2005, Russia proposed reforming the OSCE, which had become an "instrument serving the interests of individual states and groups" (read: the US and NATO), and making efforts to achieve the OSCE's main goal – the creation of an indivisible pan-European security space with principles and rules that are the same for all.

Since all OSCE member states have equal status and decisions are made by consensus, the opinion of Russia and a number of CIS countries cannot be ignored by other OSCE members. Therefore, the time has come for the OSCE to make serious decisions. The events of 2006–2007 show that divisions were growing over the Kosovo issue, the situation in Georgia and Transnistria, and the deployment of American missile defence stations in the centre of Europe. Russia has decided to freeze its participation in the CFE Treaty and is likely to increase its activity in other security organisations – the SCO and the CSTO (Appendices 4 and 5)<sup>1</sup>.

During the meeting of the Council of Ministers on 5-6 December 2005, *the Concept of Security and Border Management* was approved, reaffirming the commitment to ensuring open and secure borders in a free, democratic and more integrated OSCE area without dividing lines. At the same time, the participating States also undertake to cooperate on the basis of the principles of international law, mutual trust, equal partnership, transparency and predictability, following a comprehensive approach in the spirit of promoting friendly relations between States<sup>2</sup>.

In 2006, the Permanent Council decided to establish the OSCE Mission

<sup>1</sup> Based on materials from <http://www.osce.org/> and Wikipedia — [ru.wikipedia.org](http://ru.wikipedia.org).

<sup>2</sup> <https://www.osce.org/files/f/documents/a/6/70205.pdf>

to Montenegro to assist the country in implementing reforms and further strengthening democratic transition processes with a view to achieving European integration.

Work is being carried out in the following areas:

- legislative reform and institutional strengthening;
- combating corruption and organised crime;
- supporting the reform of the judiciary and police, including the prison system;
- strengthening human rights and minority rights;
- security sector reform;
- improving the professionalism of media staff and establishing an independent public broadcaster;
- promoting economic development and environmental protection.

At a meeting of the Council of Ministers in 2006, *the Brussels Declaration on Criminal Justice Systems* was adopted. Decisions were taken on combating trafficking in human beings; organised crime; combating illicit trafficking in small arms and light weapons by air; combating the sexual exploitation of children; transport; energy security; criminal justice; and Kosovo and Nagorno-Karabakh.

During the 15th meeting of the Ministerial Councils (29-30 November 2007), *the Madrid Declaration on Environment and Security* was approved. New measures were adopted to strengthen OSCE support for Afghanistan, and key avenues for a peaceful settlement of the Nagorno-Karabakh conflict were proposed.

In 2009, at a meeting of the OSCE Ministerial Council in Athens, *the Corfu Process Declaration* was adopted, with the aim of restoring trust between states and promoting dialogue on Euro-Atlantic and Eurasian security.

The document contains three main principles:

- commitment to the concept of comprehensive, indivisible security based on cooperation;
- full, sincere and consistent compliance by all with the norms, principles and commitments adopted within the OSCE in all three dimensions of the OSCE;
- the desire to strengthen partnership and cooperation in the OSCE region, as well as to enhance the effectiveness of the OSCE and its contribution to security.

The Corfu Process began in August 2008, when the war in the South Caucasus highlighted the continuing danger that unresolved conflicts in the OSCE region pose to collective security and the urgent need to address new and existing threats.

In 2010, the *Astana Commemorative Declaration* was adopted at the Summit of Heads of State and Government in Astana, reaffirming the Organisation's comprehensive approach to security based on trust and transparency.

On 16 December 2010, by decision of the Permanent Council, the Additional Observer Mission in Skopje was renamed the OSCE Mission in Skopje.

The Mission's key priorities are to promote constructive inter-ethnic relations and to support the further implementation of the 2001 Ohrid Framework Agreement and its core principles. The Mission monitors and regularly visits local communities and maintains contact with political representatives, members of civil society and law enforcement officials.

During the 18th Ministerial Council (6-7 December 2011), a *Declaration on Combating All Forms of Trafficking in Human Beings* was adopted, along with decisions on strengthening the OSCE's capacity in the areas of early warning, early action, dialogue facilitation and mediation support, post-conflict rehabilitation, countering transnational threats, promoting equal opportunities for women in the economic sphere, strengthening dialogue on transport, and the OSCE's role in promoting UN security; *UN Security Council Resolution 1540* on small arms, light weapons and conventional ammunition, as well as issues related to the Forum for Security Cooperation. As a result, on 10 January 2012, the Transnational Threats (TNT) Department was established within the Secretariat.

In 2012, at the Ministerial Council meeting in Dublin, *the Helsinki +40 roadmap* was agreed upon with the aim of supporting the Transnistrian settlement process. Ministers also consolidated OSCE efforts to counter transnational threats by adding an anti-terrorism framework to earlier decisions on threats related to information and communication technologies, drugs and chemical precursors, and strategic policing.

During the 20th meeting of the Ministerial Council on 5-6 December 2013 in Kyiv, *decisions* were adopted on *the settlement of protracted conflicts; freedom of thought, conscience, religion or belief; and a declaration on promoting the Helsinki + 40 process* to determine the future path of the OSCE. The OSCE Ministerial Council called for intensified efforts to create Euro-Atlantic and Eurasian security communities without dividing lines, respect for the rule of law and fundamental freedoms, and unity of purpose.

On 21 March 2014, *the OSCE Permanent Council* adopted a decision to *deploy a Special Monitoring Mission to Ukraine*. The mission's mandate provides for the deployment of 100 international civilian observers in Kyiv and nine other cities in western, eastern and southern Ukraine. If necessary, the mission can be increased to 500 people. The observers will monitor the

security situation and promptly report on possible incidents, manifestations of aggressive nationalism, and violations of citizens' rights and freedoms, including the rights of national minorities.

Following the 21st meeting of the OSCE Ministerial Council in Basel in 2014, a *Declaration on further steps in the Helsinki + 40 process* was adopted, as well as a *Ministerial Statement on the Transnistrian settlement process in the* , which states the determination to achieve a comprehensive peaceful settlement of the Transnistrian conflict on the basis of the sovereignty and territorial integrity of the Republic of Moldova with a special status for Transnistria, fully guaranteeing the human rights and political, economic and social rights of its population.

The 22nd meeting of the Ministerial Council, held in Belgrade on 3-4 December 2015, was devoted to intensifying efforts to restore consensus on European security and resume dialogue based on full respect for OSCE principles and commitments. The then OSCE Chairperson-in-Office and Serbian Foreign Minister Ivica Dačić stated that "only through dialogue can sustainable solutions to the crisis in and around Ukraine be found." In addition, a *Ministerial Declaration on Preventing and Countering Violent Extremism and Radicalisation Leading to Terrorism* was adopted.

Following the 24th meeting of the Ministerial Council in Vienna in 2017, a *Decision on promoting participation in economic life in the OSCE region* was adopted, implying the creation of jobs, facilitating access to education, vocational training and the labour market, as well as improving conditions for employment and entrepreneurial activity. It was reaffirmed that peace, good inter-state relations, state security and stability, as well as the security of citizens within the state, ensured by the rule of law and respect for human rights, including internationally recognised workers' rights, are key to establishing a climate of trust, which is a prerequisite for positive socio-economic development and greater participation in economic life.

The heads of the delegations of the OSCE Minsk Group co-chair countries expressed their commitment to mediating a peaceful settlement of the Nagorno-Karabakh conflict based on the principles of the Helsinki Final Act, including the non-use of force or threat of force, territorial integrity, and the equal rights and self-determination of peoples.

At the 25th OSCE Ministerial Council in Milan in 2018, the *Decision on Preventing and Combating Violence against Women* and the *Decision on Strengthening the Fight against Trafficking in Children* were adopted ( ). A *Declaration on Security and Cooperation in the Mediterranean* was adopted, with the Russian Federation joining the consensus on the decision, wishing to stimulate more active cooperation in the Mediterranean region, ensure its security and contribute to countering emerging threats.

During the 27th meeting of the Ministerial Council, held on 3-4 December 2020, a *Declaration on Strengthening Cooperation in Combating Transnational Organised Crime* was adopted, emphasising the importance of strengthening coordination at the national level and international cooperation in combating transnational organised crime. Furthermore, on the occasion of the 25th anniversary of the OSCE's Asian Partnership for Co-operation, a *Declaration on Co-operation with OSCE Asian Partners* was adopted.

As a result of the 28th meeting of the Ministerial Council in Stockholm in 2021, a *Decision on strengthening cooperation in countering the challenges posed by climate change* came into force. The Ministerial Council emphasised the importance of implementing the tasks of the UN Agenda for Sustainable Development for the period up to 2030 and achieving the sustainable development goals set out therein, which requires the broadest possible international cooperation. *The Ministers' Statement on the 5+2 Transnistrian Settlement Process* was reiterated, emphasising the need to continue the results-oriented settlement process, as confirmed in the ministerial statements adopted in Hamburg (2016), Vienna (2017), Milan (2018), Bratislava (2019) and Tirana (2020).

## Sources

1. <https://www.osce.org/ru/ministerial-councils>
2. <https://www.osce.org/whatistheosce>

# Charter for European Security

*Istanbul, November 1999*

## **I. CHALLENGES WE FACE**

## **II. OUR COMMON FOUNDATIONS**

## **III. OUR COMMON RESPONSE**

## **IV. OUR COMMON TOOLS**

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## **VI. CONCLUSION**

Operational document — Platform for cooperation-based security (not included in this text).

## **Introduction**

1. On the threshold of the twenty-first century, we, the Heads of State and Government of the OSCE participating States, declare our firm commitment to building a free, democratic and more united OSCE region, where participating States co-exist in peace with one another and where people and communities live in freedom, prosperity and security. To achieve this goal, we have decided to take a number of new steps. We have agreed to:

- adopt a Platform for Security based on cooperation, with a view to strengthening cooperation between the OSCE and other international organisations and institutions, thereby ensuring better use of the international community's resources;
- develop the OSCE's role in peace support, reflecting more clearly the Organisation's comprehensive approach to security;
- to establish Rapid Expert Assistance and Cooperation Teams (REACT) to enable the OSCE to respond quickly to requests for assistance and to conduct large-scale civilian operations on the ground;
- expand our capabilities in the field of policing to assist in maintaining the rule of law;
- Establish an Operations Centre for planning and deploying OSCE field operations.
- strengthen the consultation process within the OSCE by establishing a Preparatory Committee under the OSCE Permanent Council.

We consider it our duty to prevent, wherever possible, the outbreak of violent conflicts. The steps we have agreed to take in this Charter will strengthen the OSCE's capabilities in this regard, as well as its potential to resolve conflicts and normalise the lives of societies affected by war and destruction. The Charter will contribute to the formation of a common and indivisible security space. It will bring us closer to creating an OSCE region without dividing lines and zones with different levels of security.

## **I. CHALLENGES WE FACE TOGETHER**

2. The last decade of the 20th century brought major achievements in the OSCE region; confrontation gave way to cooperation, but the danger of conflicts between states has not been eliminated. We have put an end to the old divisions in Europe, but new threats and challenges have emerged. Since we signed the Paris Charter, it has become clearer that threats to our security can arise from conflicts both between and within states. We have had to deal with conflicts that often arose from flagrant violations of OSCE norms and principles. We have witnessed atrocities that seemed to belong to the past. During this decade, it has become clear that all these conflicts can pose a threat to the security of all OSCE participating States.

3. We are determined to learn from the dangerous consequences of

confrontation and discord between states, as well as from the tragedies of the past decade. Security and peace must be strengthened through an approach that combines two key elements: we need to build trust between people within states and develop cooperation between states. We will therefore improve existing instruments and develop new ones to provide assistance and advisory services. We will redouble our efforts to ensure full respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities. At the same time, we will build our capacity to strengthen trust and security between states. We are determined to improve the means at our disposal for the peaceful settlement of disputes between them.

4. International terrorism, violent extremism, organised crime and drug trafficking pose an increasing threat to security. Terrorism in all its forms and manifestations, whatever its motivation, is unacceptable. We will intensify our efforts to prevent the preparation and financing of any acts of terrorism on the territory of our States and deny terrorists safe haven. The excessive and destabilising accumulation and uncontrolled spread of small arms and light weapons pose a threat to peace and security. We are determined to better protect ourselves against these new threats and challenges; the basis for such protection is strong democratic institutions and the rule of law. We are also determined to cooperate more actively and closely with each other in countering these challenges.

5. Acute economic problems and environmental degradation have serious implications for our security. Cooperation in the economic, scientific and technological fields, as well as in the environmental field, will be of paramount importance. We will respond more decisively to such threats by pursuing further economic and environmental reforms, ensuring a stable and transparent framework for economic activity, and promoting the development of market economies with due regard for socio-economic rights. We welcome the unprecedented process of economic transformation taking place in many participating States. We call for the continuation of this reform process, which will contribute to security and prosperity throughout the OSCE region. In all dimensions of the OSCE, we will intensify our efforts to combat corruption and promote the rule of law.

6. We reaffirm that security in neighbouring regions, in particular in the Mediterranean, as well as in areas in close proximity to participating States, such as the Central Asian States, is of increasing importance to the OSCE. We recognise that instability in these regions gives rise to challenges that directly affect the security and prosperity of OSCE participating States.

## **II. OUR COMMON FOUNDATIONS**

7. We reaffirm our full commitment to the Charter of the United Nations

and the Helsinki Final Act, the Paris Charter and all other documents we have adopted within the OSCE. These documents embody our common commitments and form the basis of our work. They have helped us to end the former confrontation in Europe and to open a new era of democracy, peace and solidarity throughout the OSCE region. They set clear standards for how participating States should treat each other and all people within their territories. All commitments undertaken within the OSCE apply equally to every participating State. Their faithful implementation is crucial for relations between States, between their governments and peoples, and between the organisations of which they are members. Participating States are accountable to their citizens and to each other for the fulfilment of their OSCE commitments. We regard these commitments as our common achievement and therefore believe that they are of direct and legitimate interest to all participating States.

We reaffirm that the OSCE is a regional arrangement within the meaning of Chapter VIII of the Charter of the United Nations, one of the principal organisations for the peaceful settlement of disputes in its region and one of the key instruments for early warning, conflict prevention, crisis management and post-conflict rehabilitation. The OSCE is a broadly representative, inclusive organisation for consultation, decision-making and cooperation in its region.

8. Every participating State has an equal right to security. We reaffirm the inherent right of every participating State to freely choose or change the means of ensuring its security, including alliance treaties, as they evolve. Each State also has the right to neutrality. Each participating State will respect the rights of all others in this regard. They will not strengthen their security at the expense of the security of other States. Within the OSCE, no state, group of states or organisation may be given primary responsibility for maintaining peace and stability in the OSCE region or regard any part of the OSCE region as its sphere of influence.

9. We will build our relations in accordance with the concept of common and comprehensive security, guided by the principles of equal partnership, solidarity and transparency. The security of each participating State is inextricably linked to the security of all others. We will consider the human, economic and military-political dimensions of security as a whole.

10. We will continue to strengthen the consensus that underpins decision-making in the OSCE. The flexibility of the OSCE and its ability to respond quickly to changing political conditions must remain a key element of the OSCE's cooperative and comprehensive approach to ensuring common and indivisible security.

11. We recognise the primary responsibility of the United Nations

Security Council for the maintenance of international peace and security and its crucial role in strengthening security and stability in our region. We reaffirm our rights and obligations under the Charter of the United Nations, including our commitment to the non-use of force or the threat of force. In this regard, we also reaffirm our commitment to the peaceful settlement of disputes in accordance with the Charter of the United Nations.

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On this basis, we will enhance the effectiveness of our collective response and improve our common tools to better address the challenges we face.

### **III. OUR COLLECTIVE RESPONSE**

#### **Cooperation with other organisations: a platform for security based on cooperation**

12. No single state or organisation can address the challenges and threats we face today on its own. Over the past decade, we have taken important steps to establish new cooperation between the OSCE and other international organisations. Seeking to make full use of the resources of the international community, we are committed to even closer interaction between international organisations.

We commit ourselves to further strengthening and developing cooperation with competent organisations on an equal footing and in a spirit of partnership, using the Cooperative Security Platform, which is hereby adopted as one of the key elements of this Charter. The principles of the Cooperative Security Platform, as set out in the operational document attached to this Charter, apply to any organisation or institution whose members individually and collectively decide to adhere to them. They apply to all dimensions of security – military-political, human and economic. Building on this Platform and based on shared values, we seek to develop and maintain coherence at the political and operational levels among all structures dealing with security issues, both in responding to specific crises and in developing measures to address new threats and challenges. Recognising the key unifying role that the OSCE can play, we propose to use the Organisation, where appropriate, as a flexible coordination mechanism for developing cooperation, through which different organisations can reinforce each other's efforts, drawing on their specific strengths. We do not intend to create a hierarchy of organisations or establish a permanent division of labour between them.

We are prepared, in principle, to draw on the resources of the

international organisations and institutions of which we are members in support of the OSCE's work, for which purpose the necessary political decisions should be taken where appropriate.

13. Subregional cooperation has become an important element in enhancing security throughout the OSCE region. Processes such as the Stability Pact for South-Eastern Europe, which was adopted under the auspices of the OSCE, help to promote our common values. They contribute to enhancing security not only in this subregion, but throughout the OSCE region. We propose, in accordance with the Platform for Cooperative Security, to use the OSCE as a forum for subregional cooperation. In this regard, and in accordance with the organisational arrangements set out in the Operational Document, the OSCE will facilitate the exchange of information and experience between subregional groups and may, upon request, receive and store the texts of agreements and arrangements between them.

#### **Solidarity and partnership**

14. The best guarantee of peace and security in our region is the willingness and ability of each participating State to uphold democracy, the rule of law and respect for human rights. We individually reaffirm our willingness to fully implement the commitments we have undertaken. We also share responsibility for upholding the principles of the OSCE. We are therefore determined to cooperate within the OSCE, as well as with its institutions and representatives, and are prepared to use the tools, means and mechanisms available to the OSCE. We will cooperate on an ongoing basis in a spirit of solidarity and partnership when considering implementation issues. Today, we commit ourselves to taking cooperative joint measures, both within the OSCE and through the organisations of which we are members, to offer assistance to participating States in improving their compliance with the principles and commitments they have undertaken within the OSCE. We will strengthen existing and develop new cooperative instruments to respond effectively to requests for assistance from participating States. We will explore ways to further enhance the effectiveness of the Organisation's response to cases of manifest, gross and persistent violations of these principles and commitments.

15. We are determined to consider ways to assist participating States that request assistance in cases of breakdown of internal law and order. We will jointly consider the nature of the situation and possible ways and means of providing support to the State concerned.

16. We reaffirm that the Code of Conduct on Politico-Military Aspects of Security remains valid. In accordance with our responsibilities within the OSCE, we will consult promptly with a participating State seeking support in

exercising its right to individual or collective self-defence if its sovereignty, territorial integrity and political independence are threatened. We will jointly consider the nature of such a threat and what action may be necessary to defend our common values.

### **Our institutions**

17. The Parliamentary Assembly has become one of the most important institutions of the OSCE, constantly putting forward new ideas and proposals. We welcome its growing role, especially in the field of democracy development and election observation. We call on the Parliamentary Assembly to further develop its activities as a key component of our efforts to ensure democracy and prosperity and to enhance trust within and between participating States.

18. The Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities (HCNM) and the Representative on Freedom of the Media are essential instruments for ensuring respect for human rights, democracy and the rule of law. The OSCE Secretariat provides vital support to the Chairperson-in-Office and to our Organisation's activities, especially in the field. We will also continue to strengthen the operational capacity of the OSCE Secretariat so that it can meet the challenges associated with the expansion of our activities and ensure that activities in the field are carried out effectively and in accordance with the mandates and instructions received.

We commit ourselves to providing full support to the OSCE institutions. We stress the importance of close coordination between the OSCE institutions, as well as in our field activities, in order to make the best use of our common resources. When recruiting staff for OSCE institutions and field activities, we will take into account the need to ensure geographical diversity and gender balance in the workforce.

We note the tremendous development and increasing diversity of the OSCE's activities. We note that a significant number of OSCE participating States have been unable to implement the decision taken by the Ministerial Council in Rome in 1993, and that the Organization's lack of legal capacity may cause difficulties. We will endeavour to improve the situation.

### **Human dimension**

19. We reaffirm that respect for human rights and fundamental freedoms, democracy and the rule of law are central to the OSCE's comprehensive concept of security. We commit ourselves to countering threats to security such as violations of human rights and fundamental freedoms, including freedom of thought, conscience, religion and belief, and

manifestations of intolerance, aggressive nationalism, racism, chauvinism, xenophobia and anti-Semitism.

The protection and promotion of the rights of persons belonging to national minorities are essential factors in ensuring democracy, peace, justice and stability in and among participating States. In this regard, we reaffirm our commitments, in particular within the framework of the relevant provisions of the 1990 Copenhagen Document on the Human Dimension, and recall the Report of the Meeting of Experts on National Minorities (Geneva, 1991). Full respect for human rights, including the rights of persons belonging to national minorities, is not only an end in itself but also cannot undermine, but rather can strengthen, territorial integrity and sovereignty. The various concepts of autonomy, as well as other approaches outlined in the above-mentioned documents, which are in line with OSCE principles, are means of protecting and developing the ethnic, cultural, linguistic and religious identity of national minorities within the existing state. We condemn violence against any minority. We commit ourselves to taking measures to foster tolerance and build pluralistic societies where everyone, regardless of their ethnic origin, is guaranteed full equality of opportunity. We emphasise that issues relating to national minorities can only be satisfactorily resolved within a democratic political framework based on the rule of law.

We reaffirm that everyone has the right to a nationality and that no one should be arbitrarily deprived of their nationality. We commit ourselves to continuing our efforts to ensure that everyone can enjoy this right. We are also determined to strengthen international protection for stateless persons.

20. We recognise the particular difficulties faced by Roma and Sinti and the need to take effective measures to achieve full equality of opportunity for persons belonging to Roma and Sinti communities, in line with OSCE commitments. We will intensify our efforts to ensure that Roma and Sinti can become full members of society and to eradicate discrimination against them.

21. We are determined to eradicate torture and cruel, inhuman or degrading treatment or punishment throughout the OSCE region. To this end, we will promote the adoption of legislation providing procedural and substantive safeguards and remedies to combat such practices. We will, to the extent appropriate, provide assistance to victims and cooperate with relevant international organisations and non-governmental organisations.

22. We reject any policy of ethnic cleansing or mass expulsion. We reaffirm our commitment to respect the right to seek asylum and to provide international protection to refugees in accordance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as to facilitate the voluntary, dignified and safe return of refugees and internally displaced persons. We will pursue the social reintegration of refugees and internally

displaced persons in their places of origin on a non-discriminatory basis.

With a view to strengthening the protection of civilians during conflict, we will seek ways to enhance the application of international humanitarian law.

23. The full and equal enjoyment of human rights by women is essential for strengthening peace, prosperity and democracy in the OSCE region. We commit ourselves to making gender equality an integral part of our policies, both at the level of our States and within the Organisation.

24. We will take measures to eliminate all forms of discrimination against women and to end violence against women and children, as well as sexual exploitation and all forms of trafficking in human beings. To prevent such crimes, we will, among other things, promote the adoption or strengthening of legislation to hold perpetrators accountable and to enhance the protection of victims. We will also improve and implement measures to ensure the rights and interests of children in armed conflict and post-conflict situations, including refugee children and internally displaced children. We will explore ways to prevent the forced or compulsory recruitment of persons under the age of 18 for use in armed conflict.

25. We reaffirm our commitment to hold free and fair elections in accordance with the commitments made within the OSCE, in particular the 1990 Copenhagen Document. We recognise that the ODIHR can assist participating States in developing and implementing election legislation. In line with these commitments, we will invite observers from other participating States, the ODIHR, the OSCE Parliamentary Assembly and relevant institutions and organisations that wish to observe elections held in our countries. We agree to respond promptly to the ODIHR's conclusions assessing the conduct of elections and its recommendations.

26. We reaffirm the importance of independent media and free flows of information, as well as public access to information. We commit ourselves to taking all necessary measures to create the necessary framework for the functioning of free and independent media and the unimpeded flow of information across borders and within countries, which we consider to be an essential component of any democratic, free and open society.

27. Non-governmental organisations (NGOs) can play an extremely important role in promoting human rights, democracy and the rule of law. They are an integral part of a strong civil society. We commit ourselves to expanding the opportunities for NGOs to contribute fully to the further development of civil society and the promotion of human rights and fundamental freedoms.

### **Military-political dimension**

28. Military-political aspects of security remain an area of vital interest to participating States. They are a central element of the OSCE concept of comprehensive security. Disarmament, arms control and confidence- and security-building measures (CSBMs) are an important part of the overall effort to enhance security through greater stability, transparency and predictability in the military field. The full implementation, timely adaptation and, where necessary, further development of arms control and CSBM agreements play a key role in ensuring our military-political stability.

29. The Treaty on Conventional Armed Forces in Europe (CFE) must remain the cornerstone of European security. It has ensured a dramatic reduction in levels of armaments and equipment. It has a fundamental role to play in building a safer and more united Europe. The States Parties to this Treaty are taking a crucial step forward. The Treaty is being strengthened by adapting its provisions to enhance stability, predictability and transparency in a changing environment. A number of participating States will implement further reductions in their levels of armaments and equipment. Upon its entry into force, the adapted Treaty will be open for voluntary accession by other OSCE participating States in the area stretching from the Atlantic Ocean to the Ural Mountains, thus making an important additional contribution to stability and security in Europe.

30. The 1999 OSCE Vienna Document, together with other documents on military-political aspects of security adopted by the Forum for Security Cooperation (FSC), provides all OSCE participating States with valuable instruments for strengthening mutual confidence and enhancing transparency in the military field. We will continue to apply all OSCE instruments in this field regularly and fully and strive to adapt them in a timely manner to ensure an adequate response to security needs in the OSCE region. We remain committed to the principles set out in the Code of Conduct on Politico-Military Aspects of Security. We are determined to make further efforts within the FSB to jointly address security issues of common interest to participating States and to implement the OSCE concept of comprehensive and indivisible security as it relates to the military-political dimension. We will continue our substantive dialogue on security issues and instruct our representatives to conduct this dialogue within the framework of the FSB .

### **Economic and environmental dimension**

31. In the OSCE region, the links between security, democracy and prosperity are becoming increasingly apparent, as is the threat to security posed by environmental degradation and the depletion of natural resources. Economic freedom, social justice and environmental responsibility are indispensable prerequisites for prosperity. Based on this interdependence, we

will ensure that the economic dimension is given due attention, in particular as one of the components of our early warning and conflict prevention activities. We will do so, inter alia, in order to promote the integration of countries with economies in transition into the world economy, as well as to ensure the rule of law and the development of a transparent and stable legal system in the economic sphere.

32. The OSCE is distinguished by its broad membership, its comprehensive approach to security, its numerous field operations and its long tradition as a norm-setting organisation. These qualities enable it to identify threats and serve as a catalyst for cooperation between key international organisations and institutions in the economic and environmental fields. The OSCE stands ready to play this role where necessary. We will strengthen such coordination between the OSCE and relevant international organisations in accordance with the Platform for Cooperative Security. We will enhance the OSCE's capacity to address economic and environmental issues in a way that avoids duplication of ongoing work or substitution of actions that could be undertaken more effectively by other organisations. We will focus on areas where the OSCE has particular expertise. The OSCE's activities in the human dimension have significant economic implications and vice versa, for example by mobilising human resources and intellectual capacity and helping to build a dynamic civil society. In the spirit of the 1998 Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters, we will, in particular, seek to ensure access to information, public participation in decision-making, and access to justice in environmental matters.

### **Rule of law and combating corruption**

33. We reaffirm our commitment to the rule of law. We recognise that corruption poses a major threat to the common values of the OSCE. It breeds instability and affects many aspects of security, the economic and human dimensions. Participating States commit to stepping up their efforts to combat corruption and its root causes, and to promoting a positive environment for good governance and integrity in public life. They will make better use of existing international instruments and assist each other in the fight against corruption. As part of its efforts to promote the rule of law, the OSCE will cooperate with NGOs that are working to foster a climate of unanimous rejection of corruption by society and the business community.

## **IV. OUR COMMON TOOLS**

### **Developing our dialogue**

34. We are determined to expand and strengthen our dialogue on developments related to all aspects of security in the OSCE area. We instruct the Permanent Council and the FSB, each within its respective competence, to pay closer attention to the security interests of participating States and to implement the concept of comprehensive and indivisible security adopted within the OSCE.

35. The Permanent Council, as the body designed for political consultation and decision-making, will deal with the full range of conceptual issues as well as the day-to-day operational activities of the Organisation. To assist it in its work and decision-making, and to strengthen the process of political consultation and transparency within the Organisation, we will establish a Preparatory Committee, which will work under the guidance of the Permanent Council. This open-ended committee will, as a rule, hold informal meetings and, on behalf of the Council or its Chair, discuss relevant issues and report back to the Council.

36. Acting in a spirit of solidarity and partnership, we will also expand our political dialogue in order to offer assistance to participating States, thereby ensuring the fulfilment of the commitments undertaken within the OSCE. To facilitate such dialogue, we have decided to make more active use, in accordance with established rules and practices ( ), of OSCE instruments, including:

- sending delegations from OSCE institutions, with the participation of other relevant international organisations, where appropriate, to provide advisory and expert services in connection with the reform of legislation and related practices;

- sending, after consultation with the State concerned, personal representatives of the Chairperson-in-Office on fact-finding or advisory missions;

- holding meetings between OSCE representatives and interested States to discuss issues related to the implementation of OSCE commitments;

- organising training programmes aimed at improving standards and practices in, inter alia, the fields of human rights, democratisation and the rule of law;

- considering issues related to the implementation of OSCE commitments at OSCE review meetings and conferences, as well as at the Economic Forum;

- referring such issues to the Permanent Council, inter alia, on the basis of recommendations prepared by OSCE institutions within their respective mandates or by personal representatives of the Chairperson-in-Office;

- convening meetings of the Permanent Council in special or enlarged format to discuss cases of non-compliance with OSCE commitments and decide on appropriate action;
- establishing field activities with the consent of the State concerned.

### **OSCE field activities**

37. The Permanent Council will establish field activities. It will decide on the mandates and budgets for such activities. On this basis, the Permanent Council and the Chairman-in-Office will provide guidance for such activities.

38. The development of OSCE field activities reflects significant changes in the Organisation, which have enabled the OSCE to play a more prominent role in strengthening peace and security and in improving the implementation of OSCE commitments. Building on our experience, we will continue to develop and strengthen this instrument in order to fulfil the tasks envisaged in the relevant mandates, which may include, inter alia

- providing assistance and advisory services or making recommendations in areas determined by agreement between the OSCE and the host country;
- monitoring the implementation of OSCE commitments and providing advice or recommendations on how to improve their implementation;
- assistance in the organisation and observation of elections;
- promoting the rule of law and democratic institutions, as well as maintaining and restoring law and order;
- facilitating the creation of conditions for negotiations or other measures that could contribute to the peaceful settlement of conflicts;
- verification and/or facilitation of agreements on peaceful conflict resolution;
- support for recovery and reconstruction in various areas of society.

39. When recruiting personnel for field activities, Member States should ensure that qualified personnel are made available. Training is an important aspect of enhancing the effectiveness of the OSCE and its field activities and will therefore be improved. Existing training institutions in OSCE participating States and OSCE training activities, in cooperation with other organisations and institutions where appropriate, could play an active role in achieving this goal.

40. In line with the Cooperative Security Platform, cooperation in field activities between the OSCE and other international organisations will be expanded. This will be done, inter alia, through joint projects with other partners, in particular the Council of Europe, which will enable the OSCE to draw on their expertise while respecting the specific nature of each

organisation and its decision-making procedures.

41. Each country where the OSCE is active on the ground should, where appropriate, be assisted in developing its own capacity and accumulating knowledge and experience in the areas of such activities. This would facilitate the effective transfer of issues addressed within the framework of the relevant activities to the host country and, thereby, their completion.

### **Operational Response (REACT)**

42. We recognise that the ability to rapidly deploy civilian and police expertise is a key prerequisite for effective conflict prevention, crisis management and post-conflict rehabilitation. We are determined to build capacity in participating States and within the OSCE for the creation of rapid expert support and cooperation teams (REACT) that will be at the disposal of the OSCE. This will enable OSCE bodies and institutions, acting in accordance with their respective procedures, to quickly offer experts to OSCE participating States to assist in compliance with OSCE norms, conflict prevention, crisis management and post-conflict rehabilitation. This rapid deployment capacity will cover a wide range of civilian expertise and experience. It will enable us to address problems before they escalate into crises and, if necessary, to rapidly deploy a civilian component of a peace support operation. These teams could also be used as a mobilisation resource to assist the OSCE in rapidly deploying large-scale or specialised operations. We expect REACT to develop and evolve alongside other OSCE capabilities in order to meet the needs of the Organisation.

### **Operations Centre**

43. Rapid deployment is important for the OSCE's effectiveness when we undertake conflict prevention, crisis management and post-conflict rehabilitation efforts, and depends on effective preparation and planning. We therefore decide to establish, within the Conflict Prevention Centre, an Operations Centre with a small core staff with relevant expertise in all types of OSCE field activities, which can be rapidly expanded as necessary. Its role will be to plan and deploy activities in the field, including activities using REACT resources. Where necessary, it will liaise with other international organisations and institutions in accordance with the Cooperative Security Platform. The core staff of the Centre will, as far as possible, be drawn from personnel seconded by participating States with relevant expertise and from the Secretariat's existing pool. This core staff will serve as a basis for rapid expansion to meet new tasks as they arise. Specific arrangements will be made in accordance with existing procedures.

### **Activities related to police functions**

44. We will work to strengthen the OSCE's role in activities related to civilian policing functions as an integral part of the Organisation's efforts in conflict prevention, crisis management and post-conflict rehabilitation. Such activities may include:

- police monitoring, including with a view to preventing police actions such as discrimination on religious and ethnic grounds;
- training of police personnel, which could include, among other things, the following tasks:
  - enhancing the operational and tactical capacity of local police services and reforming paramilitary forces;
  - the development of new, modern forms of police work, such as interaction with the population at the local level, combating drug trafficking, corruption and terrorism;
  - creating a police service that brings together representatives of different ethnic groups and/or religions and is capable of earning the trust of the entire population;
  - ensuring respect for human rights and fundamental freedoms in general.

We will encourage the provision of appropriate modern equipment to police services whose officers are mastering these new forms of work.

In addition, the OSCE will consider possible options and conditions for its participation in law enforcement activities.

45. We will also promote the development of independent judicial systems, which play a key role in providing legal protection against human rights violations, and provide advice and assistance in reforming the prison system. The OSCE will also work with other international organisations to create the political and legal conditions that enable the police to carry out their tasks in accordance with the principles of democracy and the rule of law.

### **Peacekeeping**

46. We remain firmly committed to strengthening the OSCE's key role in maintaining peace and stability throughout our region. The OSCE has been most effective in promoting regional security in areas such as field activities, post-conflict rehabilitation, democratisation, and human rights and election monitoring. We have decided to explore options for a potentially more significant and broader role for the OSCE in peace support. Reaffirming our rights and obligations under the Charter of the United Nations and building on our existing decisions, we confirm that the OSCE may, on a case-by-case basis and by consensus, decide to undertake a peace support role, including a leading role, when participating States consider the OSCE to be the most

effective and appropriate organisation. In this context, it could also decide to provide a mandate covering the peace support activities of others and enlist the support of participating States and other organisations to draw on resources and expertise. In line with the Cooperative Security Platform, it could also provide a coordinating framework for such efforts.

## **V. OUR COOPERATION PARTNERS**

48. We recognise the interdependence between the security of the OSCE region and that of our co-operation partners, as well as our commitment to developing relations and dialogue with them. We highlight, in particular, our long-standing relations with our Mediterranean partners – Algeria, Egypt, Israel, Jordan, Morocco and Tunisia. We acknowledge the increased participation of our co-operating partners in the work of the OSCE and their support for that work. Building on this growing interdependence, we are ready to further develop this process. In implementation and further development of the provisions of the 1992 Helsinki Summit and 1994 Budapest Summit documents, we will work more closely with our co-operating partners in promoting the OSCE's norms and principles. We welcome their willingness to contribute to the implementation of the Organisation's norms and principles, including the fundamental principle of peaceful conflict resolution. To this end, as the dialogue develops, we will invite the Co-operating Partners to participate more widely in the work of the OSCE on a more regular basis.

49. The potential of the Contact Group with Mediterranean Partners and the Mediterranean Seminars ( ) should be fully explored and utilized. Based on the Budapest mandate, the Permanent Council will examine the recommendations made by the Contact Group and the Mediterranean Seminars. We will encourage the use of our knowledge and experience by Mediterranean cooperation partners in establishing structures and mechanisms for early warning, preventive diplomacy and conflict prevention in the Mediterranean.

50. We welcome the increasing participation of Japan and the Republic of Korea in our work. We welcome Japan's contribution to OSCE activities in the field. We will seek to further strengthen our cooperation with our Asian partners in finding responses to challenges that concern us all.

## **VI. CONCLUSION**

51. This Charter will strengthen the security of all participating States by developing and strengthening the OSCE as we enter the 21st century. Today, we have decided to develop its existing instruments and to create new ones. We will make full use of them to ensure freedom, democracy and

security in the OSCE region. In this way, the Charter will consolidate the OSCE's role as the only pan-European security organisation dedicated to ensuring peace and stability in its region. We greatly appreciate the work done by the Security Model Committee.

52. The original of this Charter, drawn up in English, French, German, Italian, Russian and Spanish, shall be transmitted to the Secretary General of the Organisation, who shall forward a certified copy of this Charter to each of the participating States.

We, the undersigned High Representatives of the participating States, aware of the high political importance we attach to this Charter and declaring our determination to act in accordance with the provisions contained in the above texts, have signed this Charter.

## **2**

### **Annex**

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**INTERNATIONAL ATOMIC ENERGY  
AGENCY  
FOR ATOMIC ENERGY  
(IAEA, International Atomic Energy  
Agency – IAEA)**

The International Atomic Energy Agency (IAEA) is a global international intergovernmental forum for scientific and technical cooperation in the peaceful use of nuclear technology. As of 2022, 175 states are members of the organisation.

The IAEA headquarters are located in Vienna. In addition, the IAEA has regional offices in Toronto (Canada) and Tokyo, liaison offices in Geneva and New York, and research laboratories in Austria and Monaco.

The governing bodies of the IAEA are the Board of Governors and the General Conference. The General Conference consists of representatives of all IAEA member states. The General Conference meets once a year, usually in September. During its annual session, the Conference holds a general debate on the main lines of activity and programme of the IAEA and considers various issues submitted to it by the Board, the Director General and individual member states.

To carry out its ongoing work, the General Conference elects a Board of Governors comprising representatives of 35 IAEA Member States. The Chair of the Board of Governors for 2021-2022 is Shin Chae-hyun, representative of the Republic of Korea. The Board of Governors holds five meetings a year, at which it reviews the IAEA's accounts, programme and budget and makes recommendations to the General Conference on these and other matters. The Secretariat, headed by the Director General, supports the activities of the Board of Governors and the General Conference. The Secretariat is responsible for implementing the IAEA's programme after its approval by the Board and the General Conference.

The IAEA Secretariat employs 2,500 people from more than 100 countries. They are specialists in science, technology and management. The Director General is appointed for a four-year term. From 1981 to 1997, the Director General of the IAEA was Swedish diplomat Hans Blix. From 1997 to 2009, the Director General was Egyptian diplomat Mohamed ElBaradei. On 7 October 2005 the IAEA and its Director General Mohamed ElBaradei were awarded the Nobel Peace Prize for their efforts to prevent the use of nuclear energy for military purposes and to ensure its safest possible use. From 2019 to 2023, Argentine diplomat Rafael Grossi has been appointed

Director General.

The Director General is assisted by deputies who head six departments: **Nuclear Energy** (nuclear power, fuel cycle and waste management) – headed by Mikhail Chudakov; **Nuclear Safety** (nuclear safety, radiation safety and waste safety); **Nuclear Sciences and Applications** (the peaceful use of nuclear technology); **Safeguards** (verification of peaceful use); **Technical Cooperation** (technology transfer); and **Management** (core activities, legal advice and administrative support).

The IAEA's financial resources are divided into two categories: the regular budget and voluntary contributions. The regular budget for 2022 amounted to €393.3 million and was based on the scale of mandatory contributions from member states. Voluntary contributions to the Technical Cooperation Fund for 2022 amounted to €91 million. In addition, there is an annual inflow of extrabudgetary funds from member states, the United Nations and other international organisations.

### History of the IAEA

The idea for this international organisation was put forward by US President Dwight D. Eisenhower in his report "Atoms for Peace" at the UN General Assembly session on 8 December 1953. On 3 December 1955, the UN decided to establish the IAEA as an autonomous organisation under the United Nations (UN). By October 1956, the IAEA Statute (<https://www.iaea.org/about/statute>) had been prepared and was open for signature by UN member states for 90 days from 26 October 1956. In 1957, 56 countries became members of the IAEA.

According to Article II of the IAEA Statute ("Purposes"), "The Agency shall promote the rapid and widespread use of atomic energy for the benefit of peace, health and welfare throughout the world. As far as possible, the Agency shall ensure that assistance provided by it or at its request or under its supervision or control is not used in any way to further any military purpose."

The main tasks of the IAEA are:

- 1) the transfer of nuclear technology to ensure the sustainable development of humanity,
- 2) ensuring nuclear safety, and
- 3) monitoring the non-proliferation of nuclear weapons.

In accordance with the first objective, the Agency seeks to enhance the role of nuclear science and technology in supporting the sustainable development of humanity. This applies both to increasing knowledge and to using it to overcome the pressing problems facing the world, such as hunger, disease, environmental degradation and climate change. Where appropriate,

the IAEA promotes the transfer of nuclear technology to Member States for use in medicine, agriculture, industry, water management and other applications. Many of these programmes contribute directly or indirectly to the sustainable development and environmental protection goals set out in Agenda 21, adopted by the United Nations Conference on Environment and Development in 1992. The Agency's scientific laboratories provide training and conduct research in support of technical cooperation and assistance activities. Many of these activities are carried out in collaboration with the Food and Agriculture Organisation (FAO). The Agency cooperates with FAO through a joint division dealing with the application of isotopes and radiation in food and agriculture. This includes areas such as plant breeding and genetics, insect pest control, soil fertility, irrigation and crop production, animal husbandry and food preservation. Few people are aware that the long-distance transport and storage of fruit would be impossible without irradiating their surface with microdoses of radiation.

In line with the second objective, the IAEA's efforts in the field of nuclear safety are focused on developing multilateral legally binding agreements, which are becoming increasingly important as mechanisms for enhancing nuclear safety, radiation safety and waste safety worldwide. IAEA safety recommendations are used by many countries as a basis for developing national regulations and rules. Codes of practice and safety guides have been developed for site selection, design, operation and quality of nuclear power plants. To further improve operational safety worldwide, the Agency conducts safety assessments on request, including on-site reviews of nuclear power plant operations by teams of international experts.

The IAEA's third task has become particularly important in recent years. As part of global efforts to prevent the proliferation of nuclear weapons, the IAEA verifies that nuclear materials are not being used for military purposes. Once a member state becomes a party to a safeguards agreement, Agency inspectors monitor all declared nuclear material through on-site inspections, remote surveillance and verification of accounting records. Without such a robust safeguards system, it would be impossible to conduct nuclear-related trade and technology transfers. To date, the IAEA has concluded comprehensive safeguards agreements with 178 states. The role of IAEA safeguards is being further strengthened in order to enhance the ability to detect any possible use of nuclear material for military rather than peaceful purposes.

With the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT – [https://www.iaea.org/sites/default/files/publications/documents/infcircs/1970/infcirc140\\_rus.pdf](https://www.iaea.org/sites/default/files/publications/documents/infcircs/1970/infcirc140_rus.pdf)), its non-nuclear-weapon States parties undertook to conclude agreements with the Agency providing for

IAEA safeguards on all their peaceful nuclear activities. Five states – India, Pakistan, Israel, North Korea and South Sudan – are not parties to the Treaty. Moreover, the first four countries make no secret of the fact that they possess nuclear weapons.

The Director General of the IAEA believes that at least 40 states have the potential to build a nuclear bomb. In addition, the collapse of the USSR created a dangerous situation with the loss of control over nuclear weapons and nuclear materials, which is why the issue of nuclear non-proliferation control became particularly relevant in the 1990s.

At the conference to review the NPT, held in May 2005 (such conferences are held every five years), the Director General proposed:

- refrain from building new uranium enrichment and plutonium separation facilities for the next five years;
- the conversion of all research reactors operating on highly enriched uranium to low-enriched uranium;
- tightening IAEA inspection requirements;
- tightening the actions of the UN Security Council against any country that withdraws from the NPT;
- tightening investigations and prosecutions of any illegal trade in nuclear materials and technologies;
- accelerating nuclear disarmament by NPT member states that possess nuclear weapons;
- taking measures to address existing security deficits in regions such as the Middle East and the Korean Peninsula.

However, the ensuing discussion of these and other proposals revealed a lack of consensus among the conference participants. Moreover, diplomats even refused to confirm the commitments made at previous conferences.

Non-nuclear states (183) tried to get the "powers that be" to agree to eliminate their nuclear arsenals and insisted on legal guarantees that nuclear weapons would not be used. The members of the "nuclear club" (primarily the United States) shifted the discussion towards strengthening the non-proliferation regime.

As a result, UN Secretary-General Kofi Annan declared a "crisis of confidence" among NPT participants, and journalists spoke of the "imminent funeral of the NPT."

In addition to the NPT, the Comprehensive Nuclear Test Ban Treaty, which was adopted by the 50th session of the UN General Assembly ( ) on 10 September 1996 and opened for signature on 24 September 1996, is also of great importance. The Treaty consists of a preamble, 17 articles, two annexes and a protocol. In accordance with Article I of the Treaty:

- Each State Party undertakes not to conduct any nuclear weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control.
- Each State Party further undertakes to refrain from inciting, encouraging or participating in any nuclear weapon test explosion or any other nuclear explosion.

To date, 186 states have signed the Treaty, including 41 of the 44 states required for its entry into force (only the DPRK, India and Pakistan have not signed), and 174 states have ratified it, including 36 of the 44 states required for its entry into force (Israel, China and the United States have not ratified it).

On 6 December 2006, the UN General Assembly adopted a resolution emphasising the need for the early signing and ratification of the Comprehensive Nuclear Test Ban Treaty. 172 countries voted in favour of the resolution, with two against: North Korea and the United States. Thus, we have a paradoxical situation in which the United States and the "rogue states" (North Korea and Iran) have the same position on the most important initiatives of the international community on nuclear non-proliferation and the prohibition of nuclear weapons testing. And although we are talking about different levels of tasks to be solved (for the US, this is the development of a new generation of nuclear warheads — RRW ), and for the other two countries, the creation of first-generation nuclear warheads), it is clear that the role of the IAEA as an instrument of deterrence for non-nuclear countries is becoming highly vulnerable to criticism due to the US's desire to gain unilateral advantages. Therefore, the future of the IAEA is highly uncertain<sup>1</sup>

In January 2006, the Russian Federation announced an initiative to create a global nuclear energy infrastructure to provide nuclear fuel cycle services, including uranium enrichment, on a non-discriminatory basis and under the control of the Agency, with full regard for non-proliferation requirements. Planning for an advanced test reactor-burner was initiated under the Global Nuclear Energy Partnership (GNEP). In February, the United States proposed the creation of a global nuclear energy partnership, including as one of its elements a mechanism for providing reliable fuel supply services. Under the Nuclear Threat Initiative, the Agency was provided with \$50 million in grant funding to establish a fuel reserve, on condition that Member States contribute an additional \$100 million.

During the year, participants in the Generation IV International Forum's

<sup>1</sup> Based on materials from the websites – <http://www.un.org/russian/ga/iaea/>, <http://www.iaea.org/>, [www.ru.wikipedia.org](http://www.ru.wikipedia.org).

International Initiative on Innovative Nuclear Technologies (GIF) signed four "system agreements" on joint research and development work in the areas of fast reactor systems, gas-cooled fast reactor systems, very high temperature gas-cooled reactor systems and supercritical water-cooled reactor systems.

In November 2006, an agreement was signed in Paris to establish the ITER International Organisation for Thermonuclear Energy for the joint implementation of a project aimed at ensuring and supporting cooperation between ITER members in the implementation of an international project to demonstrate the scientific and technological feasibility of using thermonuclear energy for peaceful purposes.

In April 2009, the Agency organised a ministerial International Conference on Nuclear Energy in the 21st Century in Beijing. The Conference reviewed the status and prospects of nuclear energy, including technological developments, and considered measures necessary for the further expansion of the nuclear energy sector.

In 2010, steps were taken to establish a low-enriched uranium (LEU) bank. On 27 August 2015, the IAEA and Kazakhstan signed an agreement to establish the LEU Bank. The IAEA LEU Bank is located at the Ulba Metallurgical Plant in Ust-Kamenogorsk, Kazakhstan, and is owned and controlled by the Agency as a safeguard stockpile for nuclear power generation.

On 31 May 2010, the Director General of the IAEA announced the adoption of the final document of the Conference on the Review of the NPT. During the conference, a decision was made to support the Agency in the areas of nuclear non-proliferation, the safe use of nuclear energy for peaceful purposes, and nuclear disarmament.

From 27 April to 22 May 2015, the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was held at the United Nations Headquarters in New York, during which a number of key issues were considered, including the universalisation of the Treaty, nuclear disarmament, including concrete practical measures, nuclear non-proliferation, including the promotion and strengthening of safeguards, measures to achieve progress in the peaceful uses of nuclear energy and nuclear safety, regional disarmament and non-proliferation, implementation of the 1995 resolution on the Middle East, measures relating to the issue of withdrawal from the Treaty, measures to further strengthen the review process, and ways to encourage interaction with civil society in strengthening the norms established by the NPT and promoting disarmament education.

In 2016, a new agreement on physical nuclear security was concluded and the 38th meeting of the Regional Cooperation Agreement (RCA) was held to discuss and agree on cooperation in the peaceful use of nuclear science

and technology.

During the May 2017 International Conference marking the 60th anniversary of the IAEA's technical cooperation programme, discussed measures to strengthen international cooperation in the field of nuclear safety, strengthen partnerships with a wide range of stakeholders, and assess the innovative approaches of the IAEA Technical Cooperation Programme in the implementation of Member States' national development strategies or plans and its potential contribution to the achievement of sustainable development goals.

To enhance nuclear safety and security globally, the IAEA conducted about 50 independent expert missions at the request of Member States, during which on-site activities were reviewed for compliance with the recommendations contained in the IAEA Safety Standards or the Agency's Nuclear Security Series. The first two missions for comprehensive expertise on radioactive waste and spent fuel management, decommissioning and environmental remediation programmes (ARTEMIS) were organised in Italy and Poland.

Throughout 2018, the Agency continued to support Member States exploring and developing nuclear energy programmes. Twenty-seven Integrated Nuclear Infrastructure Review (INIR) missions were carried out in 20 Member States. The Agency also conducted about 40 interregional, regional and national capacity-building events ( ) on infrastructure development. About 1,000 technical cooperation projects were implemented in 144 countries.

In May 2018, the IAEA organised the third international conference on "Human Resource Development for Nuclear Energy Programmes: Addressing the Challenges of Future Nuclear Workforce Needs". Conference participants discussed the current situation in the field of human resources development and the future of the labour market in the nuclear industry.

In Vienna, at the international symposium "Uranium Raw Materials for the Nuclear Fuel Cycle: Issues of Exploration, Mining, Production, Supply and Demand, Economics and Ecology" (URAM-2018), the latest developments in the field of uranium deposit geology, exploration, mining, crushing and processing of uranium ore, as well as environmental requirements for working with uranium raw materials and decommissioning facilities were discussed.

During the 27th IAEA Conference on Fusion Energy (CFE-2018) in India, progress in the implementation of national and international fusion programmes was discussed.

In 2019, the Agency continued to pursue its goal of achieving "the earlier and wider use of atomic energy for the benefit of the world's health

and welfare" while ensuring that the assistance it provides "is not used in any way to further any military purpose."

In 2019, the Board of Governors considered reports by the Director General on verification and monitoring in the Islamic Republic of Iran in the light of UN Security Council resolution 2231 (2015). The General Conference adopted ten resolutions, including "Implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the Application of Safeguards in Connection with the NPT" and "Application of IAEA Safeguards in the Middle East".

In order to promote the exchange of information on national spent fuel management strategies and the possible impact of changing energy production structures on these strategies, an international conference entitled "Spent Fuel Management in Nuclear Power Reactors: Lessons from the Past for the Future" was organized in Vienna to promote the exchange of information on national spent fuel management strategies and the possible impact of changing energy production structures on these strategies. The conference discussed the latest achievements in spent fuel management and explored ways to overcome difficulties, including the possibility of developing practical solutions through cooperation in research and development.

The African Regional Agreement on Cooperation in Research, Development and Training in Nuclear Science and Technology (the "Revised AFRAG Agreement" of 1990) was also adopted in Vienna.

Six expert missions were conducted to assist and advise key organisations in establishing governance and management systems and strengthening organisational culture in the nuclear field. As part of its Integrated Nuclear Infrastructure Training (INIT) programme, the Agency conducted 33 interregional training events for 500 specialists.

As a result of the organisation's activities in 2020, 124 coordinated research projects on the development of new technologies and more than 1,100 technical cooperation projects were implemented. As a result of the COVID-19 pandemic, the IAEA implemented the largest humanitarian technical cooperation project in its history, providing 127 countries and territories with equipment for RT-PCR analysis and training on its use, thereby fulfilling 1,950 orders. Thanks to the Integrated Action to Combat Zoonotic Diseases (ZODIAC) project, countries will be better prepared for future disease outbreaks.

In September 2020, a report entitled "Implementation of the Agreement on Safeguards in Connection with the NPT in the Syrian Arab Republic" was submitted to the Board of Governors. The Director General called on Syria to cooperate fully with the Agency on all outstanding issues and expressed his

willingness to work with Syria to find a mutually acceptable solution. Similarly, a report on the application of safeguards in the Democratic People's Republic of Korea was presented.

In 2021, the Agency established a number of new partnerships with international organisations such as the European Bank for Reconstruction and Development and the United Nations Interregional Crime and Justice Research Institute.

The IAEA launched the Nuclear Technology Initiative to Combat Plastic Pollution (NUTEC Plastics), which helps countries integrate nuclear techniques into their strategies to combat marine plastic pollution.

Thanks to the joint efforts of IAEA Member States and the Secretariat, a Medium-Term Strategy for the period 2024-2029 has been developed.

# 3

## Appendix

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### **ORGANISATION OF THE NORTH ATLANTIC TREATY ORGANIZATION (NATO) TREATY ORGANIZATION – NATO)**

An intercontinental (between North America and Europe) intergovernmental military-political organisation that provides external control (by the United States) over stability in Europe.

The founding treaty (the North Atlantic Treaty) was signed on 4 April 1949 in Washington, D.C. (District of Columbia, United States). The original founders were 12 countries (the United States, Belgium, the Netherlands, Luxembourg, the United Kingdom, France (which was not a member of NATO from 1966 to 1996), Denmark, Iceland, Italy, Norway, Canada, and Portugal). In 1952, Greece and Turkey joined the treaty; in 1955, West Germany; in 1982, Spain; in 1999, Poland, the Czech Republic and Hungary; in 2004, Bulgaria, Latvia, Lithuania, Romania, Slovakia, Slovenia and Estonia; in 2009, Albania and Croatia; in 2017, Montenegro; and in 2020, North Macedonia (a total of 30 countries). Next in line are Georgia, Ukraine, Finland and Sweden.

According to the Treaty, NATO members "pursue the goal of

strengthening stability and prosperity in the North Atlantic region."

NATO **headquarters** has been located in north-east Brussels (Belgium) since 1967. It houses the permanent representations of national delegations, the offices and diplomatic missions of NATO partner countries, NATO's International Staff and the International Military Staff. The new NATO headquarters building, designed to accommodate the further expansion of the alliance and strengthen the organisation's high-tech image in the 21st century, was constructed between 2010 and 2017. The headquarters moved to the new building in 2017.

About 4,000 people work at NATO headquarters in on a permanent basis. Of these, about 2,000 are members of national delegations and military representatives of NATO member countries, 300 are representatives of NATO partner countries, 1,000 are civilian employees of NATO's international headquarters or agencies located at headquarters, and 500 are employees of the International Military Staff. More than 5,000 meetings and conferences are held at headquarters each year, as there is no voting in NATO and decisions are made by consensus (general agreement)<sup>1</sup>.

NATO's highest political authority is the North Atlantic Council, which meets at the level of heads of state and government, foreign ministers, defence ministers, ambassadors and permanent representatives. It is the only body established by the North Atlantic Treaty that is responsible for making all NATO decisions. It usually meets at least once a week at the ambassadorial level of each country, twice a year at the level of foreign ministers and defence ministers, and occasionally at the level of heads of state and government. The Council makes strategic political decisions that are implemented by the relevant NATO structures. NATO is currently guided by the Strategic Concept of the North Atlantic Alliance, adopted by the heads of state and government at the NATO summit in Madrid on 29 June 2022. The Council's decisions are taken by consensus and express the common determination of all member countries.

In the areas of defence and nuclear planning, strategic decisions are taken by the Defence Planning Committee and the Nuclear Planning Group, respectively.

NATO's military structure consists of three main bodies: the Military Committee, the Joint Operations Command and the Joint Transformation Command.

The Military Committee is NATO's highest military decision-making body, but remains under the political authority of the North Atlantic Council. This committee advises the North Atlantic Alliance on military matters. Its

<sup>1</sup> <https://www.nato.int/cps/en/natohq/structure.htm>

meetings are attended at the highest level by the Chiefs of Defence, but on a day-to-day basis, member states participate at the level of their military representatives. The Committee is supported by the International Military Staff, which has numerous departments performing information and analysis functions.

The Military Committee also issues directives to the commanders of NATO's strategic commands. NATO has two such commands : the Joint Operations Command is responsible for the strategic and tactical management of the combined armed forces (headquartered in Mons, Belgium), and the Joint Transformation Command is responsible for the reform of the armed forces (headquartered in Norfolk, Virginia, USA). NATO's military structure is currently undergoing significant changes, so it is necessary to monitor the current situation at<sup>1</sup>.

The main coordinator of all divisions is the NATO Secretary General (currently Jens Stoltenberg, former Prime Minister of Norway). He facilitates the consultation and decision-making process within the North Atlantic Alliance and chairs the North Atlantic Council and other key committees. The Secretary General may raise issues for discussion and use his position as an independent and impartial chair to steer the discussion towards achieving consensus in the interests of the alliance as a whole. However, the Secretary General does not have the authority to make political decisions independently and can only act on behalf of NATO in agreement with the governments of the member states. On behalf of the North Atlantic Alliance, the Secretary General expresses the agreed position on various foreign policy issues and participates in meetings with heads of state and government of countries outside the alliance.

The Secretary General heads the International Secretariat (headquarters), which at various levels ensures the work of the participating states in NATO committees.

The NATO budget is set at 0.3% of the total defence expenditure of the bloc's member countries, amounting to approximately €2.5 billion. It is divided into three separate budgets – civil, military and security investment programme – in an approximate ratio of 1:3:1.

The civilian budget covers the running costs of the NATO Headquarters International Secretariat, finances civilian programmes and activities, construction, and the operating and maintenance costs of various facilities (e.g. conference facilities used for committee and working group meetings).

The military budget covers the operating and maintenance costs of the facilities of the integrated military infrastructure, including the Military

<sup>1</sup> <http://www.nato.int>.

Committee, the International Military Staff and associated agencies, the two strategic commands, as well as associated command, management and information systems, agencies dealing with research, development, procurement and logistics, and NATO's Airborne Early Warning and Control Forces.

The Security Investment Programme finances facilities and installations that NATO requires in addition to those built for national security purposes by individual member states, such as information and communication systems, radar stations, headquarters, airfields, fuel pipelines, depots, ports and navigation aids.

## **History of NATO**

In the spring of 1948, a conference of six powers (the United States, the United Kingdom, France and the Benelux countries) was held in London to discuss the unification of the zones of Germany under Western control. Five of these European countries joined together to form the Western Union defence alliance, and consultations began on US military guarantees for Europe and the creation of NATO. In April, the London Conference resumed its work and by June had taken key decisions on the restoration of the economy and statehood in western Germany. In October 1948, plans to form the North Atlantic Treaty were approved. On 15 March 1949, the signatories to the Brussels Treaty, together with the United States and Canada, officially invited Denmark, Iceland, Italy, Norway and Portugal to join the new treaty, and on 4 April, despite strong protests from the USSR, the NATO treaty was officially signed in Washington. In 1952, Greece and Turkey joined NATO, followed by West Germany in 1955 and Spain in 1982. In 1966, France withdrew from NATO's military organisation, followed by Greece in 1974 Greece withdrew, and at the end of 1982, Spain's accession was suspended. On 5 December 1995, France unilaterally announced the resumption of its participation in NATO bodies that did not infringe on its sovereignty. In 1999, Poland, the Czech Republic and Hungary joined NATO. In 2004, Bulgaria, Latvia, Lithuania, Romania, Slovakia, Slovenia and Estonia joined NATO. In 2007, the US Congress passed a law supporting the accession of five more countries to NATO: Albania, Croatia, Macedonia, Georgia and Ukraine. Then, in 2009, Albania and Croatia joined NATO, followed by Montenegro in 2017, North Macedonia in 2020, and Finland in 2023. Georgia, Ukraine and Sweden are next in line. Thus, the organisation unites 31 countries in North America and Europe.

Since 1967, NATO's headquarters has been officially located in Brussels (Belgium). Prior to that, it was located in France, but in 1966, that

country withdrew from the NATO military organisation.

The organisation's stated goal is to ensure the collective security of its members in the Euro-Atlantic region, with an attack on one member considered an attack on the alliance as a whole.

According to NATO's charter, it is open to new members who are able to develop the principles of the treaty and contribute to collective security.

NATO's activities include the development of international cooperation and actions aimed at preventing conflicts between its members and partner members, protecting the values of democracy, individual freedom, free enterprise and the rule of law.

After the terrorist attacks of 11 September 2001, NATO decided to create a special structure to combat terrorism. Efforts to bring NATO and Russia closer together resumed, as reflected in the Founding Act on Mutual Relations, Cooperation and Security between the Russian Federation and the North Atlantic Treaty Organisation, signed in Paris in May 1997 by former Russian President Boris Yeltsin and the heads of state and government of NATO countries. Yeltsin and the heads of state and government of NATO countries.

One of the most important areas of cooperation is with seven Mediterranean countries: Algeria, Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia.

The scale of **NATO's military operations** increased significantly after the organisation first became involved in restoring stability in Bosnia and Herzegovina in the early 1990s. Since then, NATO has undertaken several peacekeeping operations, both within and beyond its traditional area of responsibility, and has stepped up its efforts to counter the growing threat of terrorism.

Immediately after the terrorist attacks in New York and Washington, the United States launched Operation Enduring Freedom, followed by an operation by the International Security Assistance Force (ISAF) under a UN mandate to rebuild Afghanistan after the civil war.

In March 2003, Operation Iraqi Freedom began under the leadership of the United States ( ). In 2004, a NATO training mission was established in close cooperation with the Iraqi authorities and the US-led Multinational Force in Iraq.

On 9 June 2005, during a meeting of NATO defence ministers in Brussels, a decision was taken to support the African Union mission in Darfur at the request of the Chairperson of the African Union Commission, Alpha Oumar Konaré. On 1 July, NATO began its first air transport operations.

NATO is actively **working to counter the growing threat of international terrorism**. Initiatives to combat terrorism in the Balkan region

were launched during Operation Active Endeavour (a maritime operation led by NATO's combined naval forces to detect and prevent terrorist activity in the Mediterranean) and Operation Eagle Assist (from October 2001 to May 2002, NATO's Airborne Warning and Control System (AWACS) aircraft patrolled US airspace). In July 2004, at the request of the governments concerned, these protective measures were applied in connection with the European Football Championship in Portugal and the Olympic Games in Greece.

In 2002, at the Prague Summit, the governments of the member states decided to launch a modernisation process aimed at creating the capacity within NATO to respond effectively to the security challenges of the 21st century. A set of measures to enhance the military operational capabilities of the North Atlantic Alliance was agreed upon and reviewed at the 2004 Istanbul Summit.

In June 2004, in Istanbul, the leaders of the North Atlantic Alliance put forward the Istanbul Initiative on cooperation, primarily with the countries of the Persian Gulf, on consultations on military reform, defence budgeting, military planning and civil-military relations. The initiative also aims to combat terrorism through the sharing of information and maritime cooperation, and to combat the proliferation of weapons of mass destruction and their means of delivery.

On 16 December 2002, the European Union and NATO adopted a joint declaration on European Security and Defence Policy (ESDP), which became the official basis for cooperation between the organisations in the field of conflict prevention and crisis management.

On 17 March 2003, a series of key documents on cooperation, known as Berlin Plus, were signed, allowing the EU access to NATO's collective forces, assets and resources for EU-led operations.

In November 2010, in Lisbon, heads of state and government approved a new Strategic Concept for the North Atlantic Alliance, which identifies the following key tasks: collective defence in the event of an attack on one of the Organisation's member countries, crisis management and strengthening international security through partnerships with relevant countries and other international organisations.

During the 2012 NATO summit in Chicago, the central theme was missile defence and the mission in Afghanistan, which was completed in 2014 as planned. The summit also set the goal of enhancing the combat capability, interoperability and complementarity of NATO forces, thus creating "NATO Forces 2020". The goal is to create a coherent structure of deployable, interoperable and self-sustaining forces that are equipped, trained, coordinated during exercises and have a command system that enables them

to carry out the tasks set by the North Atlantic Alliance. To this end, NATO has embarked on a new "Smart Defence" approach, enabling countries to work together to build and maintain capabilities.

In Chicago, NATO countries held a meeting with the leaders of a group of thirteen partners: Australia, Austria, Georgia, Jordan, Qatar, Morocco, New Zealand, the United Arab Emirates, the Republic of Korea, Finland, Switzerland, Sweden and Japan.

In June, NATO and Australia signed a joint political declaration strengthening cooperation to counter common threats. Individual Partnership Action Plans were also formalised for the first time with Iraq, Mongolia, New Zealand and the Republic of Korea.

Throughout 2012, the North Atlantic Alliance continued to counter the threat of terrorism in the Mediterranean and combated piracy off the coast of the Horn of Africa and in the Gulf of Aden. NATO also agreed to strengthen Turkey's air defence capabilities by deploying Patriot air defence missile systems to defend Turkey's population and territory and to help de-escalate the crisis on the North Atlantic Alliance's south-eastern border.

At the NATO summit in Wales in 2014, the central themes were: NATO's readiness to strengthen collective defence and investment in forces and capabilities to ensure the North Atlantic Alliance's readiness to respond to any challenge; relations with Russia and stronger ties with Ukraine through expanded cooperation, as well as deepening partnerships and maintaining NATO's open door policy and completing the mission of the International Security Assistance Force (ISAF) in Afghanistan.

In Wales, an Action Plan on Readiness was agreed, guaranteeing security for all NATO countries and calling for an increase in response capabilities and deterrence against threats, wherever they may come from.

Throughout 2014-2015, NATO continued to support and engage with partners (Ukraine, Moldova, Georgia and Jordan) to help them better address security challenges in their regions.

In April, in response to the Russian Federation's actions against Ukraine, NATO foreign ministers decided to suspend all practical civilian and military cooperation with Russia, while maintaining political contacts at ambassadorial level and above.

In 2014, NATO and its member states conducted about 300 exercises. The largest exercise, Trident Juncture, was held in Spain, Portugal and Italy, involving more than 36,000 military personnel, over 140 aircraft and more than 60 ships from over 30 countries. As part of Operation Active Endeavour, NATO ships patrolled the Mediterranean Sea and monitored shipping, helping to deter, defend, disrupt and protect against terrorist activity.

In September 2014 NATO and Afghanistan signed a Status of Forces

Agreement, which provides the legal basis for NATO forces to remain in Afghanistan after 2014 to train, advise and assist the Afghan National Defence and Security Forces (ANDSF) as part of the new NATO-led Resolute Support Mission.

In 2015, the North Atlantic Alliance strengthened its presence in the east, an agreement was reached to increase the presence of AWACS aircraft – NATO's long-range radar detection system – over Turkey, and the number of NATO Response Forces almost tripled (to 40,000 military personnel). Significant progress was made on the the creation of a new NATO air surveillance system, and progress was made in the creation of a NATO ballistic missile defence system.

In 2015, NATO continued to provide support to Afghanistan, Jordan, Iraq, Turkey, Ukraine and the African Union, and continued its peacekeeping operation in Kosovo.

At the summit in Poland in 2016, it was decided to deploy four multinational battlegroups in Latvia, Lithuania, Poland and Estonia, with the participation of 17 different NATO countries, including Canada and the United States. In addition, airspace patrols over the Baltic and Black Sea regions were intensified. During the year, the North Atlantic Alliance conducted 107 of its own exercises and participated in 139 national exercises. In Afghanistan, NATO transitioned from a combat operation to a training, advisory and assistance mission. A training and capacity-building programme was established in Iraq and a regional centre was opened in Kuwait. Mobile training courses were held in Naples for Egypt on counter-terrorism and for Jordan, Mauritania, Morocco and Tunisia on counter-insurgency.

In Warsaw in 2016, NATO and the EU signed a Joint Declaration defining areas of cooperation, including maritime security and countering hybrid threats. The Declaration helped take the partnership between NATO and the European Union to a new level. In 2018, in Brussels, the leaders of the North Atlantic Alliance and the EU signed a new Joint Declaration on cooperation in a number of areas, including military mobility, counter-terrorism, and resilience to risks associated with radiological, chemical, biological and nuclear substances.

By 2017, NATO had increased its presence in the north-east and south-east of the North Atlantic Alliance. Multinational NATO training brigades were deployed and the presence in the air and sea space in the Black Sea region was expanded. The North Atlantic Alliance raised its awareness of threats and challenges from the south, including by establishing a Regional Hub at NATO's Joint Force Command in Naples, patrolling the airspace of the Baltic countries, and conducting a peacetime readiness mission in Iceland's airspace. Training was conducted in Israel, Egypt, Algeria, Morocco

and Tunisia in cyber defence, counter-terrorism and counter- s, and protection against radiological, chemical, biological and nuclear substances. In Mauritania, a National Crisis Management Centre was established and support was provided for the destruction of man-portable air defence systems. Support was provided to the African Union and Egypt. In Afghanistan, the Resolute Support Mission provided training, advice and assistance to Afghan national defence and security forces and institutions.

At the NATO summit in Brussels in 2018, more than 100 decisions were taken to strengthen deterrence and defence and to ensure the readiness and ability to defend all NATO countries. NATO member states have decided to increase defence spending in real terms, and approximately two-thirds of NATO countries have national plans to spend 2% of their gross domestic product on defence by 2024. From 2020 to 2021, defence spending increased by 3.1% in real terms. In total, over the past seven years, this increase has allowed for an additional \$270 billion to be allocated to defence.

In 2020, NATO Secretary General Jens Stoltenberg announced the start of work on a new Strategic Concept for the North Atlantic Alliance, "NATO 2030," aimed at maintaining readiness, strength and unity for a new era of increased global competition.

NATO countries approved this agenda at a summit in Brussels on 14 June 2021. It consists of eight key proposals:

1. Expanding political dialogue and consultation;
2. Strengthening deterrence and defence;
3. Increasing resilience;
4. Maintaining NATO's technological superiority;
5. Supporting the international order;
6. Enhancing training and strengthening capabilities;
7. Combating and adapting to climate change;
8. Developing the next NATO Strategic Concept in 2022.

Throughout 2020, NATO further strengthened its collective deterrence and defence capabilities on land, at sea, in the air, in space and in cyberspace. It continued to improve the responsiveness and readiness of its forces, expand the North Atlantic Treaty Organisation's ability to rapidly reinforce any ally that may be under threat, and invest in its defences against hybrid and cyber attacks to remain at the forefront of technological change.

In 2022, NATO adopted a Strategic Concept stating that the Organisation's primary purpose and core responsibility is collective defence against all threats from all directions, and that its main tasks are deterrence and defence, crisis prevention and crisis management, and security through cooperation.

## Restructuring of NATO

Following the collapse of the socialist bloc and the USSR, NATO underwent ideological, organisational and technical restructuring.

Since 1993, the United States has been undergoing a significant military doctrine adjustment. In the new version of the US military doctrine, the justification for military action is determined by real and potential threats to national security and areas of vital interest, including not only the Western Hemisphere, but also the Middle East, East Asia and the Pacific, Southwest and South Asia, Africa, and, more recently, the Caucasus. The main instruments for countering threats are the US Armed Forces themselves and the armed forces of allies (primarily NATO countries), and the main method of action is to conduct military operations across the entire spectrum of armed conflict with any potential adversary.

The new doctrine is called "comprehensive operations," which means "the use of all means acceptable for accomplishing a specific task, both in full-scale operations in war and in operations that do not reach the scale of war." "Operations that do not reach the scale of war" include arms control, support for civil administration, humanitarian aid, disaster relief, the fight against drug trafficking and terrorism, peacekeeping and peacemaking operations, assistance to rebel movements, demonstrations of force, intervention, etc. In most cases, these operations are linked to the term "peacekeeping," which, according to the UN classification, is divided into operations for "peacekeeping," "peacemaking," "peace restoration," and "peace enforcement."

American combat manuals and regulations focus their armed forces, primarily on "enforcing peace." The strategy of "enforcing peace" was demonstrated in Iraq, Kuwait, Somalia, and Yugoslavia. One of the key elements of the new strategy is the so-called special operations forces (SOF).

NATO's special operations forces are the most active part of NATO's armed forces response force (about 60,000 personnel in 2022). In the new structure, all conventional (non-nuclear) NATO forces must be adapted to the requirements of crisis response in any region of the world. The reform of NATO's conventional armed forces consists of reorganising them according to two criteria: readiness and strength – into three main parts. The response forces – highly professional, well-equipped and most combat-ready units – should be the most ready to intervene in an armed conflict or its escalation. Their share in NATO's armed forces is expected to be the smallest. The main defence forces make up the bulk of NATO's armed forces, while the reinforcement forces become a means of building up existing groupings in a

particular region.

To combat lightly armed resistance (insurgent and guerrilla movements, ethno-national and ethno-religious conflicts, etc.), NATO countries are developing a sabotage and reconnaissance concept, which is considered the basis of the West's future military policy. According to this concept, NATO special operations forces must be at a level of readiness that allows them to take immediate action in any geographical region of the planet. These actions include both training and leading mass armed civilian resistance against the enemy's regular army and internal troops. The highest level of activity of SSO reconnaissance and sabotage units (mainly of the "rangers" and "commandos" type) is planned, primarily, 3-30 days before the outbreak of a conflict, during which they are able to remain behind enemy lines individually, in pairs or in small groups.

Simultaneously with the development of the SSO concept, NATO is intensively creating a new generation of weapons adapted specifically for this type of warfare. These include laser weapons (temporary blinding of people and devices), acoustic weapons (infrasound generators that cause coordination and psychomotor disorders), electromagnetic weapons (microwave generators that cause brain dysfunction and disable electrical and radio equipment), chemical weapons (from sticky foams that disable people and equipment to psychotropic aerosols), biological weapons (special strains of bacteria that destroy rubber, metal or fuel), etc.

If we turn from the official documents of the US Armed Forces and NATO to the political practice of recent years, it is easy to see the implementation of this concept in specific conflicts. It is now well known that the US, Germany and other NATO countries supplied weapons to Bosnia under the guise of humanitarian aid and assisted in such deliveries from Islamic states, and that the infamous explosions at the market in Sarajevo, which served as a pretext for NATO's full-scale entry into the war against the Bosnian Serbs, were provocations by "commandos." A number of experts claim that many operations against Russia in Chechnya were planned and carried out by special forces from Turkey and other NATO countries. These same experts point directly to the provocative role of the special forces of some NATO member countries in exacerbating the situation in China, Afghanistan and Tajikistan (Daniele Ganser. NATO's Secret Armies: Terrorism in Western Europe).

Thus, the armed forces of NATO countries are becoming more compact, more mobile (the number of military transport aircraft is expected to increase fourfold), armed with the latest types of weapons, ready for operations in any region of the world, targeting several possible threats simultaneously. The role of the United States in NATO is growing, although European partners

are trying to defend their national interests (primarily France and Belgium).

## **Relations between Russia, Europe, the US and NATO**

The issue of whether the modern world is unipolar or multipolar is key to determining Russia and Europe's relations with the US. The US viewed the EU and Russia as two subordinate poles. Thus, in 1993, Clinton and the US Democratic Party were opposed to NATO expansion. The Democrats believed that Russian processes were moving in a favourable direction and that in the near future Russia's pro-American role as an ally would grow, as would a balance between the Russian and European poles that would be "useful" for the US. Among Democratic foreign policy makers at the time, the idea of a "Baltic-Black Sea Union" was popular, which would divide the two poles and allow America, which controlled this geopolitical formation, to carry out a balancing political and military adjustment between Russia and Europe.

Most US Republicans have always had a negative and straightforward attitude towards Russia: Russia is always unpredictable, always dangerous (especially for the US) and still "too big". They have long and consistently advocated NATO expansion with the aim of redeploying NATO forward-based forces and weapons to Russia's borders.

At the same time, Europe was seeking to expand NATO, with France and Germany taking the lead. For European leaders, the opportunity to "Europeanise" NATO through new members meant expanding the tools and technologies for building a European power pole.

France, for example, is demanding a greater role for Europe (and in particular for its own generals) in NATO's military and political structure, with its minimum condition being the transfer of the alliance's southern flank to French patronage. The US is opposed to this.

Germany hoped that in the negotiations over the nature and configuration of NATO expansion, it would be able to restore its patronage over the traditional zones of German influence: the Czech Republic, Hungary, Poland, Romania and the Balkans. Italy counted on its traditional ally Slovenia. Norway and Spain put forward smaller but similar "bargaining" conditions for supporting NATO expansion.

Of course, the absolute dominance of the United States in the economic, political, military and military-technical (armaments) provision of NATO does not allow European members of the alliance to take a tough anti-American stance. Each of these members is well aware of the line beyond which their anti-American obstinacy becomes dangerous.

The initiators of the construction of a European pole of power – France

and Germany – are using international and European institutions, primarily the UN, the Western European Union (WEU), the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe (CE), to counter the strengthening of American influence in Europe.

It is France and a number of other European NATO member states that are behind the initiative to expand the UN Security Council to include European countries (primarily Germany, Italy, Spain), as well as a number of large non-European states whose policies have a distinct anti-American component (India, Brazil, etc.). It is the European members of NATO that are lobbying for projects to transform the legal procedures for the use of UN peacekeeping forces, as well as to reorganise these forces themselves, with the aim of enabling them to solve major military and political tasks in the world without the need to use NATO's military machine.

The dual significance of NATO as an instrument of both Europe and the United States presents Russia with the difficult task of establishing optimal cooperation with NATO. However, this optimum has not yet been found.

In 1991, Russia became one of the founding members of the North Atlantic Cooperation Council, and in 1994 it joined the Partnership for Peace programme. From 1996 to 2004, Russian peacekeepers served alongside NATO troops in the Balkans.

Since 1996, Russia and NATO have been cooperating in creating opportunities for joint action in response to civil emergencies, such as earthquakes and floods, as well as in coordinating actions to identify and prevent natural disasters before they occur. On Russia's initiative, the Euro-Atlantic Disaster and Crisis Response Coordination Centre was established in 1998. In the same year, Russia opened its mission to NATO to facilitate cooperation. After that, a NATO Information Office was established in Moscow, whose task was to explain the goals of the new NATO and the benefits of partnership between Russia and the North Atlantic Alliance. Then, a NATO Military Liaison Mission was opened in Moscow, which promotes greater "transparency" in relations and the development of practical military cooperation.

The true foundation for a strong and lasting partnership between Russia and NATO was the Founding Act, signed on 27 May 1997 in Paris. On its basis, the Permanent Joint Council (PJC) was created, serving as a forum for regular consultations on common security issues and the development of a programme of consultation and cooperation. However, the JCC failed to fully implement the ambitious goals set out in the Founding Act. The format of its meetings, based on the "NATO plus 1" formula, meant that NATO representatives at the negotiating table presented the pre-agreed positions of the North Atlantic Alliance, and therefore the exchange of information and



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**Charter  
NATO (North Atlantic Treaty)  
in Russian and English**

**NORTH ATLANTIC TREATY**

**Washington, District of Columbia, 4 April 1949**

The Contracting Parties reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and governments.

The Contracting Parties are determined to defend the freedom, common heritage and civilisation of their peoples, based on the principles of democracy, individual liberty and the rule of law.

The Contracting Parties aim to strengthen stability and prosperity in the North Atlantic region.

The Contracting Parties are determined to combine their efforts to establish collective defence and to preserve peace and security.

The Contracting Parties have therefore agreed on the following North Atlantic Treaty:

**Article 1**

The Contracting Parties undertake, in accordance with the Charter of the United Nations, to settle peacefully all international disputes in which they may be involved, without endangering international peace, security and justice, and to refrain from any use of force or threat of force in their international relations that is contrary to the purposes of the United Nations.

**Article 2**

The Contracting Parties shall promote the further development of international relations of peace and friendship by strengthening their free institutions, achieving greater understanding of the principles on which they are based, and promoting conditions of stability and well-being.

The Contracting Parties shall endeavour to eliminate contradictions in their international economic policies and shall promote economic cooperation between any of them and between themselves as a whole.

**Article 3**

In order to achieve the objectives of this Treaty more effectively, the Contracting Parties shall, individually and collectively, through continuous and effective independent efforts and mutual assistance, maintain and

increase their individual and collective capacity to resist armed attack.

#### **Article 4**

The Contracting Parties shall always consult with each other in the event that, in the opinion of any of them, the territorial integrity, political independence or security of any of the Contracting Parties is threatened.

#### **Article 5**

The Contracting Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all, and therefore agree that, in the event of such an armed attack, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Contracting Party which is the victim of such an attack, or Contracting Parties subjected to such an attack, by taking such individual or collective action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken in response thereto shall be immediately reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

#### **Article 6**

For the purposes of Article 5, an armed attack against one or more Contracting Parties shall be considered to include an armed attack:

- the territory of any of the Contracting Parties in Europe or North America, the Algerian departments of France, the territory of Turkey or the islands located in the North Atlantic zone north of the Tropic of Cancer and under the jurisdiction of any of the Contracting Parties;
- against the armed forces, vessels or aircraft of any of the Contracting Parties, if these armed forces, vessels or aircraft were located in or over these territories, or in or over another area of Europe, if at the time of entry into force of this Treaty they were occupied by the occupation forces of any of the Contracting Parties, or in or over the Mediterranean Sea, or in or over the North Atlantic area north of the Tropic of Cancer.

#### **Article 7**

This Treaty shall in no way affect or be construed as affecting in any way the rights and obligations of the Contracting Parties, as members of the United Nations, under the Charter of the United Nations or the primary responsibility of the Security Council for the maintenance of international

peace and security.

### **Article 8**

Each Contracting Party declares that none of its existing international obligations towards any other Contracting Party or any third State is inconsistent with the provisions of this Treaty, and undertakes not to assume any international obligations inconsistent with this Treaty.

### **Article 9**

The Contracting Parties hereby establish a Council in which each of them shall be represented for the purpose of considering matters relating to the implementation of this Treaty. The Council shall be organised in such a way that it can meet promptly at any time. The Council undertakes to establish such subsidiary bodies as may be necessary; in particular, it undertakes to establish forthwith a Defence Committee, which shall make recommendations on measures to be taken to implement Articles 3 and 5.

### **Article 10**

The Contracting Parties may, by mutual agreement, invite any other European State capable of developing the principles of this Treaty and contributing to the security of the North Atlantic area to accede to this Treaty. Any state so invited may become a Contracting Party by depositing with the Government of the United States of America an instrument of accession to this Treaty. The Government of the United States of America shall notify each of the Contracting Parties of the deposit of each such instrument of accession.

### **Article 11**

This Treaty shall be subject to ratification and its provisions shall be implemented by the Contracting Parties in accordance with their respective constitutional procedures. The instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which shall notify all other signatory States of each such deposit. The Treaty shall enter into force for those States which have ratified it upon the deposit of the instruments of ratification of a majority of the signatory States, including the instruments of ratification of Belgium, Canada, Luxembourg, the Netherlands, the United Kingdom, the United States and France, and shall enter into force for other States upon the deposit of their instruments of ratification.

### **Article 12**

At the end of the ten-year period of validity of this Treaty or at any time thereafter, the Contracting Parties undertake, at the request of any Contracting Party, to hold joint consultations with a view to revising this Treaty, taking into account factors affecting peace and security in the North Atlantic area at that time, including the development, in accordance with the Charter of the United Nations, of global and regional arrangements for the maintenance of universal peace and security.

### **Article 13**

Upon the expiration of the twenty-year period of this Treaty, any Contracting Party may withdraw from it one year after it notifies the Government of the United States of America of its withdrawal from this Treaty, which shall notify the governments of all other Contracting Parties of the deposit of each notification of withdrawal from this Treaty.

### **Article 14**

This Treaty, the English and French texts of which are equally authentic, shall be deposited with the Government of the United States of America. Duly certified copies of this Treaty shall be transmitted by the said Government to the Governments of the other States signatory to this Treaty.

## **THE NORTH ATLANTIC TREATY** **Washington D.C. – 4 April 1949**

The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

They are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area.

They are resolved to unite their efforts for collective defence and for the preservation of peace and security. They therefore agree to this North Atlantic Treaty:

### **Article 1**

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international dispute in which they may be involved by peaceful means in such a manner that international peace and security and justice are

not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

### **Article 2**

The Parties will contribute towards the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

### **Article 3**

In order to achieve the objectives of this Treaty more effectively, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.

### **Article 4**

The Parties shall consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened.

### **Article 5**

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

### **Article 6 (1)**

For the purpose of Article 5, an armed attack on one or more of the Parties is deemed to include an armed attack:

- on the territory of any of the Parties in Europe or North America, on the Algerian Departments of France (2), on the territory of or on the Islands under the jurisdiction of any of the Parties in the North Atlantic area north of the Tropic of Cancer; North

- on the forces, vessels, or aircraft of any of the Parties, when in or over these territories or any other area in Europe in which occupation forces of any of the Parties were stationed on the date when the Treaty entered into force or the Mediterranean Sea or the North Atlantic area north of the Tropic of Cancer.

### **Article 7**

This Treaty does not affect, and shall not be interpreted as affecting in any way the rights and obligations under the Charter of the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.

### **Article 8**

Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third State is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

### **Article 9**

The Parties hereby establish a Council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall be so organised as to be able to meet promptly at any time. The Council shall set up such subsidiary bodies as may be necessary; in particular it shall establish immediately a defence committee which shall recommend measures for the implementation of Articles 3 and 5.

### **Article 10**

The Parties may, by unanimous agreement, invite any other European State in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty. Any State so invited may become a Party to the Treaty by depositing its instrument of accession with the Government of the United States of America. The Government of the United States of America will inform each of the Parties of the deposit of each such instrument of accession.

### **Article 11**

This Treaty shall be ratified and its provisions carried out by the Parties

in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which will notify all the other signatories of each deposit. The Treaty shall enter into force between the States which have ratified it as soon as the ratifications of the majority of the signatories, including the ratifications of Belgium, Canada, France, Luxembourg, the Netherlands, the United Kingdom and the United States, have been deposited and shall come into effect with respect to other States on the date of the deposit of their ratifications. (3)

#### **Article 12**

After the Treaty has been in force for ten years, or at any time thereafter, the Parties shall, if any of them so requests, consult together for the purpose of reviewing the Treaty, having regard to the factors then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.

#### **Article 13**

After the Treaty has been in force for twenty years, any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the United States of America, which will inform the Governments of the other Parties of the deposit of each notice of denunciation.

#### **Article 14**

This Treaty, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies will be transmitted by that Government to the Governments of other signatories.

1. The definition of the territories to which Article 5 applies was revised by Article 2 of the Protocol to the North Atlantic Treaty on the accession of Greece and Turkey signed on 22 October 1951.

2. On 16 January 1963, the North Atlantic Council noted that insofar as the former Algerian Departments of France were concerned, the relevant clauses of this Treaty had become inapplicable as of 3 July 1962.

3. The Treaty came into force on 24 August 1949, after the deposit of the ratifications of all signatory states.

# 4

## Appendix

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### **ORGANISATION OF THE TREATY ON COLLECTIVE SECURITY (CSTO)**

The predecessor of the Collective Security Treaty Organisation (CSTO) was the Collective Security Treaty (CST), signed on 15 May 1992 for a period of five years with subsequent extensions. The participants in the CSTP are the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, and the Republic of Tajikistan (6 countries). The treaty was registered on 1 November 1995 with the Secretariat of the United Nations.

The basis for signing the CST was the understanding that the creation of armed forces in the new CIS countries would take a considerable amount of time (at least five years), during which the preservation of a common military space would be the only possible way to ensure protection from external threats and resolve conflicts between the republics.

At the session of the Collective Security Council on 2 April 1999 in Moscow, a Protocol on the extension of the Collective Security Treaty was signed. It was ratified by all the above-mentioned states. The Protocol provides for the automatic extension of the Treaty for successive five-year periods.

In the early 2000s, it became clear that the "divorce" of the former republics of the USSR was complete, and the countries had finally decided on their foreign policy priorities and defence strategies. This served as the basis for strengthening integration trends and creating a regional security organisation.

On 7 October 2002, the presidents of the states parties to the Collective Security Treaty (CST) signed the Charter of the CST Organisation (see Annex 4.1) and the Agreement on the Legal Status of the CSTO in Chisinau. These documents entered into force on 18 September 2003.

On 2 December 2004, the UN General Assembly adopted a resolution granting the Collective Security Treaty Organisation observer status in the

UN General Assembly.

In June 2006, at the CSTO summit in Minsk, Uzbekistan joined the six allied states. A decision was made to "restore the membership of the Republic of Uzbekistan in the Collective Security Treaty Organisation". The document stipulates that the Republic of Uzbekistan assumes all rights and obligations arising from membership in the CSTO and accedes to international treaties and decisions adopted within the framework of the Organisation. A period of 1.5 years, until 1 January 2008, has been given to accede to these treaties and decisions. Thus, by 2008, the CSTO had significantly strengthened, as Uzbekistan has one of the strongest armies in Central Asia and the highest share of military spending in the country's budget (15% of the annual budget). Full membership in the CSTO allowed Uzbekistan to purchase weapons and military equipment from CSTO member states, primarily Russia, at preferential prices. The Uzbek army also benefited from significant preferences through its participation in the Agreement on Preferential Training of Military Personnel, which operates within the CSTO framework. And if we take into account the joint activities of the CSTO member states in the field of countering terrorism, drug trafficking and illegal migration, it is clear that participation in the CSTO is indeed necessary for Uzbekistan. Nevertheless, the Republic of Uzbekistan suspended its membership in the CSTO in 2012.

## CSTO structure

The highest body of the CSTO is **the Collective Security Council (CSC)**. The Council considers fundamental issues of the Organisation's activities and makes strategic decisions, as well as ensuring coordination and joint activities of member states to implement these decisions.

The Council consists of the heads of member states.

Between CCS sessions, the Permanent Council, which consists of authorised representatives appointed by member states, is responsible for coordinating the interaction of member states in implementing decisions taken by the Organisation's bodies.

**The Council of Foreign Ministers (CFM)** is the CSTO's advisory and executive body on coordinating member states' cooperation in the field of foreign policy.

**The Council of Defence Ministers (CDM)** is an advisory and executive body of the CSTO on issues related to coordinating the interaction of member states in the field of military policy, military development and military-technical cooperation.

**The Committee of Security Council Secretaries (CSCS)** is an

advisory and executive body of the Organisation responsible for coordinating cooperation between member states in the field of national security.

**The Secretary General of the Organisation** is the highest administrative official of the Organisation and heads the Secretariat of the Organisation. He is appointed by decision of the CCS from among the citizens of member states and is accountable to the Council. On 1 January 2020, at a session of the Collective Security Council, S. V. Zas (who held the post of State Secretary of the Security Council of the Republic of Belarus) was appointed Secretary General of the CSTO for a term of three years.

**The Secretariat of the Organisation** is a permanent working body of the Organisation responsible for providing organisational, informational, analytical and advisory support to the activities of the Organisation's bodies.

**The CSTO Joint Staff** is a permanent working body of the Organisation and the CSTO Collective Security Treaty Organisation, responsible for preparing proposals and implementing decisions on the military component of the CSTO.

Compared to NATO, the CSTO's staff and budget are not large. Currently, 40 people work permanently in the CSTO Secretariat and 55 in the CSTO Joint Staff. These bodies are located in Moscow.

The CSTO budget is formed on the principle that half of the funds are contributed by Russia and 10% by each other state.

**The CSTO Parliamentary Assembly** is a body for interparliamentary cooperation. The working bodies of the Assembly are three standing committees: on political issues and international cooperation, on defence and security issues, on socio-economic and legal issues, and the Information and Analytical Legal Centre, which hold meetings twice a year. The Secretariat of the CSTO Parliamentary Assembly is a permanent working body.

Following the meeting of the Council of the Interparliamentary Assembly of CIS Member States that are members of the CSTO on 16 November 2006, a decision was taken to establish the CSTO Parliamentary Assembly.

## **Main areas of activity**

**Foreign policy activities.** In recent years, foreign policy has increasingly come to the fore in the CSTO's activities, involving close cooperation between member states in the international arena and coordination of their positions on key issues of regional and global politics. developing cooperation with other international organisations on countering common challenges and threats, and combining efforts to establish common and

comprehensive security systems for Europe and Asia.

At the sessions of the Collective Security Council (CSC) in Bishkek (October 2000), Yerevan (May 2001) and Moscow (May 2002), the heads of state of the CSTO member states adopted statements defining the positions of the Treaty participants on such important international issues as the settlement of the situation in Afghanistan, the need to develop coordinated practical measures at the international level to combat the global threat of international terrorism, the strengthening of international security and strategic stability, and the role of the UN as the main international peace and security organisation.

These statements were distributed at the UN as official documents and played a role in the preparation and adoption of relevant UN Security Council resolutions.

In accordance with the decisions of the CST, cooperation between the States Parties to the Treaty in international organisations on topical issues of the present day is ensured, and constructive contacts are established with the UN, the OSCE, the Shanghai Cooperation Organisation and other organisations active in the field of security. Today, the aforementioned international organisations are showing interest in the Treaty. Representatives of CIS states that are not members of the CSTO are increasingly participating in events held within the framework of the Treaty.

At the meeting of the CSTO Council of Foreign Ministers on 19 November 2003 in Bishkek, work continued on improving the foreign policy component of the Organisation's activities. The ministers approved a statement on Afghanistan, adopted regulations on the functioning of the mechanism for coordinating the foreign policy activities of CSTO member states, and discussed the establishment of dialogue between NATO and the CSTO in the interests of strengthening international and regional security.

During the same meeting, draft documents regulating the activities of the CSTO were approved (Rules of Procedure of the CSTO Bodies, Regulations on the Procedure for Admission to and Withdrawal from the CSTO, Regulations on the Suspension of a Member State's Participation in the Activities of the CSTO Bodies or its Expulsion from the Organisation, Certificate of Honour of the CSTO).

On 12 November 2004, a regular meeting of the Council of Foreign Ministers of the Collective Security Treaty Organisation was held in Moscow, chaired by the Minister of Foreign Affairs of the Republic of Kazakhstan, K. Tokayev.

The ministers discussed issues of international and regional security, the military-political situation in the area of responsibility of the Collective Security Treaty, and issues of assistance by CSTO member states in the post-

conflict reconstruction of Afghanistan. A statement on countering the proliferation of weapons of mass destruction was adopted.

Work continued on the coordination of a number of documents aimed at further developing and improving the effectiveness of the Organisation in its main areas of activity. These include improving the legal basis for the functioning of the Collective Rapid Deployment Forces, training military personnel, and an agreement on the conditions for the presence of the CSTO Joint Staff on the territory of the Russian Federation.

On 23 June 2005, a session of the Collective Security Council of the Collective Security Treaty Organisation was held in Moscow. The meeting was chaired by the President of the Russian Federation, V.V. Putin.

Discussions were held on issues related to developments in the CSTO area of responsibility and further improvement of the Organization's regulatory and legal framework, taking into account the new tasks facing it, primarily in the field of combating modern challenges and threats. Particular attention was paid to the development of the military component of the CSTO, issues of coalition military development for the period up to 2010, including the creation of a joint group of forces in the Central Asian region (CAR).

The presidents discussed various aspects of comprehensive cooperation and development of the CSTO in 2006-2010, including the results of the implementation of the decisions of the Astana (2004) session of the Collective Security Council.

A number of important decisions were adopted to strengthen the CSTO's capacity to combat terrorism and drug trafficking.

As a result, a joint political statement was signed, reflecting the approaches of the Organisation's member states on key issues of ensuring international peace and stability.

Thus, Afghanistan, relations with the SCO and NATO, and relations with the former Soviet republics that are not members of the CSTO are key topics of foreign policy cooperation.

Since 2011, the Organisation has been actively implementing a mechanism of collective instructions to representatives of CSTO member states in international organisations, providing for the formation of common approaches to topical issues of international security policy.

In October 2016, the CSTO Security Council decided in Yerevan to establish a CSTO Crisis Response Centre, whose main tasks are to provide information, analytical, organisational and technical support for the adoption of relevant decisions by the CSTO's statutory bodies for the purposes of crisis response.

Active work is underway to integrate the CSTO's peacekeeping

potential into the UN's peacekeeping activities. In 2021, a delegation from the CSTO Secretariat and Joint Staff made a familiarisation visit to the UNIFIL peacekeeping mission in Lebanon.

**Military-political cooperation.** From the outset, the Collective Security Treaty contributed to the creation of the national armed forces of its participants.

A distinctive feature of military-political cooperation in those years was that it developed in the former common defence space. Intergovernmental and working bodies were created to address issues of policy and military development of the member states of the Commonwealth of Independent States: the Council of Defence Ministers of the CIS Member States (CMO CIS), the Committee of Chiefs of Staff of the CIS Armed Forces (CSTO) and a number of other committees under the CMO CIS, the working body of the CMO CIS – the Staff for the Coordination of Military Cooperation of the CIS Member States (SCC CIS). A regulatory and legal framework for military-political cooperation was developed, a joint air defence system for CIS member states was created, joint operational and combat training activities were planned and conducted, and military-technical cooperation was established.

In 1995, the heads of the CSTO member states signed a Declaration, a Collective Security Concept, Main Directions of Military Cooperation, and a Plan for their implementation. They defined the main stages and deadlines for the formation of a collective security system. The measures were designed to cover the period up to 1998.

In April 1999, a plan for the second stage of the formation of the collective security system (until 2001) was approved in Moscow. This contributed to the transition to a new stage in the development of military-political cooperation between the CSTO member states. At the CSTO sessions in Minsk (May 2000), Bishkek (October 2000) and Yerevan (May 2001), a number of important decisions were taken and regulatory and legal documents in this area of cooperation were approved. The creation of the Council of Defence Ministers (May 2000, Minsk) of the CSTO member states was legally formalised.

In May 2001, a decision was made in Yerevan to create a military component of the CSTO to counter international terrorism and extremism in the Central Asian region – the Collective Rapid Deployment Forces (CRDF CAR) from the armed forces of Kazakhstan, Kyrgyzstan, Russia and Tajikistan. The total strength of the CRRF at the initial stage was about 1,500 personnel with standard weapons and military equipment; now there are more than 5,000 personnel. In peacetime, the units that make up the CRRF are stationed on national territory and under national command, and periodically

conduct joint exercises.

A Commander of the Forces and a Chief of Staff of the KSBR have been appointed. A Permanent Operational Group of the KSBR Headquarters is in operation, based in Bishkek (Kyrgyzstan). In September-October 2001, command and staff training of management bodies and the first tactical field exercise of CSTO units with live fire were conducted.

In 2009, the CSTO Collective Rapid Reaction Forces (CRRF) were formed, comprising military contingents and special forces units. In order to improve the operational effectiveness of the collective forces, in accordance with the decision of the CSTO Security Council adopted in 2014, the CSTO Collective Aviation Forces (CAF) were formed.

In 2021, five special exercises were conducted with the forces and means of the CSTO collective security system in the Kyrgyz Republic, the Republic of Tajikistan and the Russian Federation.

Of fundamental importance is the signing by the heads of state at the CSTC session in Yerevan (May 2001) of the Protocol on the Procedure for the Formation and Functioning of the Forces and Means of the Collective Security System of the CSTO Member States. Based on the principles of international law and taking into account international obligations on confidence- and security-building measures, the intention was announced to form a unified collective security system, including the existing Russian-Belarusian and Russian-Armenian coalition forces, as well as the CBRF as regional components of a unified collective security system.

In accordance with the Decision of the Collective Security Council of 28 April 2003 (Dushanbe), the Joint Staff of the CSTO has been operating since 1 January 2004. Its strength has been approved at 55 personnel.

In 2004, joint anti-terrorist exercises "Rubezh-2004" and the international anti-drug operation "Kanal-2004" were conducted within the framework of the CSTO, the results and experience of which were also discussed at the meeting of defence ministers.

On 30 November 2005, a meeting of the Council of Defence Ministers of the member states of the Collective Security Treaty Organisation was held in Moscow, chaired by Deputy Prime Minister and Minister of Defence of the Russian Federation Sergei Ivanov.

During the meeting, the defence ministers discussed the state and prospects of cooperation between the CSTO member states and international military-political structures in the area covered by the Collective Security Treaty ( ). Issues related to the organisation of joint training of military personnel for the armed forces of the Organisation's member states were further developed, and other issues aimed at further integration in military cooperation were considered and agreed upon.

In 2006, the member states of the CSTO and the SCO conducted armed forces exercises on combating terrorism.

In February 2009, the CSTO Collective Rapid Reaction Forces (CRRF) were established, comprising military contingents and special forces units from CSTO member states with a total strength of about 20,000 personnel capable of performing both military and special tasks.

Military cooperation is currently being carried out in accordance with the 2021-2025 Military Cooperation Development Plan adopted by the CSTO Security Council in 2020.

**Military-technical cooperation.** Within the framework of the Collective Security Treaty, military-technical cooperation is carried out on the basis of multilateral and bilateral agreements.

A turning point in the development of military-technical cooperation was the signing on 20 June 2000 in Moscow of the Agreement on the Basic Principles of Military-Technical Cooperation between the States Parties to the Collective Security Treaty of 15 May 1992.

The agreement provides for the supply of military products for the benefit of national military formations assigned to multilateral forces and means in collective security regions on terms that are more favourable than those offered to other states.

At its meeting in Moscow on 23 June 2005, the CSTO Collective Security Council decided to establish an Interstate Commission on Military-Economic Cooperation of the Collective Security Treaty Organisation (CSTO IMEC) and approved the Regulations on the CSTO IMEC. The heads of the CSTO member states also identified the strategic goal of the Organisation as establishing a just and democratic world order based on the principle of the supremacy of international law, mutual respect for interests and ensuring equal security for all states.

In 2007, the heads of the CSTO member states signed an agreement on CSTO peacekeeping activities. To participate in peacekeeping operations, a permanent CSTO Peacekeeping Force was created, consisting of about 3,000 military personnel and about 600 representatives of the internal affairs agencies of member states. It can be deployed both within the Organisation's area of responsibility and beyond it under a mandate from the UN Security Council.

International cooperation in the field of peacekeeping is being established. A memorandum of understanding between the CSTO Secretariat and the UN Department of Peacekeeping Operations was signed in September 2012.

On 20 November 2012, the Protocol on the deployment of military infrastructure facilities on the territories of CSTO member states, signed at

the CSTO Security Council session, entered into force.

As part of improving the management of the forces and means of the collective security system, the requirements of the CSTO Security Council Decision "On the Organisation of Management of the CSTO Forces (Collective Forces)" of 15 September 2015 are being mastered and implemented in practice during annual business games, joint exercises and training.

The first peacekeeping operation in the history of the Organisation was conducted between 6 and 13 January 2022 on the territory of the Republic of Kazakhstan. In response to an appeal by the President of the Republic of Kazakhstan, K.-Zh. Tokayev, and in view of the threat to national security and sovereignty caused, among other things, by external interference, the Collective Security Council of the CSTO, in accordance with Article 4 of the Collective Security Treaty, decided to conduct a peacekeeping operation in the Republic of Kazakhstan. The collective mission was successful and was completed after the situation returned to normal.

Military-technical cooperation continues to develop at present.

**Countering terrorism and extremism** is one of the main components of the CSTO's activities. In 2001, the Shanghai Convention on Combating Terrorism, Separatism and Extremism was adopted.

In 2016, the heads of state of the CSTO member states decided to implement a set of measures to counter international terrorism and extremism, which included a number of practical organisational measures, as well as political and military measures aimed at developing the CSTO's counter-terrorism capabilities.

A "Plan of Collective Action by CSTO Member States to Implement the UN Global Counter-Terrorism Strategy for 2019-2021" was developed and implemented, within the framework of which effective, fruitful and multifaceted cooperation with the relevant structures of the UN and the OSCE was carried out.

At the regional level, cooperation is expanding with the Anti-Terrorism Centre of the CIS Member States (ATC CIS) and the Regional Anti-Terrorism Structure of the SCO (RATS SCO), within the framework of which a permanent expert group has been created and has begun its work. In February 2022, a joint position was signed by the RATS SCO, the ATC CIS and the CSTO Secretariat on countering terrorism and extremism.

**Countering illicit drug trafficking.** In 2014, the Anti-Drug Strategy of the CSTO Member States for 2015-2020 was adopted and successfully implemented. In 2020, the Collective Security Council adopted a new Anti-Drug Strategy of the CSTO Member States for 2021–2025.

Under the auspices of the Coordination Council of Heads of Competent

Authorities for Combating Illicit Drug Trafficking (CCACD) within the CSTO, the permanent regional anti-drug operation "Channel" has been conducted since 2003. During this time, more than 428 tonnes of drugs, including more than 18 tonnes of heroin, have been seized from illegal trafficking. A total of 6,351 drug groups have been identified and neutralised.

**Countering illegal migration and human trafficking.** Since 2008, the Coordination Council of Heads of Competent Authorities of CSTO Member States on Combating Illegal Migration (CCCHIM) has been working effectively within the framework of the CSTO.

Since 2008, during operational and preventive measures as part of Operation Illegal, a total of over 1.7 million violations of migration legislation have been identified, fines amounting to approximately US\$90 million have been imposed, over 36,000 criminal cases have been initiated for organising illegal migration and 564 criminal cases for human trafficking, as well as more than 135,000 criminal cases for other offences identified during the course of the measures. Law enforcement agencies detained approximately 6,000 individuals who were wanted internationally.

Attention has been paid to **information space security** since 2006. In order to coordinate joint actions, a Working Group on Information Policy and Information Security was formed under the Committee of Secretaries of the Security Councils of the CSTO. A Protocol on cooperation between CSTO member states in combating criminal activity in the information sphere was also signed.

Since 2008, practical measures to combat crime in the field of information and communication technologies have been implemented on an ongoing basis in the format of Operation PROXY (full name: "countering crime in the field of information"). As a result of the operation, over 13 years, more than 377,000 information resources and more than 1.9 million information links have been identified that are aimed at inciting national and religious hatred, causing political damage to national and allied interests, spreading terrorist and extremist ideas in the interests of criminal groups, and committing various crimes in the field of information technology.

In December 2014, the Collective Security Council of the CSTO adopted a decision to establish the CSTO Consultative Coordination Centre for Responding to Computer Incidents (CCC).

The CSTO carries out its activities in **cooperation with various international and regional organisations.**

Since 2 December 2004, the Organisation has had observer status in the UN General Assembly. On 18 March 2010, a Joint Declaration on Cooperation between the UN and CSTO Secretariats was signed in Moscow, providing for the establishment of cooperation between the two organisations,

particularly in the field of peacekeeping. To further this cooperation, a Memorandum of Understanding between the CSTO Secretariat and the UN Department of Peacekeeping Operations was signed in New York on 28 September 2012. During the 75th session of the UN General Assembly, a UN General Assembly resolution on cooperation between the UN and the CSTO was adopted (28 April 2021), which noted the transformation of the CSTO into a multifunctional structure with the potential to respond adequately to a wide range of challenges and threats in its area of responsibility.

In October 2007, a Memorandum of Understanding was signed between the CSTO Secretariat and the SCO Secretariat. In December 2009, a Memorandum of Cooperation was signed between the CSTO Secretariat and the CIS Executive Committee.

On 16 May 2022, a "meeting of leaders" of the CSTO member states was held in Moscow, dedicated to the 30th anniversary of the Collective Security Treaty and the 20th anniversary of the Organisation. Following the event, the CSTO Collective Security Council signed a resolution "On awarding participants in the CSTO peacekeeping operation in the Republic of Kazakhstan with awards of the Collective Security Treaty Organisation".

## **Problems and prospects of the CSTO**

The problems and prospects of the CSTO are linked to two main issues: the costs of maintaining the CSTO and the practical benefits of the CSTO.

The enormous costs incurred by the United States to maintain NATO are beneficial to European countries, as they allow them to reduce their defence budgets. At the same time, Europe is becoming dependent on the United States in many foreign policy issues and is forced to purchase American weapons as a necessary price for protection.

In the case of the CSTO, the main costs are borne by Russia, but, firstly, they are not comparable to the expenses of NATO countries, and secondly, Russia benefits directly from the fight against drug trafficking and terrorist threats originating in Afghanistan, and thirdly, stability in Central Asia and the South Caucasus directly affects demand for Russian products and investor activity in Russia. Therefore, the CSTO is beneficial to Russia not so much politically as economically, which means that the costs of maintaining the CSTO are justified.

Other CSTO member countries also reap significant economic benefits, as they can ensure their own security at a much lower cost. This is precisely why Uzbekistan chose to join the CSTO.

In addition to addressing defence issues, the CSTO is capable of tackling

terrorism, combating illegal migration, providing access to high technology and training, ensuring political stability and addressing a range of other vital issues. Therefore, the prospects for the CSTO as a whole can be assessed positively.

Of course, the region of Central Asia and the South Caucasus will be an arena for the clash of interests between NATO and the CSTO, so only a pragmatic approach to the development of the CSTO, bringing tangible economic and political benefits to the participating countries, will ensure the further development of this organisation.

## Source

1. <http://www.dkb.gov.ru/start/index.htm>.
2. <https://odkb-csto.org/>

### Semantics of the CSTO emblem

The image of a quadrangular fortress (a historical symbol of a defensive structure) symbolises the non-aggressive nature of the CSTO. The golden sphere (a symbol of monolithism and unity) reflects the common goals and values defended by the armies of the CSTO member states. The laurel and oak wreath symbolises the courage and valour of the military personnel of the CSTO member states.

## CHARTER of the Collective Security Treaty Collective Security Treaty Organisation

of 7 October 2002

*(as amended by the Protocol on Amendments  
to the Charter*

*of the Collective Security Treaty Organisation  
of 7 October 2002, signed on 10 December 2010,  
the Second Protocol on Amendments to the Charter*

*of the Collective Security Treaty Organisation  
of 7 October 2002, signed on 8 November 2018,*

*the Third Protocol Amending the Charter*

*of the Collective Security Treaty Organisation  
of 7 October 2002, signed on 8 November 2018*

The States Parties to the Treaty on Collective Security of 15 May 1992 (hereinafter referred to as the Treaty),

– acting in strict accordance with their obligations under the UN Charter, UN Security Council resolutions, and guided by universally recognised principles of international law;

– Seeking to create favourable and stable conditions for the comprehensive development of the States Parties to the Treaty and to ensure their security, sovereignty and territorial integrity;

– Reaffirming their commitment to the objectives and principles of the Treaty and the international treaties and decisions adopted within its framework;

– Determined to further develop and deepen military-political cooperation in the interests of ensuring and strengthening national, regional and international security;

– setting themselves the goal of continuing and strengthening close and comprehensive allied relations in the foreign policy, military and military-technical fields, as well as in the sphere of countering transnational challenges and threats to the security of states and peoples;

– Guided by the intention to enhance the effectiveness of activities under the Treaty,

have agreed as follows:

**Chapter I  
Establishment of the Organisation  
of the Collective Security Treaty**

**Article 1**

The States Parties to the Treaty establish an international regional Collective Security Treaty Organisation (hereinafter referred to as the Organisation).

**Article 2**

The provisions of the Treaty and the international treaties and decisions of the Collective Security Council of the Treaty adopted in furtherance thereof shall be binding upon the member states of the Organisation

(hereinafter referred to as member states) and the Organisation itself.

## **Chapter II** **Objectives and Principles**

### **Article 3**

The objectives of the Organisation shall be to strengthen peace, international and regional security and stability, and to protect, on a collective basis, the independence, territorial integrity and sovereignty of Member States, the achievement of which Member States shall give priority to political means.

### **Article 4**

In its activities, the Organisation shall cooperate with States that are not members of the Organisation and maintain relations with international intergovernmental organisations active in the field of security. The Organisation shall promote the establishment of a just and democratic world order based on universally recognised principles of international law.

### **Article 5**

The Organisation shall act on the basis of strict respect for the independence, voluntary participation, equal rights and obligations of Member States, and non-interference in matters falling within the national jurisdiction of Member States.

### **Article 6**

This Charter shall not affect the rights and obligations of Member States under other international agreements to which they are parties.

## **Chapter III** **Areas of activity**

### **Article 7**

In order to achieve the objectives of the Organisation, Member States shall take joint measures to establish within its framework an effective system of collective security providing collective defence in the event of a threat to security, stability, territorial integrity and sovereignty, and the exercise of the right to collective defence, including the creation of coalition (collective) forces of the Organisation, regional (combined) groups of troops (forces),

peacekeeping forces, combined systems and command structures, and military infrastructure.

Member states also cooperate in the areas of military-technical (military-economic) cooperation, providing the armed forces, law enforcement agencies and special services with the necessary weapons, military and special equipment and special means, training military personnel and specialists for national armed forces, special services and law enforcement agencies.

*(paragraph as amended by the Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 10 December 2010).*

Member States shall decide on the deployment of troop formations (forces) and military infrastructure facilities of states that are not members of the Organisation on their territories after urgent consultations (agreement) with other member states.

### **Article 8**

Member States shall coordinate and combine their efforts in combating international terrorism and extremism, illicit trafficking in narcotic drugs and psychotropic substances, weapons, organised transnational crime, illegal migration and other threats to the security of Member States.

Member States shall take measures to establish and operate, within the framework of the Organisation, a system for responding to crisis situations that threaten the security, stability, territorial integrity and sovereignty of Member States.

Member States shall cooperate in the areas of state border protection, information exchange, information security, protection of the population and territories from natural and man-made emergencies, as well as from dangers arising during or as a result of military operations.

Member states carry out their activities in these areas, including in close cooperation with all interested states and international intergovernmental organisations, with the UN playing a leading role.

*(Article as amended by the Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 10 December 2010).*

### **Article 9**

Member States shall coordinate and harmonise their foreign policy positions on international and regional security issues, including through the use of the Organisation's consultative mechanisms and procedures.

### **Article 10**

Member States shall take measures to develop the legal framework governing the functioning of the collective security system and to harmonise national legislation on defence, military development and security.

## **Chapter IV Organization bodies**

### **Article 11**

The organs of the Organisation shall be:

- a) the Collective Security Council (hereinafter referred to as the Council);
- b) the Council of Ministers of Foreign Affairs (hereinafter referred to as the CMFA);
- c) the Council of Ministers of Defence (hereinafter referred to as the CMD);
- d) the Committee of Secretaries of Security Councils (hereinafter referred to as the CSSC);
- e) the Permanent Council.

The permanent working bodies of the Organisation are the Secretariat of the Organisation (hereinafter referred to as the Secretariat) and the Joint Staff of the Organisation (hereinafter referred to as the Joint Staff).

The body for interparliamentary cooperation is the Parliamentary Assembly of the Organisation.

The functions and working procedures of the above bodies are regulated by this Charter and other normative legal acts of the Organisation.

*(Article as amended by the Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 10 December 2010).*

### **Article 12**

Decisions of the Council, the SMID, the SMO and the CCSB on issues other than procedural matters shall be taken by consensus.

Each member state shall have one vote. The voting procedure, including on procedural matters, shall be governed by the Rules of Procedure of the bodies of the Organisation, as approved by the Council.

Decisions of the Council and decisions of the SMID, SMO and KSSB taken in implementation thereof shall be binding on Member States and shall be implemented in accordance with the procedure established by national legislation.

The Council shall have the right to take decisions in a limited format, provided that none of the member states objects to such a decision-making procedure. A decision in a limited format may be taken if none of the member states objects to such a decision.

A member state that has not voted in favour of a decision taken in a limited format shall not be responsible for the consequences of the decision taken.

*(Article as amended by the Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 10 December 2010).*

### **Article 13**

The Council shall be the supreme body of the Organisation.

The Council shall consider fundamental issues of the Organisation's activities and adopt decisions aimed at achieving its goals and objectives, as well as ensure coordination and joint activities of member states to achieve these goals.

The Council shall consist of the heads of state or heads of government of the member states, if, in accordance with the legislation of their state, they are vested with the authority to take decisions on matters within the competence of the Council.

*(Paragraph as amended by the Second Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 8 November 2018).*

Foreign ministers, defence ministers, secretaries of the security councils of member states, the Secretary General of the Organisation, permanent and plenipotentiary representatives of member states to the Organisation (hereinafter referred to as permanent representatives) and invited persons may participate in the meetings of the Council.

The Council has the right to establish permanent or temporary working and auxiliary bodies of the Organisation.

The Chair of the Council (hereinafter referred to as the Chair) shall be a member of the Council representing the state in whose territory the regular session of the Council is being held, unless the Council decides otherwise. His rights and obligations shall remain with him until the next regular session of the Council.

*(paragraph as amended by the Second Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 8 November 2018).*

If the Chairperson is unable to perform his or her functions, a new

Chairperson shall be elected for the remaining term.

*(Article as amended by the Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 10 December 2010).*

#### **Article 14**

The SMID is the advisory and executive body of the Organisation on matters relating to the coordination of cooperation between member states in the field of foreign policy.

#### **Article 15**

The SMO is the advisory and executive body of the Organisation on matters relating to the coordination of cooperation between member states in the field of military policy, military development and military-technical cooperation.

#### **Article 16**

The CCSB is the advisory and executive body of the Organisation on matters relating to the coordination of cooperation between Member States in the field of ensuring their national security.

#### **Article 16<sup>1</sup>**

The Permanent Council is the coordinating body of the Organisation, which, between sessions of the Council, deals with issues of cooperation within the Organisation and, together with the permanent working bodies of the Organisation, ensures the implementation of decisions taken by the Council, the SMID, the SMO and the CCSB.

The Permanent Council shall consist of permanent representatives appointed by the heads of member states in accordance with their domestic procedures and shall operate in accordance with the Regulations approved by the Council.

### **Chapter V**

#### **Secretary General.**

#### **Permanent working bodies of the Organisation**

*(Chapter as amended by the Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 10 December 2010)*

### **Article 17**

The Secretary General of the Organisation (hereinafter referred to as the Secretary General) shall be the highest administrative official of the Organisation. The Secretary General shall manage the Secretariat and coordinate the activities of the permanent working bodies of the Organisation.

The Secretary General shall be appointed by decision of the Council for a term of three years upon the recommendation of the SMID from among the citizens of the member states.

The Secretary General is accountable to the Council and participates in meetings of the Council, the SMID, the SMO, the KSSB and the Permanent Council.

The Secretary General shall coordinate the development and coordination of draft documents submitted for consideration by the bodies of the Organisation, represent the Organisation in relations with other states that are not members, international organisations and the media, and maintain working contacts with them.

The Secretary General shall be the depositary of this Charter, other international treaties concluded within the framework of the Organisation and documents adopted.

### **Article 18**

The Secretariat shall provide organisational, informational, analytical and advisory support to the activities of the bodies of the Organisation.

The Secretariat, in cooperation with the Permanent Council, prepares draft decisions and other documents of the bodies of the Organisation.

The Secretariat shall be composed of citizens of Member States on a quota basis (officials) in proportion to the contributions of Member States to the budget of the Organisation and citizens of Member States recruited on a competitive basis under contract (staff members).

The functions, formation and operation of the Secretariat shall be determined by the relevant Regulations approved by the Council.

The Secretariat shall be located in Moscow, Russian Federation. The conditions for the Secretariat's presence in the Russian Federation shall be governed by the relevant international treaty.

### **Article 18<sup>1</sup>**

The Joint Staff provides organisational, informational and analytical support for the activities of the SMO, is responsible for preparing proposals on the military component of the Organisation, and organises and coordinates, in cooperation with the military authorities of the member states,

the practical implementation of decisions of the Organisation's bodies on military cooperation issues within its competence.

The Joint Staff is staffed by military personnel from member states on a quota basis proportional to the member states' contributions to the Organisation's budget and by citizens of member states hired on a competitive basis under contract.

The tasks, functions, structure, composition and organisational framework of the Joint Staff shall be determined by the relevant regulations approved by the Council.

The Joint Staff shall be located in Moscow, Russian Federation. The conditions for the Joint Staff's presence on the territory of the Russian Federation shall be regulated on the basis of the relevant international treaty.

## **Chapter VI**

### **Membership**

#### **Article 19**

Any state that shares the objectives and principles of the Organisation and is prepared to assume the obligations contained in this Charter and other international treaties and decisions in force within the Organisation may become a member of the Organisation.

The decision on admission to the Organisation shall be taken by the Council.

Any Member State shall have the right to withdraw from the Organisation. After settling its obligations within the Organisation, such a State shall send official notification of its withdrawal to the depositary of the Charter no later than six months before the date of withdrawal.

The procedure for admission to and withdrawal from the Organisation shall be determined by the relevant Regulations approved by the Council.

#### **Article 20**

In the event of a Member State's failure to comply with the provisions of this Charter, the decisions of the Council and the decisions of other bodies of the Organisation adopted in pursuance thereof, the Council may suspend its participation in the activities of the bodies of the Organisation.

If the Member State continues to fail to comply with the aforementioned obligations, the Council may decide to expel it from the Organisation.

Decisions on these matters concerning such a Member State shall be taken without taking into account its vote.

The procedure for suspending a Member State's participation in the activities of the bodies of the Organisation or for expelling it from the

Organisation shall be determined by the relevant Regulations approved by the Council.

## **Chapter VII**

### **Observers and Partners**

*(Chapter as amended by the Third Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 8 November 2018)*

#### **Article 21**

States that are not members of the Organisation, as well as international organisations interested in studying the open regulatory framework, experience and practice of the Organisation without committing to participate in the practical activities of the Organisation, may obtain Observer status with the Organisation.

Observer status with the Organisation, the procedure for obtaining and terminating it shall be determined by the relevant provision approved by the Council.

#### **Article 21<sup>1</sup>**

States that are not members of the Organisation, as well as international organisations that share the goals and principles of the Organisation and wish to establish and develop mutually beneficial cooperation with the Organisation in areas of mutual interest, with a commitment to participate in the practical activities of the Organisation, may obtain Partner status with the Organisation.

The status of Partner of the Organisation, the procedure for obtaining and terminating it shall be determined by the relevant provision approved by the Council.

## **Chapter VIII**

### **Legal Capacity, Privileges and Immunities**

#### **Article 22**

The Organisation shall enjoy in the territory of each Member State the legal capacity necessary for the fulfilment of its objectives and tasks.

The Organisation may cooperate with non-member States, maintain relations with international and intergovernmental organisations active in the

field of security, and conclude international agreements with them aimed at establishing and developing such cooperation.

The Organisation shall enjoy the rights of a legal entity.

### **Article 23**

The privileges and immunities of the Organisation shall be determined by the relevant international treaty.

## **Chapter IX Financing**

### **Article 24**

The activities of the permanent working bodies of the Organisation shall be financed from the budget of the Organisation. Extrabudgetary funds (except for borrowed funds) may be used to support the activities of the Organisation, the formation and use of which shall be determined by the relevant regulations approved by the Council.

*(paragraph as amended by the Protocol on Amendments to the Charter of the Collective Security Treaty Organisation of 7 October 2002, signed on 10 December 2010).*

The budget of the Organisation shall be formed from the contributions of member states, as approved by the Council.

The budget of the Organisation shall not have a deficit.

The draft budget of the Organisation for each financial year shall be prepared by the Secretariat in consultation with the member states in accordance with the Regulations on the Procedure for the Formation and Execution of the Budget of the Organisation. The budget of the Organisation shall be approved by the Council.

The Regulations on the Formation and Execution of the Organisation's Budget shall be approved by the Council.

Member States shall bear the costs associated with the participation of their representatives and experts in meetings, sessions of the Organisation's bodies and other events held within the framework of the Organisation, as well as the costs associated with the activities of the Permanent Representatives.

### **Article 25**

In the event that Member States fail to fulfil their obligations to repay their debts to the Organisation's budget within two years, the Council shall decide to suspend the right of citizens of that State to be nominated for quota posts within the Organisation's framework, as well as to deprive them of their

voting rights in the Organisation's bodies until the debts are fully repaid.

## **Chapter X Final Provisions**

### **Article 26**

This Statute shall be subject to ratification and shall enter into force on the date of deposit with the depositary of the last written notification of ratification by the signatory States.

The depositary shall notify the States that have signed this Charter of the receipt of each notification of ratification.

### **Article 27**

This Charter may be amended and supplemented by separate Protocols, by mutual agreement of the Member States.

Protocols amending or supplementing the Statute shall form an integral part thereof and shall enter into force in accordance with the procedure laid down in Article 26 of this Statute.

No reservations to the Statute shall be permitted.

Any disputes concerning the interpretation and application of the provisions of this Charter shall be settled through consultation and negotiation between the Member States concerned. If no agreement is reached, the dispute shall be referred to the Council for consideration.

### **Article 28**

The official and working language of the Organisation shall be Russian.

### **Article 29**

This Charter shall be registered with the Secretariat of the United Nations in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Chisinau on 7 October 2002 in a single original copy in the Russian language. The original copy shall be deposited with the depositary, which shall send a certified copy to each State that has signed this Charter.

**For the Republic of Armenia**

R. Kocharyan

**For the Republic of Belarus**

**For the Kyrgyz Republic**

A. Akayev

**For the Russian Federation**

A. Lukashenko  
**For the Republic of  
Kazakhstan**  
N. Nazarbayev

V. Putin  
**For the Republic of Tajikistan**

E. Rahmonov

# 5

## Appendix

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### **SHANGHAI COOPERATION FOR COOPERATION (SCO)**

The Shanghai Cooperation Organisation is a permanent intergovernmental international organisation, the creation of which was announced on 15 June 2001 in Shanghai (PRC) by the Republic of Kazakhstan, the People's Republic of China, the Republic of Kyrgyzstan, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan. It was preceded by the Shanghai Five mechanism. Today, the total territory of the SCO countries covers more than three-fifths of the entire territory of Eurasia (about 34 million square kilometres), with a total population of 3.4 billion people, which is approximately half of the world's population.

The formation of the SCO began in 1996, when Chinese President Jiang Zemin, the presidents of Russia, Kazakhstan, Kyrgyzstan and Tajikistan met in Shanghai and signed the Agreement between the People's Republic of China, the Russian Federation, the Republic of Kazakhstan, the Republic of Kyrgyzstan and the Republic of Tajikistan on Confidence-Building in the

Military Field in Border Areas." This agreement was important for resolving border issues between China and the CIS countries, as well as for creating an atmosphere of security. The document stipulated that the parties would not use their armed forces against each other. The participants also agreed to exchange information on troop numbers, the quantity of weapons and armoured vehicles, and their movements in a 100-kilometre border zone.

In 1997, the leaders of Russia, Kazakhstan, Kyrgyzstan, Tajikistan and China met in Moscow and signed a five-party "Agreement on Mutual Reduction of Armed Forces in Border Areas". It was a more specific version and addition to the Shanghai document signed in April 1996, and it boosted mutual trust on security issues.

In 1998, Kazakhstan hosted the third meeting of the "five". The summit ended with the signing of a joint statement. It expressed the desire of the five countries, united by a common border, to strengthen and promote long-term economic partnership in the region in every way possible.

In 1999, the fourth meeting of the heads of the five countries was held in the capital of Kyrgyzstan, Bishkek. The heads of state exchanged views on the international situation, regional security and regional economic cooperation. This contributed to the further development of good-neighbourly relations and mutually beneficial cooperation between the five countries.

In 2000, a meeting of the foreign ministers of China, Tajikistan, Russia, Kazakhstan and Kyrgyzstan was held in Tajikistan. This was the first meeting of foreign ministers within the framework of the Shanghai Five. The Deputy Minister of Foreign Affairs of Uzbekistan, Negmatov, attended the meeting as an observer. The foreign ministers summarised the development of friendly relations between the five countries since the first meeting of the heads of state of the Shanghai Five, discussed issues of further strengthening bilateral and multilateral cooperation and coordination of foreign policy strategies, and exchanged views on international and regional issues.

The next meeting of the five heads of state took place in 2001 in Shanghai (China). On that day, the leaders of Russia, China, Kazakhstan, Kyrgyzstan and Tajikistan (the "Shanghai Five") welcomed Uzbekistan into their ranks. On the same day, a **declaration** was signed **on the establishment of the Shanghai Cooperation Organisation (SCO)**. The members of the new organisation not only engage in political cooperation, but also participate in joint economic projects (especially in the development of oil and gas fields in Central Asia, which is of particular interest to China), as well as in the military and security sectors.

In 2002, an extraordinary meeting of the foreign ministers of the SCO member countries was held in Beijing. The foreign ministers of the six SCO

member states discussed issues of international counterterrorism, the fight against regional terrorism, separatism and extremism, and ways to further enhance the role of the SCO.

On 7 July 2002, the Declaration of the Heads of State of the Shanghai Cooperation Organisation was signed.

On 8 July 2002, an agreement was signed between the member states of the Shanghai Cooperation Organisation on a regional anti-terrorism structure.

In 2002, at a meeting of heads of state in St. Petersburg, the Charter of the Shanghai Cooperation Organisation (the organisation's founding document) was signed.

In 2003, an official meeting of the heads of state of the Shanghai Cooperation Organisation was held in the Kremlin. The leaders of the SCO countries declared the need to comply with international law in the fight against terrorism. The heads of the SCO member countries confirmed "the need to observe and implement the fundamental purposes and principles of the UN Charter and universally recognised norms of international law."

The summit in Moscow completed the formation of the Shanghai Cooperation Organisation as an international structure and created the legal basis for its activities. Following the summit, about 10 documents were signed, including a financial charter – an agreement on the procedure for forming and executing the SCO budget, provisions on the councils of heads of state, governments and foreign ministers. Regulations on symbols were adopted. A military organisation of the SCO was also created – a regional anti-terrorism centre based in the Kyrgyz capital of Bishkek (in autumn 2003, the centre was moved to Tashkent, Uzbekistan). Its official opening took place in the summer of 2004. It is believed that the relocation of the executive committee of the Regional Anti-Terrorist Structure (RATS) contributed to more effective cooperation in the fight against terrorism in the region. In addition, the fact that a similar structure, opened under the CIS Collective Security Treaty, was already operating in the Kyrgyz capital played a significant role in the decision- .

In January 2004, the SCO's existing mechanisms began to function. On 15 January, the SCO Secretariat, a permanent administrative body, opened in Beijing. At its meeting in Beijing, the SCO Secretariat approved the emblem and flag of this international organisation.

Many countries in the region are interested in participating in the SCO. The approval of the provision on observer status with the Shanghai Cooperation Organisation allowed Mongolia to obtain such status in June 2004. Pakistan, Iran and India have expressed their desire to become potential members of this organisation. On 5 July 2005, they were granted observer status, and on 8-9 June 2017, a historic meeting of the Council of Heads of

Member States of the SCO was held in Astana, during which the Republic of India and the Islamic Republic of Pakistan were granted membership in the Organisation.

In accordance with the Provisional Scheme of Relations between the SCO and Other International Organisations, signed in 2002, the SCO maintains contacts with the UN and ASEAN.

On 25 February 2005, a meeting of the Council of Foreign Ministers of the Shanghai Cooperation Organisation member states was held in Astana. The heads of foreign ministries stressed the importance of strengthening the SCO to ensure stability and peace in Central Asia and confirmed the SCO's readiness to actively cooperate with the UN, other international organisations and states on the basis of equality and mutual respect.

In April 2005, a Memorandum of Understanding was signed in Indonesia between the SCO and ASEAN secretariats, defining the main areas of cooperation and interaction between the two international organisations. According to this document, the priority areas of interaction are the fight against terrorism and transnational crime, drug and arms smuggling, money laundering and illegal migration. The parties agreed to cooperate in areas such as economics and finance, tourism, environmental protection and the use of natural resources, as well as on energy issues, particularly hydropower and biofuels. In November 2008, a meeting of the SCO and ASEAN secretaries-general was held in Beijing, during which the mutual intention to maintain regular contacts on the basis of the previously adopted memorandum was confirmed.

During the meeting of the Council of Heads of Member States of the SCO in Bishkek in 2007, the Bishkek Declaration (Treaty on Long-Term Good Neighbourliness, Friendship and Cooperation among Member States of the Shanghai Cooperation Organisation) was signed. The SCO member states advocated the establishment of a security architecture that would:

- reflect the balance of interests of all actors in international relations;
- ensure each state's right to independently choose its path of development in accordance with its own historical experience and national characteristics, to protect its state unity and national dignity, and to participate equally in international affairs;
- guarantee the settlement of international and regional conflicts and crises by political and diplomatic means in strict accordance with the principles and norms of international law, taking into account the legitimate interests of all parties involved;
- preserve the diversity of cultures and civilisations, encourage initiatives aimed at deepening dialogue between civilisations and religions.

On 5 October 2007, a Memorandum of Understanding was signed in

Dushanbe between the SCO and CSTO Secretariats. According to the document, the organisations will support cooperation in ensuring regional and international security and stability, counter terrorism, combat drug trafficking and illegal arms trafficking, counter organised transnational crime and other areas of mutual interest.

On 28 August 2008, during a meeting of the Council of Heads of State, SCO members approved six principles for resolving the conflict in South Ossetia and supported Russia's active role in promoting peace and cooperation in the region. SCO member states advocated deepening SCO cooperation with the United Nations, as well as with the Commonwealth of Independent States, the Association of Southeast Asian Nations, the Eurasian Economic Community, the Collective Security Treaty Organisation, the Economic Cooperation Organisation and the United Nations Economic and Social Commission for Asia and the Pacific on the basis of signed memoranda of understanding.

On 27 March 2009, the Declaration of the Special Conference on Afghanistan was adopted in Moscow under the auspices of the Shanghai Cooperation Organisation, emphasising the importance of continuing international efforts to build a stable, peaceful, prosperous and democratic Afghanistan.

In December 2009, the UN General Assembly adopted by consensus a resolution on "Cooperation between the United Nations and the Shanghai Cooperation Organisation," which laid the legal foundation for further strengthening practical cooperation between the UN and the SCO, which has been an observer in the UN General Assembly since 2004. On 5 April 2010, in Tashkent, the Secretary-General of the Shanghai Cooperation Organisation, M.S. Imanaliev, and the Secretary-General of the UN, Ban Ki-moon, signed a Joint Declaration on Cooperation between the Secretariats of the UN and the SCO.

Following the meeting of the Council of Heads of Member States of the SCO on 15-16 June 2009, the Yekaterinburg Declaration of the Heads of Member States of the Shanghai Cooperation Organisation was adopted.

On 6-7 June 2012, a meeting of the Council of Heads of Member States of the Shanghai Cooperation Organisation was held in Beijing. The assessment of the Organisation's activities and the approaches of member states to further improving practical cooperation and its forms are reflected in the Declaration of the Heads of SCO Member States on Building a Region of Long-term Peace and Common Prosperity.

During the meeting of the Council of Heads of Member States of the SCO in 2014, the Dushanbe Declaration was adopted. The member states called for the building of a world free from war, conflict, violence and

pressure, for the development of comprehensive, equal and mutually beneficial cooperation among the international community, and for the achievement of common, comprehensive, joint and sustainable security, taking into account the legitimate interests of all states.

In 2015, SCO member states expressed serious concern about the growing scale of international terrorism and extremism, the unification of efforts by various terrorist groups, and advocated for the strengthening of the international community's joint fight against terrorist organisations in accordance with UN Security Council resolutions. As a result of the meeting in Ufa on 9-10 July, the Ufa Declaration was adopted and the SCO Development Strategy until 2025 was developed, taking into account the forecast for the development of the international and regional situation, as well as assessing the activities of the SCO itself, its role in the region and the world, and its relationship with other actors in international relations.

On 15 December 2015, the SCO countries adopted a joint communiqué following the 14th meeting of the Council of Heads of Government of SCO Member States. The heads of delegations discussed prospects and measures for deepening economic and humanitarian cooperation in the interests of further strengthening mutual understanding and traditional friendship between the peoples of the SCO member states.

A Memorandum of Understanding was also adopted in Zhengzhou (Henan Province) between the Secretariat of the Shanghai Cooperation Organisation and the Secretariat of the United Nations Economic and Social Commission for Asia and the Pacific with a view to strengthening cooperation and interaction. The parties agreed to work together in the areas of trade and investment, transport, energy, information and communication technologies, and other areas of mutual interest.

In 2016, the Tashkent Declaration on the Fifteenth Anniversary of the Shanghai Cooperation Organisation was adopted. During the meeting of the Council of Heads of State, it was announced that fruitful cooperation would be developed to strengthen economic and humanitarian ties, adopt and implement long-term programmes and plans for cooperation in the areas of trade, investment, project activities, culture, science and technology, response to natural and man-made emergencies, as well as in other areas, and the establishment of cooperation with Afghanistan, Belarus, India, Iran, Mongolia and Pakistan, as well as Azerbaijan, Armenia, Cambodia, Nepal, Turkey and Sri Lanka, and the established and sustained partnerships with the UN and its relevant institutions.

The heads of state of the Shanghai Cooperation Organisation member states adopted the Astana Declaration following the meeting of the Council of Heads of State in Astana on 9 June 2017.

In 2018, the Qingdao Declaration of the Council of Heads of Member States of the SCO was adopted, which refers to strengthening multifaceted cooperation for peace, stability, development and prosperity in the SCO area, as well as further unlocking the Organisation's potential in all areas of its activity.

At the meeting of the Council of Heads of Member States of the SCO in the PRC, the leaders of the SCO member states made a joint statement on simplifying trade procedures within the SCO, confirming their commitment to simplifying customs procedures, reducing customs formalities related to the import, export and transit of goods, increasing transparency and developing cooperation between border authorities, and increasing mutual trade between SCO member states.

On 9-10 April 2018, the first SCO People's Forum was held in Xi'an, China, attended by more than 80 representatives of SCO member states, observer countries and dialogue partners, with the aim of holding in-depth discussions on the theme "Promoting peace and cooperation in the region, jointly building a community with a shared future for mankind: the mission of public organisations". The Xi'an Declaration was adopted at the forum.

On 13-14 June 2019, a meeting of the Council of Heads of SCO Member States was held in Bishkek, during which the Bishkek Declaration was adopted.

In 2020, the Moscow Declaration of the Council of Heads of State was adopted, which states the desire to strengthen the SCO as one of the pillars of a more representative and just world order based on the supremacy of international law, above all the UN Charter, respect for civilisational diversity and the independent choice of peoples for their political and socio-economic development, equal partnership of states in the interests of ensuring equal, joint, indivisible, comprehensive and sustainable security, steady growth and prosperity in the SCO space, and the implementation of the 2030 Agenda for Sustainable Development to this end. SCO member states intend to deepen political dialogue, interaction and coordination, promote contacts and cooperation between legislative and executive authorities, and encourage the exchange of experience in the field of public administration and development.

Following the anniversary summit in Dushanbe in 2021, 30 documents were signed, the main one being the Dushanbe Declaration. The Programme of Cooperation of SCO Member States in Countering Terrorism, Separatism and Extremism for 2022-2024 and the Work Plan (2021-2023) for the implementation of the Action Programme for the implementation of the Anti-Drug Strategy of the SCO Member States for 2018-2023, and the Plan of Interaction of the SCO Member States on Ensuring International Information Security for 2022-2023. Decisions were signed on establishing SCO

partnerships with the League of Arab States, UNIDO, UNCTAD and the International Narcotics Control Board. The heads of the SCO Secretariat and the Eurasian Economic Commission signed a Memorandum of Understanding between the two organisations.

On 11 May 2022, the second Forum of People's Diplomacy of the Shanghai Cooperation Organisation was held in Tashkent on the theme "People's Diplomacy - Mutual Understanding for Development". The Tashkent Communiqué was adopted following the forum. Four memoranda were also signed during the forum:

1. Memorandum of Cooperation between the SCO Centre for Friendship and Cooperation in Tajikistan and the International Union of Non-Governmental Organisations "Assembly of Eurasian Peoples";

2. Memorandum of Cooperation between the Economic Assembly of Uzbekistan and the International Union of Non-Governmental Organisations "Assembly of Eurasian Nations";

3. Memorandum of Cooperation between the SCO People's Diplomacy Centre in Uzbekistan and the Assembly of the People of Kyrgyzstan;

4. Memorandum of Cooperation between the Ibn Sina International Foundation and the International Union of Non-Governmental Organisations "Assembly of the Peoples of Eurasia".

On 14 September 2022, a ceremony was held to sign a Memorandum of Understanding on Cooperation between the SCO Secretariat and the UNESCO Secretariat (2023-2027). The Memorandum aims to further develop mutually beneficial cooperation between the SCO and UNESCO in the fields of education, science, culture, sports, communication and information.

During the 21st meeting of the Council of Heads of SCO Member States, the following documents were signed: Samarkand Declaration of the Council of Heads of SCO Member States; Statement of the Council of Heads of SCO Member States on Responding to Climate Change; on Ensuring Reliable, Sustainable and Diversified Supply Chains; on Ensuring Global Food Security and on Ensuring International Energy Security.

## Structure of the SCO<sup>1</sup>

**The Council of Heads of State** is the highest body of the SCO. It determines the priorities and main directions of the organisation's activities, decides on

<sup>1</sup> <http://www.sectSCO.org/html/00028.html>.

fundamental issues of its internal structure and functioning, interaction with other states and international organisations, and considers the most pressing international issues. The Council meets once a year. The meeting of the Council is chaired by the state organising the meeting. The venue for the meeting is usually determined in alphabetical order of the names of the SCO member states.

**The Council of Heads of Government** (Prime Ministers) adopts the SCO budget, considers and decides on key issues relating to specific areas of cooperation within the organisation, particularly in the economic sphere. The Council meets once a year.

**The Council of Foreign Ministers** considers and decides on issues of the organisation's current activities, including the preparation of the meeting of the Council of Heads of State, the implementation of the organisation's decisions and consultations within the organisation on international issues. The Council usually meets one month before the meeting of the Council of Heads of State. The Council is chaired by the Minister of Foreign Affairs of the SCO member state in whose territory the regular meeting of the Council of Heads of State is held. The Chair of the Council of Foreign Ministers represents the organisation in its external contacts.

Meetings of heads of ministries and/or departments are held to consider specific issues of cooperation in relevant areas within the SCO. To date, a mechanism has been established for holding meetings of attorneys general, ministers of defence, ministers of economy and trade, ministers of communications, ministers of culture, as well as meetings of heads of law enforcement agencies and departments on emergency assistance to victims of disasters.

**The Council of National Coordinators** manages the organisation's day-to-day activities. The Council meets at least three times a year. The Council is chaired by the national coordinator of the member state in whose territory the next meeting of the Council of Heads of State will be held. The Chair of the Council of National Coordinators, on behalf of the Chair of the Council of Foreign Ministers, may represent the organisation in external contacts. National coordinators in SCO member states are usually appointed from among officials at the level of deputy foreign minister or ambassador-at-large.

**The Secretariat** is the permanent administrative body of the SCO. It is located in Beijing and has been officially operating since January 2004. The Secretariat is responsible for the organisational and technical support of events held within the framework of the SCO, participation in the development and implementation of documents of all bodies within the organisation, and the preparation of proposals for the organisation's annual

budget. The Secretariat is headed by a Secretary-General, who is approved by the Council of Heads of State. The Secretary-General is appointed from among the citizens of the SCO member states on a rotational basis, in alphabetical order of the names of the member states, for a term of three years without the right to extend for another term. From 1 January 2022, Zhang Ming, representative of China, has been appointed Secretary General of the SCO.

**Regional Anti-Terrorist Structure.** Its main functions are to coordinate the efforts of all SCO member states in the fight against terrorism, separatism and extremism. The Regional Anti-Terrorist Structure consists of a Council and an Executive Committee. The Council, which includes the heads of the competent departments of the member states of the organisation, is the governing body and is responsible for making decisions. The Chairman of the Executive Committee is appointed by the Council of Heads of State.

The SCO budget is approximately \$4 million and is spent solely on the functioning of permanent bodies.

## **Main areas of activity of the SCO**

The existence of external threats and challenges to regional stability, primarily in the form of terrorism and extremism, is of decisive importance for the process of unification and subsequent cooperation between the SCO member states. The SCO reflects the desire of states to jointly address issues of mutual security, strengthen confidence-building measures and business cooperation.

The creation of the SCO marked the beginning of the formation of a fundamentally new system of subregional cooperation through close interaction between six states, with the possible subsequent accession of other countries, subject to their agreement to follow the principles and commitments underlying the SCO. In this context, the open nature of the new organisation's activities is of great importance.

The main objectives of the Shanghai Cooperation Organisation include: strengthening mutual trust and good-neighbourliness among member countries; promoting effective cooperation in the political, trade, economic, scientific, technical and cultural fields, as well as in education, energy, transport, tourism, environmental protection and other areas; jointly ensuring and maintaining peace, security and stability in the region; promoting the creation of a democratic, just and rational new international political and economic order. The SCO also aims to stabilise the situation in Central Asia and Asia as a whole.

The SCO's activities are particularly relevant in the context of the US

strategy for Asia. The ultimate result of this strategy appears to be the creation of another "cordon" along the south of Russia from Turkey to Mongolia, including "conquered" Iraq, Iran (a potential target for US military expansion), "pacified" Afghanistan, and "tamed" Central Asian SCO members.

Such a division of the continent will drive a wedge between Russia and China, Russia and India, increasing the military threats to these states. Economically, it will bring the Caspian oil and gas region under US control, while politically it will add leverage over the situation in Russia's Siberian and Far Eastern regions, the restive autonomous regions of western China, and the entire Caucasus.

In this regard, the establishment of a "belt of stability" by Russia and China, including the CSTO and SCO (together with India), becomes the only way to ensure stability in Asia.

The Shanghai Cooperation Organisation, if its political and economic potential is skilfully realised, could become a powerful international centre of power, which is fully in line with the concept of a multipolar world. At the same time, this organisation is not a panacea for solving all the problems of Central Asia. Russia has historically developed stable bilateral political and economic ties with all SCO member states, including China, at the level of strategic partnership, which are developing much more effectively than within the SCO framework. Therefore, the development of multilateral cooperation within the Shanghai Organisation should not be at the expense of bilateral relations. Moreover, the development of Russia's bilateral cooperation with other member states of the organisation should become the basis for the systematic expansion of multilateral cooperation in Central Asia.

## **Problems and prospects of the SCO**

The main problems and prospects of the SCO are related to the balance of interests, dynamism and the successful resolution of existing issues.

As far as the balance of interests is concerned, it is already quite difficult to achieve. The accession of each new member is capable of radically changing the emerging balance of political, military, economic and cultural interests within the organisation. India's accession sharply increased the total population, made Indo-Pakistani and Indo-Chinese contradictions internal contradictions of the SCO, and introduced the problem of nuclear non-proliferation. On the other hand, if the SCO proves capable of developing a mechanism for resolving these contradictions, all countries in the region will benefit. Pakistan's accession has sharply increased Muslim issues and the indirect influence of the United States in the organisation. Iran's accession,

given its sharp confrontation with the US, could lead to unpredictable consequences for the SCO. Thus, the SCO has enormous potential for development, but its realisation will require the use of negotiation mechanisms to achieve a balance of interests.

The second problem is related to the dynamism of the organisation's development. On the one hand, between 2001 and 2007, the SCO evolved from a single-function organisation (dealing with border issues) to a multi-functional organisation, and is becoming increasingly active in economic and socio-cultural tasks. However, the expansion of functions also presents problems and prospects. Too rapid an expansion of functions will lead to a dilution of the development strategy and a dispersion of the organisation's resources, and consequently to a less effective solution of the main tasks, which are currently becoming more acute.

The problem of drug trafficking from Afghanistan is intensifying. Religious extremism and separatism still exist, although they have been driven underground. The problem of border areas has been compounded by environmental and resource issues (disputes over river pollution and the use of border natural resources). The development of major infrastructure projects (road and rail links through Central Asia) is progressing too slowly. At the ministerial level (China, Russia and other countries), officials think only in terms of their own interests, which often alienates other members of the organisation and creates an atmosphere of mistrust. Therefore, the solution to these problems will determine the prospects of the SCO as a "zone of stability, economic growth and intercultural cooperation".

## Sources

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## Reference

### Shanghai Cooperation Organisation (SCO)

**Established** on 15 June 2001 in Shanghai (PRC), the SCO began to take shape in 1996.

**Founders and member countries:** Republic of Kazakhstan, People's Republic of China, Republic of Kyrgyzstan, Russian Federation, Republic of Tajikistan, Republic of Uzbekistan (joined in 2001), Republic of India (joined in 2017), and the Republic of Pakistan (joined in 2017).

**Headquarters** – the organisation's secretariat is located in Beijing

(China), and the Regional Anti-Terrorist Structure is located in Tashkent (Uzbekistan).

**Goals and objectives:** the main goals of the Shanghai Cooperation Organisation include strengthening mutual trust and good neighbourliness among member countries; promoting effective cooperation in the political, trade, economic, scientific, technical and cultural fields, as well as in education, energy, transport, tourism, environmental protection and other areas; jointly ensuring and maintaining peace, security and stability in the region; promoting the creation of a democratic, just and rational new international political and economic order.

**Results of activities** – the SCO is gaining strength in the region, with the Islamic Republic of Afghanistan, the Republic of Belarus, the Islamic Republic of Iran and Mongolia joining the organisation as observers.

**Problems** – problems exist in the context of intra-regional differences between SCO members, and the Central Asian region is currently economically and geopolitically unstable.

**Prospects:** with a well-thought-out approach by China and Russia to the further activities of the SCO and the development of a unified ideological component, the SCO may well occupy a strong position in the region, given the interest in it from India, Iran, and Pakistan. India's entry into the SCO has greatly raised the prestige and weight of the organisation on the world stage.

**Interaction with Russia** – Russia is one of the founding members of the SCO. Economic, military and cultural cooperation have been added to the original goals of resolving China's territorial claims. On the one hand, Russia has gained a major ally in the fight against external influence in the CAR. On the other hand, China is a serious competitor for Russia for influence in the region.

## **Charter of the Shanghai Cooperation Organisation**

The Republic of Kazakhstan, the People's Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan, being the founding states of the Shanghai Cooperation Organisation (hereinafter referred to as the SCO or the Organisation),

- based on the historical ties between their peoples;
- seeking to further deepen comprehensive cooperation;

- wishing to contribute through joint efforts to strengthening peace, security and stability in the region in the context of the development of political multipolarity, economic and information globalisation;
  - Convinced that the establishment of the SCO contributes to more effective joint use of emerging opportunities and countering new challenges and threats;
  - Considering that cooperation within the SCO contributes to the realisation of the enormous potential for good-neighbourliness, unity and cooperation between states and their peoples;
  - Based on the spirit of mutual trust, mutual benefit, equality, mutual consultation, respect for cultural diversity and the pursuit of common development established at the meeting of the heads of six states in Shanghai (2001);
  - Noting that compliance with the principles set forth in the Agreement between the Russian Federation, the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan and the People's Republic of China on Confidence-Building in the Military Field in the Border Area of 26 April 1996 and in the Agreement between the Russian Federation, the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan and the People's Republic of China on the mutual reduction of armed forces in the border area of 24 April 1997, as well as in the documents signed during the summits of the heads of the Republic of Kazakhstan, the People's Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan between 1998 and 2001, has made an important contribution to the maintenance of peace, security and stability in the region and throughout the world;
  - Reaffirming its commitment to the purposes and principles of the Charter of the United Nations, other universally recognised principles and norms of international law relating to the maintenance of international peace and security and the development of good-neighbourly and friendly relations and cooperation among States;
  - Guided by the provisions of the Declaration on the Establishment of the Shanghai Cooperation Organisation of 15 June 2001;
- have agreed as follows:

## **Article 1**

### **Goals and Objectives**

The main objectives and tasks of the SCO are:

- to strengthen mutual trust, friendship and good-neighbourliness among member states;

- to develop multifaceted cooperation with a view to maintaining and strengthening peace, security and stability in the region, and to promoting the establishment of a new democratic, just and rational international political and economic order;
- jointly countering terrorism, separatism and extremism in all their manifestations, combating illicit trafficking in drugs and weapons, other forms of transnational criminal activity, and illegal migration;
- promoting effective regional cooperation in political, trade and economic, defence, law enforcement, environmental, cultural, scientific and technical, educational, energy, transport, credit and financial and other areas of common interest;
- promoting comprehensive and balanced economic growth, social and cultural development in the region through joint action based on equal partnership with a view to steadily raising the standard of living and improving the living conditions of the peoples of the member states;
- coordination of approaches to integration into the global economy;
- promoting human rights and fundamental freedoms in accordance with the international obligations of member states and their national legislation;
- maintaining and developing relations with other states and international organisations;
- cooperation in the prevention of international conflicts and their peaceful resolution;
- joint search for solutions to problems that will arise in the 21st century.

## **Article 2**

### **Principles**

The SCO member states adhere to the following principles:

- mutual respect for the sovereignty, independence, territorial integrity of states and the inviolability of state borders, non-aggression, non-interference in internal affairs, non-use of force or threat of force in international relations, renunciation of unilateral military superiority in neighbouring areas;
- equality of all member states, seeking common ground based on mutual understanding and respect for each other's opinions;
- the gradual implementation of joint action in areas of common interest;
- peaceful resolution of disputes between member states;

- non-alignment of the SCO against other states and international organisations;
- non-admission of any illegal actions directed against the interests of the SCO;
- faithful fulfilment of obligations arising from this Charter and other documents adopted within the framework of the SCO.

### **Article 3**

#### **Areas of cooperation**

The main areas of cooperation within the SCO are:

- maintaining peace and strengthening security and trust in the region;
- seeking common ground on foreign policy issues of mutual interest, including in international organisations and forums;
- developing and implementing measures to jointly combat terrorism, separatism and extremism, illicit trafficking in drugs and weapons, other types of transnational criminal activity, and illegal migration;
- coordinating efforts on disarmament and arms control issues;
- supporting and promoting regional economic cooperation in various forms, facilitating the creation of favourable conditions for trade and investment with a view to gradually achieving the free movement of goods, capital, services and technology;
- efficient use of existing transport and communications infrastructure, improvement of the transit capacity of member states, and development of energy systems;
- ensuring rational use of natural resources, including water resources in the region, and implementing joint special environmental protection programmes and projects;
- providing mutual assistance in the prevention of natural and man-made emergencies and the elimination of their consequences;
- exchange of legal information in the interests of developing cooperation within the SCO;
- expanding cooperation in the fields of science and technology, education, health care, culture, sports and tourism.

SCO member states may expand areas of cooperation by mutual agreement.

### **Article 4**

#### **Bodies**

1. In order to achieve the goals and objectives of this Charter, the following bodies shall operate within the framework of the Organisation:

- Council of Heads of State;
- Council of Heads of Government (Prime Ministers);
- Council of Ministers of Foreign Affairs;
- Meetings of Heads of Ministries and/or Departments;
- Council of National Coordinators;
- Regional Anti-Terrorism Structure;
- Secretariat.

2. The functions and working procedures of the SCO bodies, with the exception of the Regional Anti-Terrorist Structure, shall be determined by the relevant regulations approved by the Council of Heads of State.

3. The Council of Heads of State may decide to establish other SCO bodies. The establishment of new bodies shall be formalised in the form of additional protocols to this Charter, which shall enter into force in accordance with the procedure established in Article 21 of this Charter.

## **Article 5**

### **Council of Heads of State**

The Council of Heads of State shall be the supreme body of the SCO. It shall determine the priorities and develop the main directions of the Organisation's activities, resolve fundamental issues of its internal structure and functioning, interaction with other states and international organisations, and consider the most pressing international issues.

The Council shall meet once a year. The meeting of the Council of Heads of State shall be chaired by the head of state of the country hosting the meeting. The venue for the Council meeting shall be determined, as a rule, in alphabetical order of the names of the SCO member states.

## **Article 6**

### **Council of Heads of Government (Prime Ministers)**

The Council of Heads of Government (Prime Ministers) adopts the Organisation's budget, considers and decides on key issues relating to specific areas of cooperation within the Organisation, particularly in the economic sphere.

The Council shall meet once a year. The meeting of the Council shall be chaired by the head of government (prime minister) of the state in whose territory the meeting is held.

The venue for the regular meeting of the Council is determined by prior

agreement of the Heads of Government (Prime Ministers) of the Member States.

## **Article 7**

### **Council of Ministers of Foreign Affairs**

The Council of Foreign Ministers considers issues related to the Organisation's current activities, preparations for meetings of the Council of Heads of State, and consultations within the Organisation on international issues. The Council may, if necessary, issue statements on behalf of the SCO.

The Council shall meet, as a rule, one month before the meeting of the Council of Heads of State. Extraordinary meetings of the Council of Foreign Ministers shall be convened at the initiative of at least two member states and with the consent of the foreign ministers of all other member states. The venue for regular and extraordinary meetings of the Council shall be determined by mutual agreement.

The Council is chaired by the Minister of Foreign Affairs of the member state on whose territory the regular meeting of the Council of Heads of State is held, for a period beginning on the date of the conclusion of the last regular meeting of the Council of Heads of State and ending on the date of the next regular meeting of the Council of Heads of State.

The Chair of the Council of Ministers of Foreign Affairs shall represent the Organisation in external contacts in accordance with the Rules of Procedure of the Council.

## **Article 8**

### **Meetings of heads of ministries and/or departments**

In accordance with the decisions of the Council of Heads of State and the Council of Heads of Government (Prime Ministers), the heads of sectoral ministries and/or departments of the member states shall hold regular meetings to consider specific issues of cooperation in relevant areas within the framework of the SCO.

The meeting shall be chaired by the head of the relevant ministry and/or agency of the state hosting the meeting. The venue and time of the meeting shall be agreed in advance.

For the preparation and conduct of meetings, working groups of experts may be established on a permanent or temporary basis by prior agreement of the member states, which shall operate in accordance with the rules of procedure approved at meetings of the heads of ministries and/or departments. These groups shall be composed of representatives of the

ministries and/or departments of the member states.

### **Article 9**

#### **Council of National Coordinators**

The Council of National Coordinators is the SCO body responsible for coordinating and managing the Organization's day-to-day activities. It makes the necessary preparations for meetings of the Council of Heads of State, the Council of Heads of Government (Prime Ministers) and the Council of Foreign Ministers. National coordinators are appointed by each member state in accordance with its internal rules and procedures.

The Council meets at least three times a year. The Council is chaired by the national coordinator of the member state in whose territory the next meeting of the Council of Heads of State will be held, for a term beginning on the date of the conclusion of the last regular meeting of the Council of Heads of State and ending on the date of the next meeting of the Council of Heads of State.

The Chair of the Council of National Coordinators, on behalf of the Chair of the Council of Ministers of Foreign Affairs, may represent the Organisation in external contacts in accordance with the Regulations on the Procedure of the Council of National Coordinators.

### **Article 10**

#### **Regional Anti-Terrorist Structure**

The Regional Anti-Terrorist Structure of the States Parties to the Shanghai Convention on Combating Terrorism, Separatism and Extremism of 15 June 2001, located in Bishkek (Kyrgyz Republic), shall be a permanent body of the SCO.

Its main tasks and functions, principles of formation and financing, as well as the procedure for its activities are regulated by a separate international treaty concluded between the member states and other necessary documents adopted by them.

### **Article 11**

#### **Secretariat**

The Secretariat is a permanent administrative body of the SCO. It provides organisational and technical support for events held within the framework of the SCO and prepares proposals for the Organisation's annual

budget.

The Secretariat shall be headed by an Executive Secretary, who shall be approved by the Council of Heads of State upon the recommendation of the Council of Foreign Ministers.

The Executive Secretary shall be appointed from among the citizens of the member states on a rotational basis in alphabetical order of the names of the member states for a term of three years without the right of renewal for the next term.

The Deputy Executive Secretaries shall be approved by the Council of Ministers of Foreign Affairs upon the recommendation of the Council of National Coordinators. They may not be representatives of the state from which the Executive Secretary is appointed.

The officials of the Secretariat shall be recruited from among the citizens of the member states on a quota basis.

In the performance of their duties, the Executive Secretary, his deputies and other Secretariat officials shall not seek or receive instructions from any member state and/or government, organisation or private individual. They shall refrain from any action that could affect their position as international officials responsible only to the SCO.

Member States undertake to respect the international nature of the duties of the Executive Secretary, his deputies and the Secretariat staff and not to influence them in the performance of their official duties.

The seat of the SCO Secretariat shall be in Beijing (People's Republic of China).

## **Article 12**

### **Financing**

The SCO shall have its own budget, which shall be established and implemented in accordance with a special agreement between the member states. This agreement shall also determine the size of the contributions to be made annually by the member states to the Organisation's budget on the basis of the principle of proportional participation.

Budget funds shall be used to finance the permanent bodies of the SCO in accordance with the above-mentioned Agreement. Member States shall independently bear the costs associated with the participation of their representatives and experts in the activities of the Organisation.

## **Article 13**

### **Membership**

The SCO is open to other states in the region that undertake to comply with the objectives and principles of this Charter, as well as the provisions of other international treaties and documents adopted within the framework of the SCO.

The decision on the admission of new members to the SCO shall be taken by the Council of Heads of State on the recommendation of the Council of Foreign Ministers on the basis of an official request from the interested state addressed to the current Chairman of the Council of Foreign Ministers.

The membership of a member state that violates the provisions of this Charter and/or systematically fails to fulfil its obligations under international treaties and documents concluded within the framework of the SCO may be suspended by decision of the Council of Heads of State upon the recommendation of the Council of Foreign Ministers. If that state continues to violate its obligations, the Council of Heads of State may decide to expel it from the SCO from the date determined by the Council itself.

Any member state shall have the right to withdraw from the SCO by sending an official notification of withdrawal from this Charter to the depositary no later than twelve months prior to the date of withdrawal. The obligations arising during the period of participation in this Charter and other documents adopted within the framework of the SCO shall bind the respective states until their full implementation.

#### **Article 14**

### **Relations with other States and international organisations**

The SCO may engage in interaction and dialogue, including on specific areas of cooperation, with other states and international organisations.

The SCO may grant the status of dialogue partner or observer to an interested state or international organisation. The procedure and modalities for granting such status shall be established by a special agreement between the member states.

This Charter shall not affect the rights and obligations of member states under other international treaties to which they are parties.

#### **Article 15**

### **Legal Capacity**

The SCO, as a subject of international law, shall have international legal capacity. It shall enjoy in the territory of each member state such legal capacity as is necessary for the fulfilment of its objectives and tasks.

The SCO enjoys the rights of a legal entity and may, in particular:

- conclude treaties;
- acquire movable and immovable property and dispose of it;
- act as a plaintiff or defendant in court;
- open accounts and conduct transactions with funds.

## **Article 16**

### **Decision-making procedure**

Decisions in SCO bodies shall be taken by consensus without voting and shall be considered adopted if none of the member states objects to them during the consensus process (consensus), with the exception of decisions on the suspension of membership or expulsion from the Organisation, which are adopted on the basis of "consensus minus one vote of the member state concerned".

Any member state may express its opinion on individual aspects and/or specific issues of the decisions being adopted, which does not prevent the decision from being adopted as a whole. This opinion shall be recorded in the minutes of the meeting.

In cases where one or more Member States are not interested in implementing specific cooperation projects that are of interest to other Member States, the non-participation of those Member States shall not prevent the implementation of such cooperation projects by the interested Member States and, at the same time, shall not prevent those Member States from joining in the implementation of such projects at a later stage.

## **Article 17**

### **Implementation of decisions**

Decisions of the SCO bodies shall be implemented by the member states in accordance with the procedures established by their national legislation.

The SCO bodies shall, within the limits of their competence, monitor the fulfilment of the obligations of the member states under this Charter, other agreements in force within the SCO and decisions of its bodies.

## **Article 18**

### **Permanent Representatives**

Member States shall, in accordance with their internal rules and

procedures, appoint their permanent representatives to the SCO Secretariat, who shall be part of the diplomatic staff of the embassies of member states in Beijing.

### **Article 19**

#### **Privileges and immunities**

The SCO and its officials shall enjoy, in the territories of all Member States, the privileges and immunities necessary for the performance of the functions and achievement of the objectives of the Organisation.

The scope of privileges and immunities of the SCO and its officials shall be determined by a separate international treaty.

### **Article 20**

#### **Languages**

The official and working languages of the SCO shall be Russian and Chinese.

### **Article 21**

#### **Term and entry into force**

This Charter shall be concluded for an indefinite period.

This Charter shall be ratified by the signatory states and shall enter into force on the thirtieth day after the date of deposit of the fourth instrument of ratification with the depositary.

For a state that has signed this Charter and ratified it later, it shall enter into force on the date of deposit of its instrument of ratification with the depositary.

After the entry into force of this Charter, it shall be open for accession by any State.

For an acceding State, this Charter shall enter into force on the thirtieth day after the date of receipt by the depositary of the relevant instruments of accession.

### **Article 22**

#### **Settlement of disputes**

In the event of disputes or differences arising in connection with the interpretation or application of this Charter, Member States shall settle them through consultation and negotiation.

**Article 23**  
**Amendments and additions**

This Charter may be amended and supplemented by mutual agreement of the Member States. Decisions of the Council of Heads of State on amendments and supplements shall be recorded in separate protocols, which shall form an integral part of this Charter and shall enter into force in accordance with the procedure provided for in Article 21 of this Charter.

**Article 24**  
**Reservations**

No reservations may be made to this Charter that are contrary to the principles, aims and objectives of the Organisation or that may impede the performance of the functions of any SCO body. If at least two-thirds of the member states object, the reservations shall be deemed to be contrary to the principles, aims and objectives of the Organisation or to impede the performance of the functions of any organ, and shall have no legal effect.

**Article 25**  
**Depositary**

The depositary of this Charter shall be the People's Republic of China.

**Article 26**  
**Registration**

This Charter shall be registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

Done at St. Petersburg on 7 June 2002, in a single copy in the Russian and Chinese languages, both texts being equally authentic.

The original copy of this Charter shall be deposited with the depositary, who shall send certified copies to all signatory states.

**Yekaterinburg Declaration**

## **of the Heads of Member States of the Shanghai Cooperation Organisation**

The Heads of Member States of the Shanghai Cooperation Organisation, following the meeting of the Council of Heads of State held in Yekaterinburg on 15–16 June 2009, declare the following.

1. The contemporary international environment is undergoing serious changes. The desire for peace and sustainable development and the promotion of equal cooperation have become the imperative of our time. The trend towards genuine multipolarity is irreversible. The regional aspect is becoming increasingly important in addressing global issues.

The SCO member states, reaffirming their commitment to joint development based on the principles and provisions of the Charter of the Shanghai Cooperation Organisation and the Treaty on Long-Term Good-Neighbourliness, friendship and cooperation among SCO member states, consider it a priority to maintain constructive dialogue and deepen close interaction and partnership in order to jointly seek effective ways to address global and regional issues, drawing on the growing potential and international authority of the SCO.

2. The SCO member states believe that international cooperation is a fundamental tool for countering new challenges and threats, overcoming the global financial crisis, ensuring energy and food security, and addressing such pressing issues as climate change.

3. The current situation in the global economy and finance demonstrates the need to intensify cooperation among the international community in the area of international financial control and management, to work together to prevent the growth and spread of financial crisis risks, and to maintain economic stability.

The member states of the Organisation intend to work together with the international community to establish a more just, equitable, comprehensive and orderly international financial system that takes into account the real balance of interests of all its participants and provides equal access for all states to the benefits of globalisation.

To this end, cooperation and information exchange in the international financial sphere and on issues related to overcoming the consequences of the global financial crisis in the SCO area should be strengthened.

4. The SCO member states emphasise the growing relevance in the current circumstances of strengthening trade, economic and investment

cooperation within the Organisation, including by drawing on the potential of observer states and dialogue partners.

The need to accelerate the implementation of large-scale projects that will expand the region's transport and communication capabilities and provide access to global markets, develop social infrastructure, and create modern international centres for logistics, trade and tourism, the construction of new enterprises, and the introduction of innovative and energy-saving technologies, including renewable energy sources.

The implementation of these projects, the development of international transport corridors and the modernisation of railways and motorways will create the conditions for strengthening the region's potential as a transcontinental bridge and give new impetus to the development of economic ties between Europe and Asia.

5. Noting the key importance of energy for the successful development of the economy and the creation of favourable conditions for improving the quality of life of their citizens, the SCO member states declare their determination to further promote mutually beneficial cooperation in this area on the basis of equality, with a view to ensuring an efficient, reliable and environmentally safe energy supply.

6. The Shanghai Cooperation Organisation proceeds from the need to further strengthen the legal foundations of international relations, determined by universally recognised principles and norms of international law and the international obligations of states.

The urgent task remains to strengthen the central and coordinating role of the United Nations in world affairs and to enhance the effectiveness of its mechanisms in order to ensure an adequate response to contemporary challenges and changing political and economic realities. The reform of the UN Security Council should be carried out with the broadest possible consensus of the international community.

SCO member states intend to strengthen coordination on issues related to the reform of the UN and its Security Council.

7. SCO member states emphasise the relevance of ensuring international information security as one of the key elements of the overall international security system.

8. SCO member states, reaffirming their commitment to dialogue among civilisations, the values of peace, tolerance, mutual respect and harmony in inter-ethnic and inter-confessional relations, regardless of ethnic origin, religious or other beliefs, advocate that the fight against international

terrorism should not be equated with opposition to any religion.

9. Maintaining international peace is only possible in conditions of equal security for all states without exception. The security of some should not be ensured at the expense of the security of others.

International and regional conflicts should be resolved through political and diplomatic measures based on the principles of equality and mutual respect, non-interference in the internal affairs of sovereign states.

Attempts to achieve unilateral advantages in the defence sphere are counterproductive, undermine the strategic balance and stability in the world, and do not contribute to strengthening trust, arms reduction and disarmament.

10. The SCO member states note that the proliferation of nuclear weapons poses a serious threat to international peace and security.

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is the foundation of the international architecture for preventing the proliferation of nuclear weapons. Threats of nuclear proliferation can and must be eliminated on the basis of the NPT, with all its participants unconditionally fulfilling their obligations. The SCO member states reaffirm their strong support for the NPT, welcome multilateral efforts to strengthen it, and are determined to move towards enhancing the effectiveness of the Treaty on the basis of the unity of its three fundamental components: non-proliferation, disarmament and the peaceful use of atomic energy.

The SCO member states reaffirm their intention to promote the further implementation of the Russia-US Global Initiative to Combat Nuclear Terrorism and welcome the entry into force on 21 March 2009 of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

11. The SCO member states welcome the start of Russian-American negotiations on a treaty to reduce strategic offensive arms.

12. SCO member states support the resumption of negotiations on the denuclearisation of the Korean peninsula. They call for restraint and for the search for mutually acceptable solutions based on previously reached agreements to continue.

13. SCO member states express serious concern about the complex situation in Afghanistan, which is linked to threats common to the international community, such as drug trafficking, terrorism and transnational organised crime.

In this regard, it is recognised as necessary to intensify cooperation with SCO observer states, Afghanistan and other interested countries, as well as

regional and international organisations, primarily the UN and its specialised agencies.

SCO member states aim to establish anti-drug and financial security "belts" in the region in close cooperation with other interested countries and international organisations.

14. SCO member states welcome the end of the internal armed conflict in Sri Lanka and express their hope for the establishment of lasting peace and the strengthening of security and stability in that country on the basis of ensuring its state sovereignty and territorial integrity and guaranteeing the rights of all ethnic and religious groups.

15. The SCO Member States consider it a priority to enhance the effectiveness of cooperation in responding in a timely manner to natural and man-made emergencies and to implement a set of measures to reduce their impact on the socio-economic sphere.

16. SCO member states attach great importance to strengthening cooperation in countering the threat of particularly dangerous infections and other infectious diseases. To this end, it is recognised as necessary to mobilise available resources and establish joint efforts to prevent the spread of epidemics.

17. The SCO Member States note that the Organisation has become an important element of the emerging security and cooperation architecture in the Asia-Pacific region.

Noting with satisfaction the growing interest of the international community in establishing ties with the SCO, they welcome the accession of the Republic of Belarus and the Democratic Socialist Republic of Sri Lanka to cooperation within the SCO as dialogue partners.

The SCO member States express their readiness to expand practical cooperation with the United Nations, the Commonwealth of Independent States, the Association of Southeast Asian Nations, the Eurasian Economic Community, the Collective Security Treaty Organisation, the Economic Cooperation Organisation, the United Nations Economic and Social Commission for Asia and the Pacific, other international and regional organisations, and to form a broad partnership network on this basis.

SCO member states are open to dialogue aimed at bringing states closer together and promoting the establishment of a more just world order, strengthening global stability and economic development.

President of the Republic of Kazakhstan  
President of the People's Republic of China  
President of the Kyrgyz Republic  
President of the Russian Federation  
President of the Republic of Tajikistan  
President of the Republic of Uzbekistan

Yekaterinburg, 16 June 2009

# 6

## Appendix

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### INTERPOL AND EUROPOL

#### Interpol

Interpol (International Criminal Police Organisation (ICPO)) is an international intergovernmental organisation whose main task is to coordinate the efforts of national law enforcement agencies of member countries in the fight against general crime. It has been operating as the International Criminal Police Commission since 1923 and under the name "Interpol" since 1956.

Interpol ranks first among international organisations in terms of the number of member countries (195).

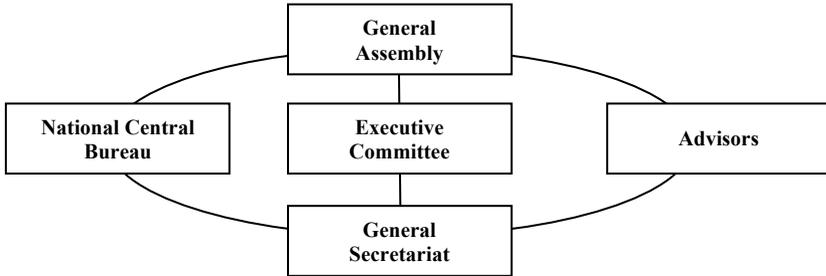
#### Goals and objectives

Interpol's main objective is to coordinate the efforts of individual countries and implement a unified policy in the fight against general crime. Its main tasks include creating and maintaining a constantly updated database on crimes and criminal communities, accessible to the police of all member countries, coordinating international searches, combating human trafficking, organised crime, drug smuggling, economic and high-tech crime, counterfeiting and forgery of securities, and juvenile delinquency. Currently, great importance is attached to issues of public safety and the fight against terrorism. Interpol does not interfere in activities of a political, military, religious or racial nature (Article 3 of the Constitution).

#### Organisational structure

The highest body is the General Assembly (which meets annually), Interpol's advisory body, the Executive Committee (ExCom), meets three times a year, and day-to-day work is carried out by the permanent General Secretariat (Fig. 1). The President of the General Assembly since 2021 is Ahmed Naser Al-

Raisi, UAE; the General Secretariat has been headed by Secretary General Jürgen Stock, Germany, since 2014.



**Fig. 1.** Interpol's organisational structure

In 2022, the Interpol General Secretariat has a staff of approximately 1,000 people representing more than 100 countries around the world. Its headquarters are located in Lyon, France. The official languages are English, Arabic, Spanish and French. Regional offices have been established in Argentina, Côte d'Ivoire, El Salvador, Kenya, Zimbabwe and Cameroon. In each of the countries that are members of Interpol, National Central Bureaus (NCBs) have been established within the structure of national law enforcement agencies. These are the bodies responsible for cooperation between national law enforcement agencies and the NCBs of other countries and the Interpol General Secretariat. In addition, Interpol's structure includes advisers (the most experienced representatives of the criminal police from different countries). Interpol's annual budget is approximately €142 million.

## History

In **1914**, the first International Criminal Police Congress was held in Monaco. Police officers, magistrates and lawyers from 24 countries met to discuss arrest procedures, identification methods, and the centralisation of international protocols, records and archives.

In **1923**, the International Criminal Police Commission was established with headquarters in Vienna, Austria. Data on wanted criminals began to be published in the Interpol Illustrated Journal.

In **1925**, the General Assembly, convened in Berlin, instructed each member country to organise a local Interpol office within its police structure (the predecessor of the National Central Bureau).

In **1930**, specialised departments were created to combat criminal records, currency and passport forgery, and a global database of criminals was formed.

**1932** – the post of Secretary General was created.

In **1935**, Interpol began radio broadcasting.

In **1938**, the Nazis seized control of Interpol after overthrowing the Secretary General. Most countries stopped participating in the International Criminal Police Congress. And in **1942**, the International Criminal Police Congress came under German control and was moved to Berlin.

**1946** – Belgium begins rebuilding the organisation after the end of World War II. A new headquarters is established in Paris. A new President and Executive Committee are elected through democratic elections. The official journal, *International Criminal Police Review*, is published from 1946 onwards.

**1956** – The International Criminal Police Commission is renamed "Interpol". A constitution is adopted. The organisation becomes fully autonomous, funded by contributions from member countries.

In **1963**, the first regional conference was held in Liberia.

In **1971**, the UN recognises Interpol as an intergovernmental organisation.

**1989** – Interpol headquarters moves to Lyon, France.

In **1990**, the X.400 information exchange system between National Central Bureaus was launched. Then, in **1992**, the Interpol Automated Data Search System ( ) was introduced.

**1998** – Interpol's Criminal Information System is created.

In **2002**, the global police communication system I-24/7 was launched, providing all member countries with a secure platform for exchanging and accessing information and databases.

**2003** – The Command and Coordination Centre was established to provide a point of contact for any member country in need of urgent police information or facing a crisis situation.

**2005** – The first joint UN and Interpol document on Al-Qaeda and the Taliban was adopted.

The new MIND/FIND technology was developed, allowing countries to provide their frontline officers, such as immigration officials, with real-time access to databases on nominal data, stolen vehicles and travel documents.

**2010** – The first international INFRA-Terra operation was conducted with the aim of bringing those responsible for crimes against wildlife to justice. Infra operations are now conducted on a regular basis.

**2012** – A ministerial meeting was held in Rome with the participation of ministers of justice, security and home affairs from nearly 100 countries.

The 81st General Assembly ended with the election of Mireille Ballestrazzi, Deputy Director General of the French Judicial Police, as the organisation's first female president.

**2016** – A special Task Force was set up to review all requests to ensure they comply with Interpol rules. A facial recognition system was also introduced.

**2019** – The Young Police Leaders programme was adopted to prepare the next generation of police leaders to effectively combat international crime.

**2020** – Guidelines were issued to help national police forces detect and prevent crimes caused by the pandemic, including domestic violence, child abuse, cybercrime and vaccine fraud.

**2021** – Interpol's 19th database is launched. I-Familia uses DNA from relatives to identify missing or unidentified human remains around the world.

During the 89th session of the General Assembly, the Strategic Framework for 2022-2025 was approved, consisting of four strategic objectives and 17 corresponding strategic objectives, providing a focused and effective direction for the Organisation's programmes and activities:

- reliable information for action;
- enriching policing through partnerships;
- improving policing;
- enhancing the efficiency and effectiveness of the organisation;

## **Relations with Russia**

Interpol currently has 195 member states, including the Russian Federation. Russia is the successor to the USSR, which was admitted to Interpol on 27 September 1990 at the General Assembly session in Ottawa. The Interpol NCB in Russia is part of the central apparatus of the Russian Ministry of Internal Affairs with the status of a main department. The head of the NCB Interpol in Russia since 2022 is Police Colonel V. A. Kalachev. Between 1997 and 2000, branches of the NCB Interpol were established within the structure of the central police authorities of all constituent entities of the Russian Federation. Interpol in Russia has 80 regional offices throughout the country, each of which provides the main Moscow NCO with criminal intelligence obtained as a result of local field investigations and operations.

## **Problems and prospects**

In September 2007, an arrest warrant was issued in South Africa for D. Selebi, the President of Interpol, elected from Africa (South Africa). According to

press reports, Selebi was under investigation by the South African Scorpions (the equivalent of the American FBI). This happened after his close acquaintance, Glen Agliotti, who is considered one of the biggest drug traffickers, was arrested in September 2005 on murder charges. In 2002, the police seized a shipment of drugs believed to belong to Agliotti. However, he and his accomplices managed to escape punishment. Selebi himself was seen on several occasions playing golf with Agliotti. Even earlier, Selebi was also wanted by Interpol itself at the request of the South African government (until 1994). However, after Nelson Mandela came to power, he became the second most powerful person in the state and was able to participate in the election for the presidency of Interpol. After becoming President, Selebi maintained his ties to the criminal world, whose support he had enjoyed during the struggle against apartheid in South Africa . Currently, both Interpol and Europol are in difficult situations due to corruption scandals<sup>1</sup> .

In September 2018, Meng Hongwei, a politician from the People's Republic of China and president of the organisation, was arrested on charges of bribery as part of a national anti-corruption campaign. Meng's presidential term was supposed to last until 2020, but he resigned in October 2018 after being detained by the Chinese authorities.

## **Europol**

Europol (European Law Enforcement Organisation) is a law enforcement organisation of the European Union that conducts intelligence activities in the field of crime. It comprises 27 EU member states: Austria, the United Kingdom, Denmark, Spain, Luxembourg, Romania, Malta, Slovenia, the Czech Republic, Belgium, Hungary, Greece, Italy, the Netherlands, Latvia, Poland, Finland, Sweden, Bulgaria, Germany, Ireland, Cyprus, Portugal, Lithuania, Slovakia, France, and Estonia. It has been operating since January 1994.

### **Aims and objectives**

Europol supports the law enforcement activities of member states, mainly in the areas of combating:

- drug trafficking;
- illegal immigration networks;

<sup>1</sup> Based on materials from <http://www.interpol.int/> and Wikipedia <http://www.ru.wikipedia.org;> [http://www.en.wikipedia.org.](http://www.en.wikipedia.org;)

- terrorism;
- counterfeiting of money (production of counterfeit euros) and other means of payment;
- trafficking in human beings, including child pornography;
- illegal trade in motor vehicles;
- money laundering.

In addition, other priority areas of Europol's work include the investigation of crimes against individuals, financial crimes and cybercrime. This applies to cases involving organised crime structures and where two or more Member States are affected by the criminal activities.

Europol provides support by:

- facilitating the exchange of information, in accordance with applicable national law, between Europol liaison officers (ELOs). ELOs are seconded to Europol by EU Member States as representatives of national law enforcement agencies;
- carrying out operational analysis to support operations;
- preparing strategic reports (e.g. threat assessments) and crime analyses based on information and intelligence provided by Member States and third parties;
- providing expertise and technical support during investigations and operations conducted within the EU under the control and legal responsibility of the EU Member States concerned.

Europol is also actively working to disseminate crime analysis practices and harmonise crime investigation methods across Member States.

## **Organisational structure**

Europol is managed by the Council of Ministers of Justice and Home Affairs of the EU Member States. The Council appoints the Director of Europol and his deputies and approves the budget. Since 1 May 2022, Catherine De Bolle has been the Executive Director of Europol.

Europol currently has 1,432 employees at its headquarters in The Hague, Netherlands. Of these, more than 200 are Europol liaison officers (ELOs) representing various law enforcement agencies (police, customs, immigration services, etc.). The annual budget for 2017 is approximately €116.4 million.

## **History**

The establishment of Europol was provided for in the Maastricht Treaty on European Union of 7 February 1992. Based in The Hague, Netherlands,

Europol began limited operations on 3 January 1994 in the form of the Europol Drugs Unit (EDU), whose function was to combat drugs. Gradually, its activities were expanded to include the fight against other types of crime. The Europol Convention was ratified by all Member States and entered into force on 1 October 1998. In accordance with a number of secondary acts related to the Convention, Europol became fully operational on 1 July 1999.

On 1 January **2002**, Europol's remit was extended to include the fight against all serious forms of international crime listed in the annex to the Europol Convention.

On 1 January **2010**, Europol became an EU agency and a multi-annual policy cycle for serious and organised crime (EMPACT) was established.

In **2013**, the European Cybercrime Centre was opened at Europol.

In **2016**, the European Counter Terrorism Centre (ECTC) and the European Migrant Smuggling Centre (EMSC) were established at Europol, and a website listing Europe's most wanted criminals was launched.

In **2020**, Europol is establishing the European Financial and Economic Crime Centre (EFECC).

## **Problems and prospects**

Many human rights activists and lawyers specialising in the protection of private information criticise Europol for maintaining a database of suspects and a working database for analysis purposes, as this contradicts the principle of "presumption of innocence".

Europol experienced its first serious crisis in June 2001, when Dutch police temporarily arrested the head of Europol's IT department, Frenchman Nicolas Pougnet. The officer was accused of fraud and forgery. The fraud was first discovered during an audit of data from 1999. An internal investigation revealed that at least DM 250,000 allocated for new computer equipment had been transferred to private accounts abroad, including accounts of offshore companies in Bermuda. The investigation materials were handed over to the Dutch police. This scandal came at the worst possible time – Europol member countries were planning to significantly expand its powers and increase its budget <sup>1</sup>.

## **Europol in Russia**

<sup>1</sup> Based on materials from <http://www.europol.europa.eu/> and Wikipedia – <http://www.ru.wikipedia.org/> and <http://www.en.wikipedia.org/>.

In 2004, the Russian National Contact Point for Cooperation with Europol was established within the structure of Interpol at the Russian Ministry of Internal Affairs. The task of this point is to exchange information between the competent authorities of the Russian Federation (Ministry of Internal Affairs, FSB, FCS, UKON, Rosfinmonitoring) and Europol.

A strategic cooperation agreement between the Russian Federation and the European Police Organisation was signed at the Russia-EU summit in Rome on 6 November 2003. This international treaty covers such types of crimes as terrorism and its financing, illegal drug trafficking, property and financial crimes, including money laundering and counterfeiting, illegal migration, and high-tech crimes.

Thanks to the cooperation between the Russian Ministry of Internal Affairs and Europol, a regulatory and legal framework is being developed, personnel are being trained, and internships, consultations and seminars are being held.

# 7

## Appendix

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# **ORGANISATION OF COUNTRIES – OIL EXPORTERS (THE ORGANISATION OF THE PETROLEUM EXPORTING COUNTRIES – OPEC)**

The Organisation of Petroleum Exporting Countries is a permanent intergovernmental organisation established at the Baghdad Conference (10–14 September 1960) by Iraq, Iran, Kuwait, Saudi Arabia and Venezuela. Qatar joined the organisation in 1961, Indonesia and Libya in 1962, the United Arab Emirates in 1967, Algeria in 1969, Nigeria in 1971 Nigeria, in 1973 Ecuador, in 1975 Gabon, in 2007 Angola, in 2017 Equatorial Guinea, and in 2018 Congo.

Ecuador suspended its membership in 1992, returned to OPEC in 2007, but decided to leave in 2020. Indonesia suspended its membership in 2009, resumed it again in 2016, but decided to suspend its membership once more at the 171st OPEC Conference on 30 November 2016. Gabon terminated its membership in 1995 but rejoined the Organisation in 2016. Qatar terminated its membership in 2019.

OPEC currently comprises 13 countries. For the first five years, OPEC's headquarters were in Geneva, but on 1 September 1965, they were moved to Vienna (Austria).

## **Goals and objectives**

OPEC's main objective is to coordinate the actions of oil producers in the global oil market.

Its tasks are to regulate oil production and supply volumes on the global market; ensure stable prices for crude oil and uninterrupted oil supplies to consumers; and return capital for investment in the development of the oil industry.

The creation of the OPEC Fund allows assistance to be provided in solving the socio-economic problems of developing countries.

## **Organisational structure**

Twice a year, mandatory meetings of OPEC energy and oil production ministers are held to discuss the situation on the world market, forecast changes, and make decisions on achieving OPEC's goals and objectives. In urgent cases, unscheduled meetings as well as bilateral and multilateral consultations may be held.

Materials for meetings and conferences are prepared by the permanent OPEC Secretariat, headed by the Governing Board. The Secretariat includes a research department and departments for data processing, oil market analysis, energy studies, public relations and human resources. The Secretariat has an excellent library and provides excellent working conditions for researchers, experts and students from member countries. The official language of the Secretariat is English.

OPEC's annual budget is \$26 million (each member country contributes \$2 million).

## History

In **the 1960s**, OPEC was formed in opposition to the Seven Sisters, the seven largest oil companies in developed countries, which competed to lower the price of crude oil. OPEC was established after this cartel, which included British Petroleum, Chevron, Exxon, Gulf, Mobil, Royal Dutch/Shell and Texas, and controlled the processing of crude oil and the sale of petroleum products worldwide, unilaterally reduced the purchase prices of oil, on the basis of which taxes and interest were paid to oil-producing countries for the right to develop natural resources.

In 1962, OPEC was registered with the UN Secretariat as a full-fledged intergovernmental organisation.

In 1965, OPEC established official relations with the UN Economic and Social Council and became a member of the UN Conference on Trade and Development.

In 1968, OPEC adopted the Declaration on the Petroleum Policy of OPEC Member Countries, which emphasised the inalienable right of all countries to exercise permanent sovereignty over their natural resources in the interests of their national development.

In **the 1970s**, OPEC member countries established control over domestic oil production and provoked two oil crises (the Arab oil embargo of 1973 and the Iranian revolution of 1979), which resulted in a sharp rise in crude oil prices.

In **the 1980s**, prices fell, reaching a low in 1986. The decline in prices undermined the Soviet Union's economy, and the USSR collapsed in the early 1990s.

In **the 1990s**, prices were relatively stable, with slight increases in the early 1990s (Gulf War) and a decline in 1998 (crisis in Southeast Asia).

In 1998, Russia became an observer in OPEC.

In **the 2000s**, the war (2003) and subsequent occupation of Iraq led to a steady rise in prices, reaching around \$100 per barrel of crude oil in 2007. However, OPEC countries do not intend to increase oil production, as the economic slowdown in the United States and the predicted warming of the climate may reduce the demand for oil.

In 2008, Russia announced its readiness to become a permanent observer in OPEC.

In **the 2010s**, global demand for oil grew, especially in the Asian region. Global attention to multilateral environmental issues began to intensify, leading to the signing of the Paris Agreement in 2015, which all OPEC member countries signed and 10 ratified.

Market conditions led to the unprecedented Declaration of Cooperation in December 2016, in which OPEC members and 10 non-OPEC oil-producing countries joined forces to help balance the market, reduce inventory levels and support oil market stability.

In 2019, the Cooperation Charter was established as a long-term platform for cooperation, exchange of views and information.

The decade saw recognition of the role OPEC played in helping to stabilise the global oil market in the interests of both producers and consumers.

**The 2020s** saw the outbreak of the COVID-19 pandemic, which had a devastating impact on both the global economy and the energy sector. The oil market experienced free-falling demand, rapidly filling global storage facilities and massive volatility. This prompted OPEC and its partners in the Declaration of Cooperation to intensify their joint efforts to restore much-needed stability, leading to the largest and longest voluntary production adjustments in the history of the oil market. The importance of these efforts has been recognised by many countries and organisations, including the G20 energy ministers, Argentina, Brazil, Canada, Colombia, Norway, the African Petroleum Producers Organisation, the International Energy Agency, the International Energy Forum and many independent producers.

## **Relations with Russia**

As Russia is one of the world's largest non-OPEC oil exporters, the possibility of our country joining this organisation is periodically discussed. However, experts point to the divergence of strategic interests between OPEC and Russia, which finds it more advantageous to remain an independent force in

the oil market or, at worst, to join forces with other independent exporters such as Norway and Mexico.

Nevertheless, since 1998, Russia has participated in OPEC Conference sessions, as well as in expert meetings and other events organised by the organisation with representatives of non-member countries. Regular meetings are held between Russian ministers and OPEC leaders and colleagues from OPEC countries.

Relations with Russia have a significant impact on the organisation's policy. Fearing that Russia will increase its market share, OPEC refuses to reduce production volumes unless Russia does the same. This situation is the main obstacle to the recovery of world oil prices.

## **Problems and prospects**

The main problems facing the organisation are the military and political weakness of its member countries, which makes them potential targets for the US and the European coalition. The threat of attack on Iran and Venezuela (2008–2009), as well as Saudi Arabia (2010–2011) requires coordinated action by OPEC countries not only in the oil market, but also in the field of foreign policy, which could lead to a transformation of the organisation's goals and objectives.

In addition, the oil market is becoming less stable due to climate change, the discovery of new deposits, the development of energy-saving technologies and other factors, which requires the development and adoption of more responsive mechanisms to influence the market. If significant progress is made in the use of new energy sources (solar, wind, nuclear energy, biofuels, etc.), the role of oil in the global economy will diminish, leading to a weakening of OPEC.

## **Sources**

1. [www.opeccr.org](http://www.opeccr.org); [www.opeccr.org](http://www.opeccr.org); <http://ru.wikipedia.org/>; <http://en.wikipedia.org/>.

## **OPEC Fund**

The OPEC Fund for International Development was established in 1976 by OPEC members as an intergovernmental financial institution. Its main objective is to support "other developing countries in their struggle for development." The Fund's tasks are to promote cooperation among countries of the South to achieve a higher level of economic development.

Development support is provided through loans for development projects, grants for technical, food, research and medical assistance, contributions to the development of new institutions, collective action in global financial markets, and participation in financial and business projects. By the end of 2020, OPEC had allocated more than \$22 billion to development projects in more than 125 countries with an estimated total project cost of \$187 billion<sup>1</sup>.

## 8

### Appendix

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#### **INTERNATIONAL LABOUR ORGANISATION LABOUR ORGANIZATION (ILO, INTERNA- TIONAL LABOUR ORGANIZATION – ILO)**

##### **Name and general description**

The ILO is a specialised agency of the United Nations, an international organisation comprising representatives of governments, employers and workers, which deals with issues relating to the regulation of labour relations. It comprises 187 states, including Russia.

##### **Goals and objectives**

The main objective of the ILO is to establish and promote international

<sup>1</sup> [www.opec.org](http://www.opec.org)

standards of labour relations that enable workers to receive decent remuneration for their work and employers to make a profit. Since this goal can only be achieved through compromise, the ILO encourages social dialogue between the parties involved in labour relations and tripartite negotiations (government, employers' associations and trade unions).

The main tasks are to equalise working conditions in highly developed and developing countries, prevent forced and slave labour, ensure minimum rights for workers to freedom of association, protection of collective demands, restoration of the workforce, etc.

The main regions of activity are Africa, Asia, Latin America, Central and Eastern Europe, and the Middle East.

## **Organisational structure**

The organisation consists of three main bodies with tripartite representation of workers, employers and governments: The ILO's main documents are adopted at the International Labour Conference, held every June in Geneva. Each country is represented by two delegations (employers and workers), which vote independently of each other. The Conference sets international standards for labour relations and is a forum for discussing key social and labour issues. It adopts the budget and elects the Governing Body.

The Governing Body is the executive body of the ILO and meets three times a year in Geneva. It draws up the ILO's budget and programme of activities and elects the Director-General for a five-year term. The Governing Body consists of 28 government representatives, 14 employer representatives and 14 worker representatives, who are re-elected on the basis of geographical representation every three years.

The International Labour Office performs the functions of the ILO's permanent secretariat. The secretariat supports the activities of the Governing Body and the Director-General. The Secretariat employs 1,900 people from 110 countries around the world, who work at the headquarters in Geneva and in 40 regional offices (including one in Russia). In addition, about 600 experts participate in the technical cooperation programme.

In March 1998, Juan Somavia (Chile) was elected Secretary-General of the ILO. In 2003, he was re-elected for a second term, which ends in 2008.

The first Director-General of the ILO (from 1919 to 1932) was Albert Thomas (France).

The organisation's annual budget for 2008–2009 was approved at \$594 million.

## **History**

The ILO was established in 1919 as part of the Treaty of Versailles (Article 13). It was founded on the idea that lasting peace can only be achieved on the basis of social justice.

The main goals and objectives of the ILO are set out in the ILO Constitution, which was drafted by the Labour Commission. The Constitution enshrines the principles put forward by the International Labour Law Association, founded in Basel in **1901**, concerning safety, humanity, and the political and economic aspects of labour relations. The Preamble to the Constitution states that the High Contracting Parties are "moved by a sense of justice and humanity, as well as by the tasks of establishing lasting peace on Earth."

At the first International Labour Conference, held in Washington in October **1919**, six international labour conventions were adopted, which established working hours in industry, combated unemployment, protected motherhood, restricted night work for women, and set minimum ages and night work for young people.

In **1920**, the International Labour Office was opened in Geneva, where the permanent Secretariat was located. The Secretariat was headed by the first ILO Secretary-General, Frenchman Albert Thomas, under whose leadership 16 international labour conventions and 18 recommendations were adopted in two years.

During World War II, the ILO headquarters was temporarily moved to Montreal, Canada. In **1944**, the International Labour Conference in Philadelphia adopted the Declaration of Philadelphia, which became an addition to the ILO Constitution. The Declaration stated that labour is not a commodity, that freedom of speech and freedom of association are essential conditions for progress, that poverty anywhere is a threat to the common welfare, and that all people, regardless of race, religion or gender, have equal rights to material well-being and spiritual development.

In **1946**, the ILO became the first specialised agency of the newly created United Nations. **Between 1948 and 1970**, the number of ILO member countries doubled and the organisation took on a global character. Industrialised countries became a minority among developing countries, the budget increased fivefold, and the number of offices quadrupled. In **1960**, the International Institute for Labour Studies was established in Geneva, and in **1965**, the International Training Centre was established in Turin. On its 50th anniversary (1969), the ILO received the Nobel Prize.

Currently, the ILO's main task is to contribute to the achievement of the Millennium Development Goals, primarily the halving of global poverty by 2015. At the same time, the ILO is implementing more than a thousand

projects to eradicate child labour.

## **Relations with Russia**

Russia is a member of the ILO. Moscow is home to the ILO's subregional office for ten former Soviet states (Russia, Belarus, five Central Asian countries and three South Caucasus countries).

## **Problems and prospects**

The main problems and prospects of the ILO, as with most UN organisations, are related to the discrepancy between its stated noble goals and its actual ability to achieve them. To the ILO's credit, most of the goals and objectives declared by the organisation have indeed been achieved in the post-war period. This is particularly true of labour relations in highly developed countries, but major problems remain in countries with totalitarian regimes and underdeveloped countries<sup>1</sup>.

<sup>1</sup> Based on materials from <http://www.ilo.org/global/lang--en/index.htm> and Wikipedia.

# 9

## Appendix

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### **INTERNATIONAL MONETARY FUND (INTERNATIONAL MONETARY FUND – IMF)**

#### **Name and general description**

The IMF is a specialised agency of the United Nations. The Fund was established to ensure the stability of the global monetary and financial system and to assist member states (185 states in 2007) by providing short- and medium-term loans in foreign currency to resolve current monetary and financial problems. The United States and other highly developed countries occupy leading positions in the IMF. The Fund's policies and recommendations regarding developing countries have been repeatedly criticised.

Unlike the World Bank, the IMF's activities focus on relatively short-term macroeconomic crises. The World Bank provides loans mainly to poor countries, while the IMF can lend to any of its member states that experience a shortage of foreign currency to cover short-term financial obligations.

#### **Goals and objectives**

The official objectives of the IMF are:

- to promote international cooperation in the monetary and financial fields;
- to promote the expansion and balanced growth of international trade in the interests of developing productive resources, achieving high levels of employment and real income in member countries;
  - ensure currency stability, maintain orderly currency relations among member states, and prevent currency devaluation for competitive advantage;
  - assist in the establishment of a multilateral system of settlements between member states and in the removal of currency restrictions;

- provide member states with temporary foreign currency funds to enable them to correct imbalances in their balance of payments.

## **Organisational structure**

The highest governing body of the IMF is the Board of Governors, in which each member country is represented by a governor and his or her alternate. These are usually finance ministers or central bank governors. The Board is responsible for deciding on key issues relating to the Fund's activities: amending the Articles of Agreement, admitting and excluding member countries, determining and revising their capital shares, and electing executive directors. Governors usually meet once a year, but may hold meetings and vote by mail at any time.

The IMF operates on the principle of "weighted" voting: the ability of member countries to influence the Fund's activities through voting is determined by their share in its capital. Each country has 250 "basic" votes regardless of the size of its capital contribution, plus one additional vote for every 100,000 SDRs (special drawing rights) of that contribution. This arrangement gives highly developed countries a decisive majority of votes. Decisions in the Executive Board are usually taken by a simple majority (at least half) of the votes, and on important issues of a strategic nature, by a "special majority" (85% of the votes of the member countries). Despite a slight reduction in the weight of the votes of the US and the EU, they can still veto key decisions of the Fund, which require a supermajority (85%) to be adopted. This means that the US, together with the leading Western countries, has the ability to control the IMF's decision-making process and direct its activities in accordance with its own interests. As for developing countries, if they act in a coordinated manner, they are theoretically also in a position to prevent decisions that are not in their interests from being adopted. However, it is difficult to achieve consensus among a large number of diverse countries. At a meeting of Fund leaders in April 2004, the intention was expressed to "expand the opportunities for developing countries and countries with economies in transition to participate more effectively in the IMF's decision-making process."

The International Monetary and Financial Committee (IMFC) plays a significant role in the organisational structure of the IMF. From 1974 to September 1999, its predecessor was the Interim Committee on the International Monetary System. It consists of 24 IMF governors, including Russia, and meets twice a year. This committee is an advisory body to the Board of Governors and has no authority to make policy decisions. Nevertheless, it performs important functions: it guides the activities of the

Executive Board; develops strategic decisions relating to the functioning of the global monetary system and the activities of the IMF; and submits proposals to the Board of Governors for amendments to the Articles of Agreement of the IMF. A similar role is played by the Development Committee, a joint ministerial committee of the Boards of Governors of the World Bank and the IMF (World Bank Development Committee).

The Board of Governors delegates many of its powers to the Executive Board, i.e. the directorate responsible for conducting the IMF's affairs, including a wide range of policy, operational and administrative issues, in particular the provision of loans to member countries and the supervision of their exchange rate policies.

The IMF Executive Board elects a Managing Director, who heads the Fund's staff (as of September 2006, approximately 2,700 people from more than 140 countries). He must be a representative of one of the European countries. Rodrigo Rato (Spain) was Managing Director from May 2004 to 2007, and Dominique Strauss-Kahn (France) took over in November 2007.

## **Main lending mechanisms**

**1. Reserve tranche.** The first portion of foreign currency that a member country can purchase from the IMF within 25% of its quota was called "gold" before the Jamaica Agreement and "reserve tranche" since 1978. The reserve tranche is defined as the excess of a member country's quota over the amount held in the Fund's account in the country's national currency. If the IMF uses part of a member country's national currency to provide loans to other countries, the reserve tranche of that country increases accordingly. The outstanding amount of loans provided by a member country to the Fund under SSA and NSS credit agreements forms its credit position. The reserve tranche and credit position together constitute the "reserve position" of an IMF member country.

**2. Credit tranches.** Foreign currency funds that may be acquired by a member country in excess of its reserve share (in the event of full utilisation, the IMF's assets in the country's currency reach 100% of the quota) are divided into four credit tranches, or tranches, each constituting 25% of the quota. Member countries' access to IMF credit resources within the credit tranches is limited: the amount of the country's currency in IMF assets cannot exceed 200% of its quota (including 75% of the subscribed quota). Thus, the maximum amount of credit that a country can obtain from the Fund through the use of reserve and credit tranches is 125% of its quota. However, the Articles of Agreement give the IMF the right to suspend this restriction. On this basis, the Fund's resources are in many cases used in amounts exceeding

the limit set in the Articles of Agreement. Therefore, the concept of "upper credit tranches" has come to mean not only 75% of the quota, as in the early days of the IMF, but amounts exceeding the first credit tranche.

### 3. Extended Fund Facility

(since 1974) supplemented reserve and credit shares. It is designed to provide loans for longer terms and in larger amounts relative to quotas than under normal credit shares. The basis for a country's request to the IMF for a loan under extended credit is a serious imbalance in the balance of payments caused by adverse structural changes in production, trade or prices. Extended credits are usually granted for three years, or up to four years if necessary, in specific portions (tranches) at set intervals — semi-annually, quarterly or (in some cases) monthly. The main purpose of extended credits is to assist IMF member countries in implementing macroeconomic stabilisation programmes or structural reforms. The Fund requires the borrowing country to meet certain conditions, the strictness of which increases as it moves from one credit tranche to another. Some conditions must be met before the loan is received. The borrower country's commitments to implement appropriate financial and economic measures are set out in a Letter of Intent or a Memorandum of Economic and Financial Policies sent to the IMF. The progress of the recipient country in fulfilling its obligations is monitored through periodic assessments ( ) of specific performance criteria stipulated in the agreement. These criteria can be either quantitative, relating to specific macroeconomic indicators, or structural, reflecting institutional changes. If the IMF considers that a country is using the loan in a manner inconsistent with the Fund's objectives or is not fulfilling its obligations, it may restrict its lending or refuse to provide the next tranche. Thus, this mechanism allows the IMF to exert economic pressure on borrowing countries.

## History

The IMF was established at the UN World Monetary and Financial Conference (**1-22 July 1944**) in Bretton Woods (New Hampshire, USA). The conference adopted the Articles of Agreement of the IMF, which serve as its charter. This document came into force on 27 December 1945, and the fund began its practical activities **in May 1946**, with 39 member countries, and began currency operations on **1 March 1947**.

The USSR took part in the Bretton Woods Conference, but subsequently, due to the Cold War, it did not ratify the articles of the IMF agreement. For the same reason, **during the 1950s and 1960s** Poland, Czechoslovakia and Cuba withdrew from the IMF.

**In the early 1990s**, the former socialist countries, as well as the states

that were previously part of the USSR, joined the Fund (with the exception of the DPRK and the Republic of Cuba). Russia became a member of the IMF on **1 June 1992**, and the other CIS and Baltic countries joined between April and **September 1992**.

As the global monetary system evolved and the IMF's activities transformed, the articles of agreement were revised three times. The first series of amendments was made in **1968–1969** in connection with the creation of the Special Drawing Rights (SDR) mechanism (SDR is an abbreviation of the English term Special Debt Rights, 1 SDR equals 1.5 dollars), and the second, made in **1976–1978**, defined the basic principles of the new Jamaican international monetary system, which replaced the Bretton Woods monetary system. The third amendment of **1990–1992** provided for the introduction of sanctions in the form of suspension of voting rights for member countries that failed to meet their financial obligations to the Fund.

The record amount of borrowing from the IMF — \$120 billion — occurred in 1997–1999. The largest recipients of financial assistance during this period were countries affected by financial crises: South Korea, Indonesia, Brazil, and Russia.

The debt crises of the late 1990s served as a catalyst for the reform of the Fund's activities. The essence of the reforms is a transition to a policy of "aid for self-help," aimed at early detection of vulnerabilities in the financial systems of member countries and crisis prevention, mainly through monitoring and expert assistance mechanisms. Loans will only be granted in the event of serious balance of payments difficulties. At the same time, interest rates on loans are being raised and requirements for the implementation of certain macroeconomic policies are being tightened.

Among the Fund's new areas of activity are cooperation with other international financial organisations (IFOs) in the fight against money laundering and terrorist financing, as well as the regulation of offshore financial centres.

## **Relations with Russia**

Russia became a member of the International Monetary Fund on 1 June 1992, and on 1 November 1992, Russia received a permanent seat on the Board of Directors and its own director's office. Russia's share in the Fund's capital is approximately 2.8%, and its share of votes on the Board of Directors is 2.75. In terms of quota, Russia ranks 10th out of 185 countries participating in the fund. Ahead of it are the G7 countries, China (after the accession of Hong Kong) and Saudi Arabia (for a number of historical reasons). At the same time, the vast majority of decisions are made by the Board of Directors on the

basis of consensus. Moreover, it is not the number of votes held by a particular member of the board of directors that is decisive in the discussion of various decisions, but the presence of strong arguments. Cases where decisions are made on the basis of voting are quite rare.

Until 1998, Russia lived on successive IMF tranches, complying with all the fund's recommendations (requirements) for economic transformation. In 1992, the first loan was received — about \$1 billion, which was spent on servicing the external debt. In 1993–1994, approximately \$3 billion was received, and in 1995–1996, another \$6.8 billion was received to support the reform and economic stabilisation programme. In 1996, the IMF provided a long-term loan of \$10.1 billion, of which \$5.8 billion was actually received ( ). In July 1998, in connection with the aggravation of the financial crisis and the threat of devaluation of the rouble, the IMF began to provide a stabilisation loan, but due to the default, lending was suspended. In July 1999, the IMF decided to allocate a loan of \$4.5 billion, but Russia received only the first tranche of \$640 million. After that, Russia did not borrow a single cent from the Fund.

As of 1 January 2004, Russia's debt to the IMF amounted to \$5.1 billion, with a total external debt of \$119.7 billion. Currently, all debts to the IMF have been repaid. Moreover, Russia itself has become a creditor to developing economies, including within the framework of numerous IMF projects. Russia's share in the IMF's financial operations plan as of 1 April 2007 amounted to 188 million SDR. In 2005, Russia transferred 135 million SDR to the Fund, and in 2006, 51 million SDR.

Despite the success of financial policies that are directly contrary to IMF recommendations, Fund experts continue to advise Russia on how to use Stabilisation Fund resources (suggesting investing them in US government bonds, which, given the falling dollar exchange rate, is tantamount to buying sand) and other similarly valuable advice. All this calls into question the IMF's recommendations, not only from Russia, but also from other countries that have faced problems caused by the IMF's advice.

## **Problems and prospects**

The main problems and prospects of the IMF are linked to the state of the American economy and the dollar as the basic component of the global monetary and financial system. Huge external debt, balance of payments deficits, the mortgage crisis, costly US foreign policy and other problems are undermining the stability of the global economy and the global monetary and financial system. Therefore, the financial crisis of the IMF's founder could

serve as a crisis for the organisation as a whole<sup>1</sup> .

<sup>1</sup> Based on materials from <http://www.imf.org/external/index.htm> and Wikipedia — [ru.wikipedia.org](http://ru.wikipedia.org), as well as [www.mvf.ru/history](http://www.mvf.ru/history).

# 10

## Appendix

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### **WORLD BANK (WORLD BANK)**

#### **General description**

The World Bank was established in 1944 as a result of the signing of the Bretton Woods Agreement by 45 countries. The same agreement also established the

International Monetary Fund (IMF). Under the terms of the agreement, only a state that is a member of the IMF can become a member of the World Bank. Currently, 185 states are members of the World Bank, and the World Bank Group includes between 134 and 175 states, including 163 states in the International Development Association (IDA) the International Finance Corporation (IFC) includes 175 countries, the Multilateral Investment Guarantee Agency (MIGA) includes 158 countries, and the International Centre for Settlement of Investment Disputes (ICSID) includes 134 countries.

#### **Goals and objectives**

The World Bank's officially stated goal is to reduce poverty on a global scale.

As stated on the World Bank website, "Our goal is to help developing countries and their people achieve their goals by working with our partners to reduce poverty. We focus on promoting a favourable investment climate, job creation and sustainable economic growth, as well as investing in human resources and empowering the poor so that people can participate in the development process."

#### **Organisational structure**

The World Bank is managed as a kind of cooperative society, whose shareholders are the 185 countries that are members of the organisation.

These shareholders are represented by the Board of Governors, which is the highest decision-making and policy-setting body of the Bank. As a rule, the governors are the finance or development ministers of the countries. The Board of Governors meets once a year during the Annual Meetings of the Boards of Governors of the World Bank Group and the International Monetary Fund.

Since the governors meet no more than once a year, specific powers are delegated to 24 executive directors who work directly at the Bank's headquarters. Five executive directors represent the five member countries with the largest shareholdings. These countries are the United States, Japan, Germany, France, and the United Kingdom. The remaining 19 executive directors represent groups of countries.

- World Bank President Robert B. Zoellick chairs the Board of Directors and is responsible for the overall management of the Bank. Traditionally, the President of the World Bank is a citizen of the United States, the Bank's largest shareholder. The President is elected by the Board of Governors for a five-year term and may be re-elected.

- The executive directors form the World Bank's Board of Directors. They usually meet twice a week and provide overall guidance to the Bank, including responsibility for approving all loans and policy decisions affecting the Bank's operations, such as loans and guarantees, new operational policies, the administrative budget, country assistance strategies, and decisions on borrowing and financial activities.

**The World Bank Group** consists of five organisations: the International Bank for Reconstruction and Development (IBRD), the International Finance Corporation (IFC), the International Development Association (IDA) and the Multilateral Investment Guarantee Agency (MIGA), as well as the International Centre for Settlement of Investment Disputes.

The International Bank for Reconstruction and Development was founded in 1945. Total lending: \$394 billion for 87 new operations in 33 countries. The purpose of the IBRD is to promote sustainable development and reduce poverty in middle-income countries and in poorer creditworthy countries by providing loans, guarantees and non-lending services, including analytical and advisory services. The IBRD does not seek to maximise profits, but since 1948 it has generated net income every year. The profits are used to finance certain development activities and ensure the financial stability of the IBRD, which allows it to raise funds on capital markets at low interest rates and provide such funds to borrowers on favourable terms. Since the IBRD is owned by its member countries, the number of votes each

member country is entitled to is determined by the size of its subscription to the share capital, which in turn is linked to the relative level of economic development of the country.

**The International Development Association** was founded in 1960. It has 165 members. Total lending: \$151 billion. Lending in fiscal year 2004: \$9 billion for 158 new operations in 62 countries. Contributions to the IDA budget enable the World Bank to allocate between \$6 billion and \$9 billion per year in interest-free loans to the 81 poorest countries in the world, with a total population of 2.5 billion. Such assistance is vital, as these countries are virtually unable to borrow on market terms. In most of these countries, the vast majority of the population has an income of less than \$2 per day. The IDA helps provide access to better basic services (such as education, health care, clean water and sanitation) and promotes reforms and investments aimed at increasing productivity and creating new jobs.

**The International Finance Corporation** was established in 1956. Number of members: 176. Commitment portfolio: \$23.5 billion (including \$5.5 billion in syndicated loans). Commitments for fiscal year 2004: \$4.8 billion for 217 projects in 65 countries. The IFC's mission is to promote economic development by supporting the private sector. Working with business partners, it invests in viable private enterprises in developing countries and provides its clients with long-term loans, guarantees, advisory services and risk management services. The IFC invests in projects in regions and sectors where private investment is lacking and finds new ways to expand promising opportunities in markets that commercial investors are reluctant to invest in without the IFC's participation, considering them too risky.

**The Multilateral Investment Guarantee Agency** was established in 1988 and now includes 164 countries. Total guarantees issued: \$13.5 billion (including under the Joint Securities Placement Guarantee Programme). Guarantees provided in fiscal year 2004: \$1.1 billion. MIGA promotes foreign investment in developing countries by providing foreign investors with guarantees against losses arising from non-commercial risks such as expropriation, currency inconvertibility and restrictions on the transfer of funds abroad, as well as war and civil disturbance. In addition, IDA provides technical assistance to countries in disseminating information on investment opportunities. The agency also provides mediation services in the settlement of investment disputes.

**The International Centre for Settlement of Investment Disputes** was founded in 1966 and has 140 members. The total number of cases registered

is 159. Number of cases registered in fiscal year 2004: 30. ICSID promotes foreign investment by providing international mechanisms for the settlement and resolution of investment disputes through arbitration. In this way, ICSID contributes to the creation of an atmosphere of mutual trust between states and foreign investors. Many international investment agreements contain references to arbitration proceedings at the ICSID. The Centre also conducts research and publishes materials on arbitration law and legislation governing foreign investment.

**The Bank's offices** in various countries around the world implement its programmes, maintain contact with governments and civil society, and promote a deeper understanding of development issues.

The Bank employs approximately 10,000 development professionals from nearly every country in the world. They work at the World Bank's headquarters in Washington, D.C., and in the organisation's permanent offices in more than 109 countries. They are economists, engineers, education specialists, and experts in fields such as environmental science, financial analysis, anthropology, and many others. Approximately 3,000 people work in the Bank's permanent offices in developing countries around the world.

## **World Bank Projects**

The World Bank's main work is dedicated to implementing development projects aimed at improving living standards and reducing poverty. In 2006, the World Bank allocated \$23.6 billion to developing countries for 279 projects.

In 2007, the Bank is participating in the financing of more than 1,800 projects in virtually all sectors of the economies of developing countries. Examples include the development of microcredit in Bosnia and Herzegovina, improving the effectiveness of AIDS prevention in Guinea, supporting girls' education in Bangladesh, improving the effectiveness of healthcare in Mexico, assisting in the reconstruction of the newly independent East Timor, and helping India recover from the devastating earthquake in the state of Gujarat.

## **Relations with Russia**

The World Bank's relationship with Russia began when the Bank and the IMF were established in Bretton Woods in July 1944. However, the Soviet government did not sign the agreement and did not become a member of these

international financial institutions. It was only after fundamental changes in political policy in the late 1980s that the Soviet leadership began to show interest in establishing relations with the Bank and the IMF.

The meeting of the "Big Seven" in London in 1991 resulted in the USSR joining these international organisations as an associate member. In July 1991, the Soviet Union applied for membership in the IMF and four World Bank Group organisations: the International Bank for Reconstruction and Development (IBRD), the International Finance Corporation (IFC), the International Development Association (IDA) and the Multilateral Investment Guarantee Agency (MIGA). **On 27 August 1991**, the World Bank's executive directors approved the creation of a special technical cooperation trust fund in the amount of US\$50 million to provide technical assistance for economic reforms in the USSR. **In November 1991**, World Bank President Lewis T. Preston paid an official visit to the USSR. As a result of this visit, an agreement on technical cooperation between the Bank and the Soviet government was signed. Russia was one of four former CCCP countries that agreed to participate in the Bank's work.

**In the autumn of 1991**, the World Bank opened a temporary office in Moscow.

**On 7 January 1992**, the Government of the Russian Federation applied for membership in the IMF and the World Bank Group. Russia became a member of these organisations in June 1992.

**In early 1993**, the Bank opened a permanent office in Moscow, which currently employs about 70 people, mainly Russian citizens.

**In June 1993**, the Bank organised a multilateral meeting in Paris to discuss the most urgent reforms in Russia and coordinate related external assistance.

**In November 1994**, World Bank President Lewis T. Preston paid a three-day visit to the Russian Federation. During the visit, particular attention was focused on the energy, financial, social and agricultural sectors of the Russian economy, as well as on possible ways for the Bank to assist in the country's transition to a market economy.

**From 1 January 1995 to 31 May 2005**, James D. Wolfensohn served as President of the World Bank. He first visited the Russian Federation in October 1995 and has since made official visits to our country every year.

**On 1 June 2005**, Paul Wolfowitz officially took office as President of the World Bank. Paul Wolfowitz was unanimously approved as President of the World Bank Group by the Board of Executive Directors on 31 March 2005, following a series of consultations with Board members and representatives of member governments.

### **World Bank Group Country Action Strategy (CAS) for Russia.**

Every three years, the World Bank Group develops a framework document, the World Bank Group Country Action Strategy, which serves as the basis for cooperation with the country. The strategy helps to link the Bank's programmes, both in terms of lending and analytical and advisory services, to the specific development goals of each borrowing country. The Strategy includes projects and programmes that can have the greatest impact on poverty reduction and contribute to dynamic socio-economic development. Before being submitted to the World Bank's Board of Directors for consideration, the Strategy is discussed with the government of the borrowing country and other interested parties.

The World Bank is currently implementing the following projects in Russia and the CIS countries.

Armenia	Development of the education sector.
Belarus	Project to rehabilitate areas affected by the Chernobyl disaster.
Kazakhstan	Motor transport restructuring project. Project to improve irrigation and drainage systems. Post-privatisation support project for agriculture.
Kyrgyz Republic	Project to improve water supply and sewerage systems in rural areas. Urban transport project.
Moldova	Fight against AIDS.
Russian Federation	Economic development project for St Petersburg. Customs service development project. Prevention, diagnosis and treatment of HIV/AIDS and tuberculosis. Technical assistance for healthcare system reform. Tax authority modernisation project. Federal Treasury development project. Development of budgetary federalism and reform of the regional finance system. Support for education system reform. Reconstruction of urban heating systems. Improvement of transport organisation in Moscow. Municipal water supply and sewerage project. Guarantee line to support the coal and forestry industries. Pilot project for sustainable forest management.

	Regional budget system reform project.
	Project to improve the state statistical system.
	Special project for reforming the civil service and public administration.
Tajikistan	Project to establish a private energy supply system in the mountainous regions of Pamir.

## **Problems and prospects**

The main task of the World Bank (WB) is to promote sustainable economic growth in developing countries and reduce poverty. However, over the past decades, poverty in the world has not only failed to decrease, but has actually increased. For many countries, linking cheap WB loans to the need for institutional and economic restructuring is unacceptable due to the unpreparedness of the population and bureaucrats, widespread corruption, inter-ethnic and inter-religious strife, and other difficulties in implementing reforms. The idea of freedom in democratic countries is limited by culture and laws, while in developing countries the same idea turns life into chaos with enormous negative consequences. Furthermore, if World Bank loans are embezzled by officials and not used for their intended purpose, the country's debt burden increases and its development prospects become uncertain. Therefore, weighing the apparent cheapness of World Bank loans against the real dangers of following its recommendations, many governments in developing countries are refusing these loans. The World Bank's reputation was seriously damaged by the scandal involving the immoral behaviour of former World Bank President Paul Wolfowitz, who was forced to resign in 2007. As a result, the World Bank faces increasing criticism and wariness from developing countries, although it remains the largest international financial organisation alongside the IMF.

# 11

## Appendix

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**(ICAO, xml-ph-0000@deepl.internal  
INTERNATIONAL CIVIL AVIATION)  
(ICAO, INTERNATIONAL CIVIL AVIATION)**

## **General description**

ICAO is a specialised agency of the United Nations that establishes international standards for civil aviation to improve flight safety and efficiency. As of 24 October 2007, the organisation comprises 190 countries. It has been operating since April 1947.

<sup>1</sup>ICAO was established under the Convention on International Civil Aviation (also known as the Chicago Convention), which was signed during a meeting in Chicago in November 1944. Until the Convention came into force, a provisional ICAO (PICAO) was established, which was given advisory powers and instructed to lay the foundations for an international organisation whose purpose would be to meet the needs of civil aviation. The Chicago Convention came into force on 4 April 1947.

ICAO works closely with other specialised agencies of the United Nations, such as the International Maritime Organisation, the International Telecommunication Union and the World Meteorological Organisation. The International Air Transport Association, the Airports Council International, the International Federation of Air Line Pilots' Associations and other international organisations also participate in many of the meetings held by ICAO.

## **Aims and objectives**

The objectives and tasks of the Organisation, as set out in Article 44 of the Chicago Convention, are to develop principles and methods of international air navigation and to promote the planning and development of international air transport, with a view to:

- ensure the safe and orderly development of international civil aviation throughout the world;
- promote the art of designing and operating aircraft for peaceful purposes;
- promote the development of air routes, airports and air navigation facilities for international civil aviation;
- meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;
- to prevent economic losses caused by unreasonable competition;

<sup>1</sup> [http://www.un.org/russian/documen/convents/chicago\\_conv.pdf](http://www.un.org/russian/documen/convents/chicago_conv.pdf)

- to ensure full respect for the rights of Contracting States and fair opportunities for each Contracting State to use air carriers engaged in international air transport;
- to avoid discrimination between Contracting States;
- to promote flight safety in international air navigation;
- to promote the general development of international civil aviation in all its aspects.

## **Organisational structure**

The principal organs are the Assembly, representing all ICAO members, the Council, headed by a president elected for a term of three years, and the Secretariat.

The Assembly meets at least once every three years and is convened by the Council. Each Contracting State has one vote, and decisions of the Assembly are taken by a majority of the votes cast, unless otherwise provided for in the Convention. At its sessions, the Assembly reviews in detail the work done by the Organisation in the technical, economic, legal and technical cooperation fields and gives guidance to other ICAO bodies on their future activities.

The Council is a permanent body responsible to the Assembly and consists of representatives of 36 Contracting States elected by the Assembly for a three-year term. The elections ensure adequate representation of States that play a leading role in air transport, States that contribute most to the provision of facilities and services for international civil aviation, and States whose appointment ensures that all major geographical areas of the world are represented on the Council.

The Council and its subsidiary bodies provide ongoing guidance to the work of the Organisation. One of the main functions of the Council is to adopt international standards and recommended practices (SARPs) and to incorporate them as annexes to the Chicago Convention on International Civil Aviation.

The Council has the authority to adopt standards and recommended practices and to approve the Rules of the Air (PANS), but the main body responsible for their development is the ICAO Air Navigation Commission. The Commission consists of 15 members who are qualified and experienced in scientific and practical fields related to aviation. The members of the Commission are appointed by the Contracting States and approved by the Council. They act in their personal capacity as experts and not as representatives of the parties that appointed them.

The Council may act as an arbitrator between Contracting States on

matters relating to aviation and the application of the Convention; it may investigate any situation in which removable obstacles to the development of international air navigation may arise, and, in general, it may take such action as may be necessary to ensure the safety and regularity of international air transport operations.

The Secretariat, headed by the Secretary General, consists of five main departments: Air Navigation, Air Transport, Technical Cooperation, Legal Affairs and Administration.

The Secretary General is Dr Taïeb Chérif (Algeria). He was elected to this post in 2003. The President of the Council is Roberto Kobeh González (Mexico). He was elected to this position in 2006.

Regional offices of the organisation:

- European (Paris);
- African (Dakar);
- Middle East (Cairo);
- South American (Lima);
- Asia-Pacific (Bangkok);
- North America and the Caribbean (Mexico City);
- East Africa (Nairobi).

Annual budget — over \$60 million.

At the end of 2006, ICAO had 702 staff positions. The organisation's headquarters are located in Montreal, Canada.

## Problems and prospects

The Strategic Action Plan adopted by the ICAO Council for 2005-2010 is intended to be a tool for the practical implementation of previously outlined prospects. The goal of the Strategic Action Plan is to further improve flight safety and sustainability, the efficiency of international civil aviation in the context of globalisation, the emergence of new technologies, the achievement of the physical limits of infrastructure and other challenges.

To achieve this vision, the Organisation has set the following strategic objectives for the period 2005-2010.

**Flight safety.** To improve the level of flight safety in civil aviation worldwide.

**Aviation security.** To enhance aviation security in civil aviation worldwide.

**Environmental protection.** Minimise the adverse impact of civil aviation on the environment worldwide.

**Efficiency.** To improve the efficiency of aviation operations.

**Continuity.** Maintain the continuity of aviation operations.

**Legal regulation.** Strengthen the legal framework for the regulation of international civil aviation.

In turn, flight safety in civil aviation worldwide is to be improved through the implementation of the following measures:

1. Identify and monitor existing risk factors in the field of civil aviation safety, develop and implement effective and adequate measures on a global scale to eliminate emerging risks.

2. Ensure the timely implementation of ICAO provisions through continuous monitoring of their implementation in states.

3. Conduct audits of flight safety control systems to identify deficiencies and encourage States to address them.

4. Develop global plans aimed at addressing the root causes of identified deficiencies.

5. Assist states in addressing deficiencies through the implementation of regional deficiency correction plans and the establishment of flight safety oversight organisations at the regional and subregional levels.

6. Encourage the exchange of information between States in order to promote mutual confidence in the level of flight safety in States and accelerate the process of improving flight safety oversight.

7. Facilitate the timely resolution of critical flight safety issues identified by regional planning and implementation groups (PIRGs).

8. Support the establishment of flight safety management systems in all States, covering the entire range of flight safety-related disciplines.

9. Assist States in improving flight safety through technical cooperation programmes and by bringing critical needs to the attention of donors and financial institutions.

Among other specialised agencies, ICAO's activities are the least controversial and criticised, given the undeniably important functions of this organisation and the real benefits of its activities<sup>1</sup>.

<sup>1</sup> Based on materials from <http://www.icao.int>, <http://www.un.org> and Wikipedia — <http://ru.wikipedia.org>.

# 12

## Appendix

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### **WORLD TOURISM ORGANIZATION (WORLD TOURISM ORGANISATION)**

#### **General description**

The World Tourism Organization is a specialized agency of the United Nations. It is a global forum for tourism policy and tourism know-how. In 2007, the organization comprised 154 countries, 7 territories and approximately 390 associate members representing private sector enterprises, educational institutions, tourism associations and local tourism administrations. The organization has been operating in its current form since 1975.

On 1 December 2005, in Dakar (Senegal), the WTO General Assembly approved a new abbreviated name for its organisation. The World Tourism Organisation is now called UNWTO (United Nations World Tourism Organisation), with the abbreviation UN (United Nations) added to the previous abbreviation. This officially ends the confusion associated with the two WTOs: the World Tourism Organisation and the World Trade Organisation.

#### **Goals and objectives**

The main objectives of the organisation are to stimulate economic growth, create jobs and increase prosperity through the development of tourism, to encourage measures to protect the environment and cultural heritage sites, and to promote respect for human rights and fundamental freedoms for all people, regardless of race, gender, language or religion.

Its main regions of activity are Africa, the Americas, East Asia and the Pacific, Europe, the Middle East and South Asia.

Convinced that tourism can be effectively used in the fight against

poverty, UNWTO has committed itself to contributing to the achievement of the development goals set out in the UN Millennium Declaration through the implementation of a new initiative on sustainable tourism as a means of eradicating poverty. The programme, known as ST-EP (Sustainable Tourism for Poverty Eradication), involves a multi-year effort to promote sustainable tourism for poverty eradication. It was launched in 2003.

## **Organisational structure**

The main bodies of UNWTO are: the General Assembly, the Executive Council, and the Secretariat. There are also subsidiary bodies: regional commissions and specialised committees.

The General Assembly is the highest body and meets every two years to discuss the organisation's budget and work programme, as well as current issues in the tourism sector. Delegates from full and associate members, as well as representatives of the Business Council, participate in the meetings. The approximately 350 members of the UNWTO Business Council (UNWTO-BC) represent airlines, hotel chains, tour operators, trade associations, consulting firms, advertising agencies and educational institutions.

Since May 1975, there have been 17 sessions of the General Assembly, the last three of which were held in Beijing (2003), Dakar (2005), Cartagena (2007) and Astana (2009).

The six regional commissions established in 1975 as subsidiary bodies of the General Assembly meet once a year. These meetings enable Member States to maintain contact with each other and with the Secretariat between sessions of the General Assembly, at which they present their proposals and share their concerns. Each commission elects a chairperson and vice-chairpersons from among its members for a two-year term, which runs from one session of the General Assembly to the next.

The Executive Council consists of 29 full members elected by the General Assembly on the basis of equitable geographical representation (one for every five full members). Spain is a permanent member of the Council.

The term of office of the members of the Council is four years. The Council meets at least twice a year. The task of the Executive Council is to take, in consultation with the Secretary-General, all necessary measures to implement the decisions and recommendations of the Assembly and to report on their implementation to the Assembly.

In 2005, at the Assembly in Dakar, Francesco Frangialli (France) was re-elected as Secretary-General of the organisation for the period 2006-2009. The Secretariat has a staff of about 90 full-time employees working at the

UNWTO headquarters in Madrid. The Secretary-General is assisted by his Deputy, Mr. Taleb Rifai (a citizen of Jordan). UNWTO staff are responsible for implementing the UNWTO work programme and fulfilling the tasks assigned by the organisation's members. To serve the needs of WTO members, the Madrid headquarters has an Executive Director, whose position is funded by the Government of Spain. The Secretariat also includes a regional support office for the Asia-Pacific region, located in Osaka, Japan, which is funded by the Government of Japan. The official languages of UNWTO are English, Arabic, Spanish, Russian and French.

The subsidiary bodies of UNWTO are:

- Programme Committee;
- the Finance and Budget Committee;
- Committee on Sustainable Tourism Development;
- Quality and Trade Support Committee;
- Committee on Tourism Statistics and Macroeconomic Analysis;
- Committee on Market Research and Tourism Promotion;
- Subcommittee on the Examination of Applications for Associate Membership;
- World Committee on Tourism Ethics.

The organisation's annual budget is over €11 million.

## History

The organisation was established in The Hague (**in 1925**) as the International Congress of Official Tourism Associations. After World War II, it was renamed the International Union of Official Tourism Organizations (headquartered in Geneva), which included 109 national tourism organizations and 88 associate members.

In **1967**, an initiative was put forward to transform the union into an intergovernmental body cooperating with other UN organisations (primarily WHO, UNESCO, and ICAO).

In **1969**, the UN General Assembly adopted a resolution to transform the International Union of Official Tourism Organizations (IUOTO) into an intergovernmental organization.

In **1970**, the WTO charter was adopted at an extraordinary General Assembly of the IUTO.

In **1974**, the International Union was transformed into the World Tourism Organisation. In 1975, the first General Assembly was held in Madrid. The Secretariat was located in Madrid at the invitation of the Spanish government, which provided a building for the headquarters.

In **1979**, World Tourism Day was established, which is celebrated

annually on 27 September.

**1985** — Adoption of the Tourism Charter and the Tourist Code at the UNWTO General Assembly in Sofia (Bulgaria).

**1996** — Second UNWTO Forum for Parliaments and Local Authorities on the theme "Responsible for Tourism Policy", adoption of the Declaration on Tourism (Bali, Indonesia).

In **2003**, the WTO was granted the status of a specialised agency of the United Nations.

In **2002**, the WTO and UNCTAD programme "Sustainable Tourism for Poverty Eradication" was approved, aimed at addressing the challenges of sustainable tourism development and poverty eradication. The programme provides for the implementation of both large-scale long-term projects and ongoing short-term projects.

Major WTO projects:

- Master Plan for Tourism Development in Pakistan (2001);
- Master Plan for Tourism Development in the Provinces of China (2000–2002);
- Development of National Parks in Rwanda (1999);
- Tourism Development Strategy in Moldova (1999).

Special projects have also been developed to promote tourism in groups of member countries. Examples of such projects are the Silk Road and the Slave Route, which the WTO is implementing jointly with the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

**The Silk Road project**, launched in 1994, aims to revive tourism on this ancient route, which was travelled by Marco Polo. The Silk Road stretches 12,000 km from Asia to Europe, and 22 countries have joined forces to implement it: Armenia, Azerbaijan, China, DPRK, Egypt, Georgia, Greece, Iran, Italy, Israel, Japan, Kazakhstan, Kyrgyzstan, Mongolia, Pakistan, Korea, the Russian Federation, Syria, Tajikistan, Turkmenistan, Turkey and Uzbekistan. Joint activities to promote this project include seminars, a brochure and a video.

**The Slave Route project**, launched in 1995 as part of the United Nations International Year for Tolerance, aims to stimulate tourism development in West African countries. Its immediate objectives are to restore monuments, enrich historical museums and organise joint advertising campaigns in selected target markets, enabling foreign visitors to learn about the history of these countries and discover their roots.

Other projects may be short-term in nature and address current issues, such as:

- Tourism legislation in Syria.
- Ecotourism development plan in Lithuania.

- Development of a statistical system in Botswana.
- Study of the social impact of tourism in the Maldives.
- Management of cultural heritage sites in Ecuador.
- Classification of hotels in Bolivia.
- Plan to enhance the role of women in Namibia.
- Training course on improving service quality in the tourism sector in Peru.

In addition to implementing projects, UNWTO promotes scientific and technical exchanges between public and private organisations working in the field of tourism.

## **Problems and prospects**

UNWTO's activities are highly regarded worldwide, and the organisation's future prospects are linked to conducting scientific research, promoting tourism education, and using electronic media and statistics.

In particular, a Working Group on Tourism Destination Management has been established to help address issues such as the management of congested coastal tourism destinations, the economic dimension of tourism at the local level, the marketing of urban tourism destinations, and risk and crisis management in individual tourism destinations. The Working Group on Tourism Destination Management meets regularly and acts as an informal advisory body to UNWTO, with the aim of encouraging new initiatives in these areas and promoting ongoing WTO projects related to the activities of tourism administrations in managing tourist destinations.

Issues such as public-private partnerships to enhance the competitiveness of tourism, online marketing of tourist destinations, e-business in tourism; taxation in tourism; the impact of changes in leisure time on tourism development and tourist preferences, etc. The UNWTO has a Strategic Advisory Council on Information Technologies in Tourism, which brings together a small group of high-level experts representing tourist centres, private businesses and research organisations.

Great attention is paid to the development of tourism education.

The activities of the UNWTO Human Resources Development Department are aimed at providing additional services in the tourism sector to UNWTO member countries by building their organisational capacity and providing direct support in the field of tourism education, training and knowledge. The UNWTO Human Resources Development Department coordinates the work of the UNWTO Council on Education and the UNWTO Themis Fund with the aim of enhancing the competitiveness and sustainable development of tourism in UNWTO member countries.

The UNWTO Themis Fund, established by UNWTO in Andorra with the generous sponsorship of the Andorran government, provides administrative support to the UNWTO Human Resources Development Department in the creation and dissemination of products designed for education, training and knowledge sharing, thereby optimising the services provided to UNWTO member countries.

The UNWTO Education Council comprises leading institutions in the field of tourism education, professional training and research, as well as business schools from all regions of the world that have obtained UNWTO TedQual certification for at least one of their tourism programmes. The Council, which comprises more than 100 organisations, in turn forms a special group of UNWTO Affiliate Members, well represented in their governing body, the Affiliate Members Board. The UNWTO Council on Education is active within UNWTO, participating in the development and implementation of the Human Resources Development Department's work programme.

The UNWTO TedQual certificate is awarded to education and training institutions following a quality audit. Institutions that have obtained the UNWTO TedQual certificate are eligible to join the UNWTO Education Council (affiliate member of UNWTO). TedQual seminars (training for trainers) are also held for member countries, and TedQual consultations on quality issues are provided for educational institutions and vocational training centres.

Another area of development is market research. The aim of the UNWTO Market Research and Tourism Promotion Department is to provide governments and tourism professionals with data to understand the ever-changing tourism market. The department's annual activities include identifying market trends as they emerge, short- and long-term forecasting, analysing global outbound tourism markets, researching specific market niches, and developing tools to evaluate the effectiveness of tourism promotion campaigns.

The annual series of reports, "Tourism Market Trends," provides timely and comprehensive analysis of the results of tourism development worldwide. It allows tourism administrations to compare their performance with that of other countries in the region by analysing tourist arrivals, revenues and the main factors that influenced tourism development in the previous season.

Particular importance is attached to the study of tourism products such as sports tourism, cruises, MICE (meetings, incentives, conferences and exhibitions) tourism, as well as market segments such as ecotourism, youth tourism and tourism for older people. Another important task is to analyse outbound tourism in both core and emerging markets. Research can be conducted on any topic related to the development of tourism. For example,

to gain a deeper understanding of the evolution of the tourism sector, a study was conducted on the impact of consolidation through alliances, mergers and acquisitions in the hotel, air transport and distribution sub-sectors on tourist centres, travel agents, small businesses and consumers.

Forecasts show that between 1995 and 2020, the number of international arrivals will increase by 4.1% annually. Tourism Panorama 2020 includes forecasts for the growth of inbound and outbound tourism in countries in each region of the world and analyses the development prospects for certain market segments.

Thus, the organisation's activities are significantly improving the state of the tourism industry worldwide, which makes the organisation's development prospects impressive<sup>1</sup>.

<sup>1</sup> Based on materials from [www.world-tourism.org](http://www.world-tourism.org): <http://www.unwto.org/index.php> and Wikipedia — <http://en.wikipedia.org>.

# 13

## Appendix

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### **GENERAL AGREEMENT ON TARIFFS AND TRADE — WORLD TRADE ORGANISATION (GENERAL AGREEMENT ON TARIFFS AND TRADE — WORLD TRADE ORGANISATION)**

Russia and the WTO have a rather complicated relationship, which has a significant impact on our country's economic development prospects. In this regard, this appendix provides a more detailed description of this organisation.

#### **General description and history**

The World Trade Organisation was established on 1 January 1995 as one of the agreements of the Uruguay Round of trade negotiations (1986-1994). It includes 150 countries. Twenty-seven states and 60 international organisations, including the IMF and the World Bank, have observer status in the WTO. Its headquarters are located in Geneva. Its annual budget is approximately CHF 175 million (Swiss francs), or \$130 million.

#### **The WTO's predecessor is the General Agreement on Tariffs and Trade.**

The history of the GATT began in the second half of the 1940s, when attempts were made to establish an international organisation for trade and employment. In 1947 23 countries signed a series of agreements that became the basis for the GATT. The agreement is a multilateral trade agreement based on four fundamental principles: 1) a non-discriminatory approach to world trade; 2) protection of national production exclusively through customs tariffs, rather than other measures such as the introduction of import quotas; 3) emphasis on consultations so as not to harm the commercial interests of

participating countries; 4) creation of a negotiation process aimed at reducing tariffs and removing other barriers to trade development, as well as formalising the results of negotiations in the form of a legal document.

Attempts to create an international trade organisation continued in the 1950s and 1960s. By this time, the GATT had gradually gained new members and expanded its activities, essentially taking on the functions of an informal international trade organisation. Numerous intergovernmental multilateral bodies (committees, working groups, the GATT Council, etc.) began to operate within the framework of the GATT. Many aspects of GATT's activities (the existence of a permanent secretariat, the ability to conclude agreements with foreign states, the status of the decisions of the contracting parties, the diplomatic missions established by a number of states at GATT headquarters) indicated that GATT possessed many characteristics inherent in international organisations. From around the mid-1960s, the following definition entered international law: GATT is a de facto international organisation. It fulfilled its responsibilities until the early 1980s.

During the eighth round of GATT negotiations (the Uruguay Round in 1986–1994), 56 agreements, understandings and decisions were adopted, the most important of which was the Agreement establishing the WTO, which incorporated GATT into the new international organisation.

#### **GATT negotiation conferences**

<b>No.</b>	<b>Place of opening and holding of the conference</b>	<b>Period</b>	<b>Number of participating countries</b>	<b>Main areas</b>	<b>Name of the round of negotiations</b>
1	Geneva (Switzerland)	1947	23	Tariff reduction	Geneva Conference 1947
2	Annecy (France)	1949	13	–	Conference in Annecy
3	Torquay (England)	1950	38		Conference in Torquay
4	Geneva (Switzerland)	1956	26		Geneva Conference 1956
5	Geneva (Switzerland)	1960–1961	26	–	Dillon Round
<b>No</b>	<b>Place of opening and holding of the conference</b>	<b>Period</b>	<b>Number of participating countries</b>	<b>Main areas</b>	<b>Name of the round of negotiations</b>
6	Geneva (Switzerland)	1964–1967	62	Reduction of tariffs and development of the Anti-Dumping Code	Kennedy Round

7	Tokyo (Japan), work took place in Geneva (Switzerland)	1973–1979	102	Reduction of tariffs and development of a number of agreements and codes	Tokyo Round
8	Punto del Este (Uruguay), conference proceedings took place in Geneva (Switzerland)	1986–1994	125	Reduction of customs barriers, development of agreements on non-tariff barriers, improvement of the GATT system, trade in services, creation of TT	Uruguay Round

Thus, the General Agreement on Tariffs and Trade became the core of the WTO. More than two-thirds of all WTO agreements are based on the GATT. The Agreement establishing the WTO stipulates that the WTO will continue the practice of consensus decision-making used in the GATT and that the WTO should be guided by the decisions, procedures and practices of the GATT.

## **The purpose of the WTO**

The purpose of the WTO is to ensure that the world trading system operates on the basis of uniform rules so that markets remain open and access to them cannot be disrupted by the introduction of sudden and arbitrary import restrictions. At the same time, WTO member countries have the right to introduce protective anti-dumping and countervailing measures to restrict access to their markets. Such measures may be introduced in response to a crisis in a particular industry or in response to a violation of WTO principles by trading partners.

### **The objectives of the WTO are:**

- to promote the implementation, administration and enforcement of the Uruguay Round agreements and any other agreements;
- to provide a forum for negotiations among member countries on further trade liberalisation and issues falling within the organisation's mandate;
- to maintain the functioning of the Trade Policy Review mechanism;

- cooperating with the IMF, the World Bank and other international organisations.

**The basic principles of the WTO are:**

— **the most-favoured-nation (MFN) principle**, which means granting foreign goods and foreign service providers the same conditions in the domestic market of a member state as those granted to foreign goods and foreign service providers from third member states. In other words, there should be no discrimination between goods (works, services) from different member countries;

— **the national treatment principle**, which implies that member countries should not apply less favourable treatment to foreign goods and services than that applied to domestic goods and services. At the same time, certain exceptions may be made with regard to services, which will give national service providers more favourable conditions for operating in the market;

— **the principle of transparency**, which is key to the WTO legal system. Although formally enshrined only in the General Agreement on Trade in Services (GATS), this principle permeates the entire system of WTO agreements. It means that, in order to ensure that foreign suppliers of goods (works, services) are informed of all information relating to trade in the relevant goods (works, services) in a given country, countries are obliged to publish documents containing the legal norms that regulate these legal relations. In addition, each country undertakes to establish an information centre where other member countries can obtain information on the laws and regulations in force in the relevant sectors of the economy. The principle of transparency is the international legal expression of the principle of non-application of unpublished normative legal acts, on which the legal systems of all civilised countries of the world are based.

## **Organisational structure**

The highest governing body of the WTO is the Ministerial Conference. It is convened at least once every two years, usually at the level of ministers of trade or foreign affairs. The Conference elects the head of the WTO for a term of three years.

In 2005, former European Union Trade Commissioner Pascal Lamy became the fifth Director-General of the World Trade Organisation.

The General Council is responsible for the day-to-day management of the organisation and monitoring compliance with the agreements adopted. Its

functions also include resolving trade disputes between WTO member countries and monitoring their trade policies. The General Council oversees the activities of the Council for Trade in Goods, the Council for Trade in Services and the Council for Intellectual Property.

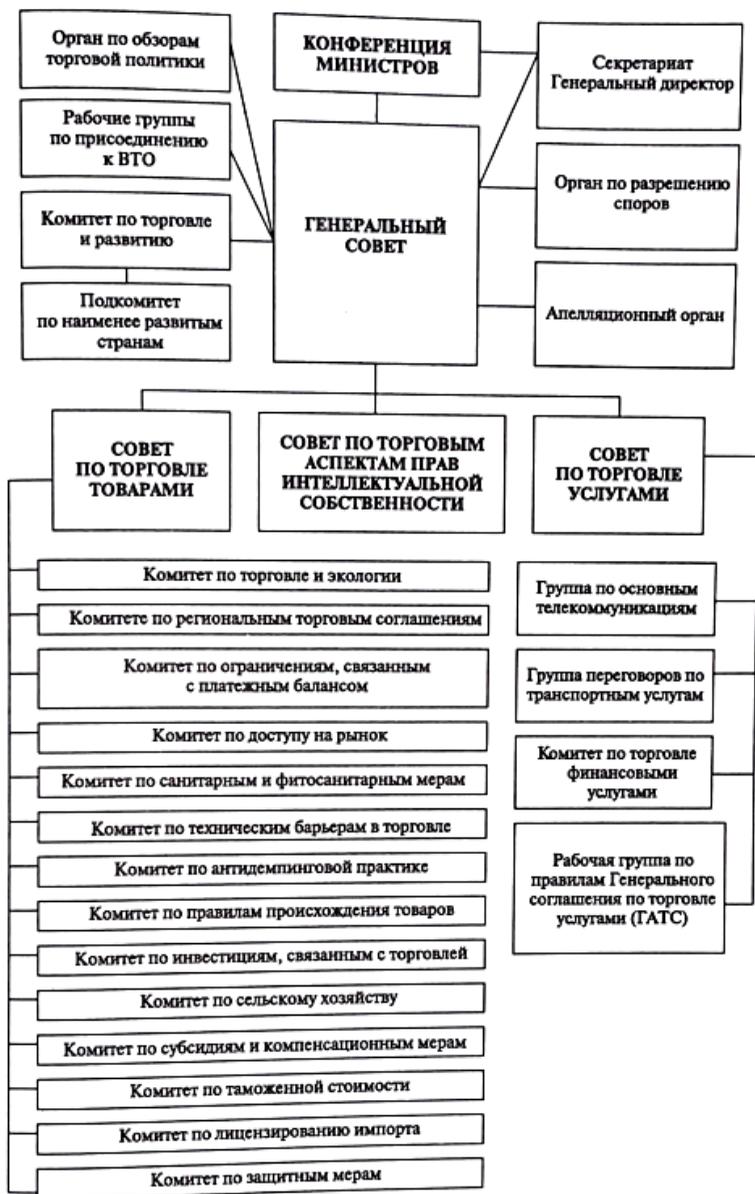
The members of the General Council are ambassadors or heads of delegations of WTO member countries.

The WTO has working and expert groups and specialised committees whose functions include establishing and monitoring compliance with competition rules, monitoring the implementation of regional trade agreements and the investment climate in member countries, and admitting new members.

The WTO is not part of the UN system, but, having the status of a legal entity, it enjoys all the privileges of a specialised UN agency. A number of states have separate diplomatic missions at the WTO headquarters. Each country's share in the WTO budget is equal to its share in international trade.

The working languages of the WTO are English, French and Spanish.

### **Organisational structure of the WTO**



The WTO from a legal perspective

From a legal point of view, the WTO system is a set of basic legal instruments and agreements developed and adopted by countries during multilateral trade negotiations. These include:

- multilateral agreements on trade in industrial goods included in the General Agreement on Tariffs and Trade (GATT-1994) and related agreements;
- the General Agreement on Trade in Services (GATS);
- the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS);
- the Agreement on Trade-Related Investment Measures (TRIMs);
- Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU).

**The General Agreement on Trade in Services (GATS)** — the first multilateral intergovernmental agreement on trade in services — is the most important outcome of the Uruguay Round.

The GATS contains the principles that form the basis of the multilateral legal system governing trade in services. The GATS has 29 articles, grouped into six sections: scope and terms; general obligations and disciplines; specific commitments; progressive liberalisation of trade in services; procedural provisions; and final provisions. An integral part of the GATS are the annexes relating to specific types of services.

The GATS contains three blocks of rights and obligations: the GATS itself, which sets out the basic legal norms applicable to all types of services; basic conceptual definitions; annexes relating to specific sectors of services, which determine how specific articles of the GATS should be applied to these types of services (maritime transport, telecommunications, financial services, air transport), in particular the exemptions under Article II of the specific obligations of WTO member countries in relation to certain types of services.

The scope of the GATS covers all types of services and all sectors of trade in services, except for services provided by the government in the exercise of its governmental functions. The GATS regulates both cross-border trade in services and trade within national territory. The GATS defines trade in services as their cross-border exchange; their consumption within national territory; their supply through a "commercial presence" in the territories of other countries; their supply through the movement of natural persons producing and selling services while present in the territory of foreign states .

The main provisions of the GATS are largely similar to those of the GATT, namely: national treatment — foreign service suppliers must enjoy the same treatment as national suppliers, and the services themselves must be provided under the same treatment as national services; most-favoured-nation

treatment — this implies equal treatment for all participants and the absence of any discrimination between participants in the Agreement; transparency (openness) — all information, laws, administrative provisions and regulations relating to the regulation of trade in services must be published; gradual liberalisation through negotiations in all areas of trade in services.

The GATS provides for two groups of commitments: general (horizontal) commitments applicable to all types of services; and specific commitments relating to individual sectors producing and supplying services. The market access commitments of individual countries are summarised in schedules of commitments.

These schedules are legal commitments for each country. They create a legal framework for each of the four modes of supply of services. These schedules form part of a country's accession protocol to the WTO.

As part of the Uruguay Round negotiations, a classification scheme was developed for types of services that can be traded. It includes 161 types of services. This scheme formed the basis for specific negotiations and was used to compile national lists of services. It is known as the "WTO Classification Scheme". The WTO has established a Council for Trade in Services, which is responsible for all matters relating to the GATS. A new round of negotiations on the liberalisation of trade in services will begin at the start of the new millennium.

**The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)** establishes standards for the protection of intellectual property rights and measures for their enforcement. It stipulates that each WTO member country must fulfil its obligations under international intellectual property agreements, supplementing them with TRIPS obligations and ensuring that strict enforcement procedures are applied in each member country to protect intellectual property rights.

TRIPS is one of the three (along with GATT and GATS) fundamental legal instruments of the WTO. The WTO Agreement (Article IV) establishes the TRIPS Council as a body of the WTO Ministerial Conference. The Council is responsible for all matters relating to the operation of TRIPS .

The Agreement consists of seven parts. Part I deals with general principles. Part II contains standards for the protection of various types of intellectual property: copyright and related rights, trademarks, geographical indications, industrial designs, patents, topographies of integrated circuits and trade secrets. Part III regulates enforcement measures for intellectual property rights, while Part IV describes procedures for obtaining evidence of such rights. The Agreement proposes conciliation procedures in Part V, temporary agreements in Part VI, and organisational and final provisions in Part VII.

TRIPS requires WTO members to comply with the obligations of the

Paris Convention for the Protection of Industrial Property (1967), the obligations of the Berne Convention for the Protection of Literary and Artistic Works of 1971 (Article 9 of TRIPS), as well as the Rome Convention of 1961 and the Washington Treaty of 1989 (Article 35 of TRIPS). Article 3 of TRIPS requires national treatment, while Article 4 requires most-favoured-nation treatment in matters falling within the scope of TRIPS.

An important innovation of TRIPS is the obligation to establish national mechanisms for the protection of intellectual property rights. Article 51 grants customs authorities the right to suspend the release of goods or trademarks. To this end, TRIPS participants must establish their own national legislation. The implementation of TRIPS will require all countries to significantly expand their national legal and administrative systems in the field of trade-related aspects of intellectual property rights.

**The Agreement on Trade-Related Investment Measures (TRIMs)** consists of a preamble, nine articles and an illustrative list of measures prohibited by the Agreement. TRIMs concerns a limited range of measures that are incompatible with Article III (National Treatment) and Article XI (Prohibition of Quantitative Restrictions) of GATT 1994. The Agreement recognises that investment measures and certain related provisions of laws may violate the aforementioned articles of the GATT and have an adverse effect on trade. The parties to TRIMs have undertaken not to apply such measures and to eliminate those already in force, notifying the WTO Secretariat thereof. Prohibited measures include:

- requiring an enterprise to use (in a manner prescribed by law) a certain proportion of domestically produced goods ( ) in the production of goods (domestic quantitative restrictions);
- requiring that the use of imported goods be linked in quantity and value to purchases of local goods (a requirement related to balance of payments regulation);
- restriction of imports of goods used by an enterprise in local production to the quantity of exported local goods (requirement of balance of currency expenditure);
- restricting imports by limiting the enterprise's access to foreign currency (currency restrictions);
- requiring the enterprise to sell goods for export as a share of local production (export capacity).

TRIMs can be seen as the first step in the WTO's work on the relationship between investment and foreign trade, which is expected to be rolled out in the coming years. The WTO has a TRIMs Committee within the Council for Trade in Goods, which looks at all issues related to the Agreement.

**The Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU)** was developed during the Uruguay Round. It contributed to the creation of a unified dispute settlement system for all multilateral agreements within the WTO. The DSU is based on the Dispute Settlement Body, which has been given the power to: establish special panels of experts to examine disputes and prepare recommendations; accept reports from special panels; monitor the implementation of their recommendations; and authorise the suspension of concessions and other obligations in relation to countries that violate the terms of agreements within the WTO system.

Article III of the DSU emphasises that the WTO dispute settlement system is a central element in ensuring the security and predictability of the multilateral trading system, and that the prompt resolution of disputes is an element necessary for the effective functioning of the WTO. The dispute settlement system includes:

- automatic adoption of the report of the Dispute Settlement Body (unless the report is rejected by consensus);
- the establishment of a Dispute Settlement Body to consider disputed issues; this function is performed by the WTO General Council at special meetings as a dispute settlement body;
- the creation of an Appellate Body composed of seven recognised experts to consider appeals against panel rulings;
- granting the Dispute Settlement Body the right to monitor the implementation of recommendations.

The legal structure of the WTO includes such documents as agreements on agriculture; textiles and clothing; technical barriers; sanitary and phytosanitary measures; import licensing procedures; the application of Article VI of GATT 1994 (Anti-Dumping Code); on subsidies and countervailing measures, on the application of Article VII of GATT 1994 (Customs Valuation Code); on rules of origin. However, this legal structure continues to evolve and may be supplemented by new legal documents and bodies in the coming years.

Despite the diversity of the legal documents embodying the results of the Uruguay Round, there are a number of key points that determine their significance for each WTO member country and for the development of its foreign trade:

- the Uruguay Round legal documents define the rules that governments must follow in the areas of trade in goods, services and intellectual property rights;
- a country becoming a member of the WTO must assume the obligations of all legal documents included in this package. Only two agreements have special status (the Agreement on Trade in Civil Aircraft, the

Agreement on Government Procurement), the obligations under which are valid only for the countries that have signed them;

- The alignment of national legal systems in this area with WTO rules creates, in many respects, a common legal space for the development of international trade and, consequently, for the activities of direct participants in trade. In this regard, the Uruguay Round agreements significantly develop and strengthen the unified legal basis of the international trading system. The significance of this circumstance requires no further comment;

- WTO member countries intend to use the most-favoured-nation treatment and national treatment in all areas within the WTO's competence as the basic legal conditions. Moreover, national treatment in WTO agreements is applied in many areas where it was not previously used;

- There is a need to significantly strengthen the functions of monitoring and reviewing how WTO member countries fulfil their commitments and to create an appropriate organisational mechanism for this purpose.

- WTO member countries intend to resolve disputes and conflicts through consultation, negotiation and compromise. To this end, WTO agreements provide for the necessary organisational mechanism.

The WTO Agreement and its constituent agreements stipulate that WTO member countries must engage in mutual negotiations to reduce barriers to trade in goods and services. Lists of these commitments are also included as an integral part of the package of agreements. They comprise several dozen voluminous volumes and are highly specific in nature.

**Decision-making.** The WTO practises consensus-based decision-making, although voting is provided for de jure. Interpretations of the provisions of agreements on goods, services, TRIPS, as well as exemptions from accepted commitments (waivers) are adopted by a three-quarters majority vote. Amendments that do not affect the rights and obligations of participants, as well as the admission of new members, require a two-thirds majority vote (in practice, usually by consensus).

**Membership.** In accordance with the Agreement establishing the WTO, the founding members of the organisation were all the Contracting Parties to the GATT (128 states) that submitted lists of commitments on goods and services and ratified the Uruguay Round package of agreements.

About thirty states have **observer status in the WTO**. The vast majority of them, including Russia, are at various stages of accession to the WTO.

In addition, more than sixty international organisations have observer status in various WTO structures, including the UN, UNCTAD, IMF, IBRD, FAO, WIPO, OECD, regional groupings and commodity associations. Under the auspices of UNCTAD/WTO, the International Trade Centre (ITC)

provides assistance to developing countries in the field of world trade.

**The procedure** for joining the World Trade Organisation, developed over half a century of GATT/WTO existence, is multifaceted and consists of several stages. As the experience of applicant countries shows, this process takes an average of 5-7 years. All of the accession procedures listed below apply in full to Russia.

### **Approximate outline of the WTO accession procedure**

1. Submission of an application and memorandum.
2. The General Assembly (Secretariat) forwards the application with offers and other documents to the Working Party.
3. The Working Party forwards the documents to WTO members for approval.
4. Bilateral negotiations between the government or authorised body and WTO members.
5. Tariff requests.
6. Acceptance of concessions and commitments.
7. Submission of approval protocols to the Working Group by WTO members (interested parties).
8. Submission of the Working Group's report to the General Assembly.
9. Decision on the possibility of accession to the WTO, sent to the government of the acceding country.
10. Ratification of the decision in accordance with the procedure established for international treaties.

At the first stage, special **working groups** (in the WG on Russia's accession to the WTO, there are 66 countries, with the EU counted as one country) conduct a detailed multilateral review of the economic mechanism and trade policy regime of the acceding country to ensure their compliance with WTO rules and regulations. This is followed by consultations and negotiations on the terms of the applicant country's membership in the organisation. These consultations and negotiations are usually conducted bilaterally with all interested countries participating in the working group.

First and foremost, the negotiations concern "commercially significant" concessions that the acceding country will be prepared to grant to WTO members in terms of access to its markets (set out in bilateral Protocols on Market Access for Goods and Services), as well as the format and timing of the commitments under the Agreements arising from WTO membership (as set out in the Working Party report).

In turn, the acceding country, as a rule, receives the rights enjoyed by all other WTO members, which in practice will mean an end to its

discrimination in external markets. (Although, for example, China was unable to obtain all these rights in full.) In the event of unlawful actions by any member of the organisation, any country will be able to file a complaint with the Dispute Settlement Body (DSB), whose decisions are binding on all WTO members at the national level.

In accordance with the established procedure, the results of all negotiations on market access liberalisation and accession conditions are formalised in the following official documents:

- A Working Party Report setting out the full package of rights and obligations that the applicant country will assume as a result of the negotiations;
- A list of commitments on tariff concessions in the area of goods and on the level of support for agriculture;
- A list of specific commitments on services and a list of exemptions from MFN (most-favoured-nation) treatment;
- The Accession Protocol, which legally formalises the agreements reached at the bilateral and multilateral levels.

One of the main conditions for new countries to join the WTO is to bring their national legislation and practices for regulating foreign economic activity into line with the provisions of the Uruguay Round package of agreements.

At the final stage of accession, the national legislative body of the candidate country ratifies the entire package of documents agreed upon by the Working Group and approved by the General Council. After that, these commitments become part of the WTO's legal package of documents and national legislation, and the candidate country itself obtains WTO membership status.

### **Russia's accession to the WTO**

In today's world, trade relations are an integral part of the existence of any state. Therefore, the following issues are relevant for Russia: a) obtaining better, non-discriminatory conditions for Russian products to access foreign markets compared to the existing ones; b) access to the international mechanism for resolving trade disputes; c) creating a more favourable climate for foreign investment by bringing the legislative system into line with WTO rules; d) expanding opportunities for Russian investors in WTO member countries, particularly in the banking sector; e) creating conditions for improving the quality and competitiveness of domestic products by increasing the flow of foreign goods, services and investments into the Russian market; f) participating in the development of international trade

rules, taking into account its national interests; g) improving Russia's image in the world as a full participant in international trade. All of these problems can only be solved by becoming a full member of international trade organisations. Therefore, the current situation with Russia's accession to the WTO deserves detailed analysis.

### **History of accession**

In 1992, Russia inherited from the former USSR the observer status in the General Agreement on Tariffs and Trade (GATT) granted to the USSR in May 1990. In June 1993, the Government of the Russian Federation submitted an official application for accession to GATT as a full member. On 16 June 1993, the GATT Council of Representatives established a Working Party (WP) on Russia's accession to the GATT in accordance with the established procedure. In connection with the establishment on 1 January 1995 of the World Trade Organisation (WTO), which includes GATT as an integral part, in December 1994 the WTO Secretariat received an official statement from the Government of the Russian Federation on Russia's accession to the World Trade Organisation. By decision of the WTO General Council, the Working Group on Russia's accession to the GATT was transformed into the Working Group on Russia's accession to the WTO. In total, more than 30 meetings of the WG have been held.

Negotiations on Russia's accession to the WTO are being conducted in the following four areas:

— tariff negotiations have been conducted on a bilateral basis since February 1998 with all interested countries participating in the Working Group. By March 2006, Russia had completed tariff negotiations with 33 WTO member countries. To date, agreements have been reached on most tariff items;

— Bilateral negotiations on commitments in the services sector have been ongoing since October 1999. The most complex issues in this area are those relating to access for foreign suppliers to the telecommunications, finance (insurance, banking services, securities) and energy services sectors. By March 2006, Russia had completed negotiations on services with 16 countries. In total, Russia is negotiating tariffs with 50 countries and services with 30. Negotiations with the United States, Canada, Australia, Switzerland and a number of other countries are proving most difficult.

— in the field of agriculture, negotiations primarily concern the level of "domestic support" and the volume of export subsidies, the use of special protective measures and tariff quotas. Russia is seeking the right to support its agricultural sector to an extent that would ensure the necessary conditions

for its development. However, leading agricultural exporters, primarily the Kern Group countries led by Australia, have not yet accepted the proposals put forward.

Systemic issues include the recording of Russia's obligations in the Working Party Report on the entire set of WTO agreements, among which the issues of intellectual property rights protection, customs administration, veterinary and phytosanitary control, and licensing of trade in alcoholic beverages and pharmaceutical products stand out.

Under the terms of the agreements, no foreign trade duties will be reduced during the first year after Russia's accession to the WTO. Transition periods ranging from 1 to 7 years are provided for different groups of goods; over 7 years, duties on industrial goods will be reduced on average from 11.1% to 8.2%. Customs duties on consumer goods mass-produced in Russia will remain virtually unchanged (with the exception of cars and footwear). At the same time, duties on computers and components will be abolished, and duties on consumer electronics and electrical equipment, medicines, and technological and scientific equipment will be reduced. The state will be able to provide assistance to agriculture in the amount of no more than \$9 billion per year (currently, the amount of assistance is \$3.5 billion per year, but the size of subsidies will still be discussed in multilateral negotiations). However, according to some estimates (Expert), the maximum theoretical benefit for domestic enterprises from Russia's accession to the WTO is \$23 billion per year, while Russia may lose part of its market equivalent to approximately \$90 billion per year.

Overall, the negotiations have brought Russia's position closer to that of the working group members, but developed countries often set conditions that are unacceptable to Russia and generally contrary to the principles of international trade, such as increasing domestic prices for electricity and gas and bringing them into line with world prices. No country within the WTO has taken on such commitments. Russia considers it necessary to increase import duties from 16% to 34%, then reduce them to 23% and set the level of agricultural support at \$9 billion. The WTO does not agree to such amounts, although import duties in the EU are 30% and agricultural support costs \$60 billion a year. There are other unresolved issues. Among them, the most important is the harmonisation of Russian and WTO legislation on foreign trade.

Despite these negotiating problems, Russia may complete negotiations on WTO accession in 2008. Participation in the WTO will require the training of hundreds of qualified specialists who are well acquainted with the legal structure of the WTO and the specifics of how this organisation operates, to serve in state and non-state institutions, enterprises and firms. The shortage

of such specialists is already acutely felt in both the public and private sectors. Training such specialists and generally improving foreign trade literacy (especially from the WTO's perspective) is an urgent task facing educational institutions at various levels in the Russian Federation. Solving this task is largely connected with the creation of educational literature and manuals on WTO issues. Today, there is an acute shortage of information both on the activities of the WTO and on the problems that Russia will inevitably face when it joins the international trading system.

The WTO is a complex organisation, with 60-70 meetings of various WTO bodies and working groups held at its headquarters every week. Participation in these meetings will also require considerable expenditure and the training of highly qualified specialists in the field of commercial diplomacy. One way to reduce costs is to establish a full-fledged Russian Federation representation at the WTO. Representation at the WTO will allow for faster and more effective contact with all interested states in the development of multilateral legal documents. It provides opportunities for gathering economic and trade-political information that are incomparable to bilateral contacts. Finally, Russia's representation will create a forum for regular communication with all WTO member countries on issues related to the development of international trade and Russia's foreign trade. The WTO representation should have a sufficient number of competent specialists capable of representing, supporting and defending Russia's national interests and gaining support for these interests from other WTO member countries.

## **Problems and prospects**

The WTO has been in existence for 12 years. This is a short period for an international organisation. During this time, many difficulties and contradictions have accumulated, both in the activities of the organisation itself and in the relations of individual countries and groups of countries with the WTO. However, the past years allow us to draw a general conclusion: the new international institution, the World Trade Organisation, has taken its place in the system of institutions that determine, on a multilateral basis, the parameters of the world trade system and the rules of world trade within that system. The success or failure of its future activities will largely depend on whether it manages to maintain this position, whether it becomes truly "worldwide" or remains "global", whether the main WTO participants will be able to resist the temptation to use the new organisation as a tool for their national policies or will seek balanced solutions that meet the interests of all countries, and, finally, whether the WTO will promote foreign and world trade to serve the interests of all countries and become an instrument of

cooperation in the new multipolar world. The coming years will provide answers to these questions and determine the pros and cons of each country's participation in the WTO<sup>1</sup>.

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# 14

## Appendix

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### UNIVERSAL DECLARATION OF HUMAN RIGHTS

*Adopted and proclaimed by General Assembly resolution 217 A (III) of*

10 December 1948.

## **Preamble**

Considering that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world; and

– *Considering* that disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and that the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people; and

– *Considering* that it is essential that human rights should be protected by the rule of law, so that man shall not be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression; and

– *Considering* that it is essential to promote the development of friendly relations among nations; and

– *Considering* that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, and have determined to promote social progress and better standards of life in larger freedom; and

– *Considering* that Member States have pledged themselves to promote, in cooperation with the United Nations, universal respect for and observance of human rights and fundamental freedoms; and

– *Considering* that a common understanding of the nature of these rights and freedoms is of the greatest importance for the full realisation of this undertaking,

*the General Assembly proclaims* this Universal Declaration of Human Rights as a common standard of achievement to be pursued by all peoples and States with a view to encouraging every individual and every organ of society, with constant reference to this Declaration, to promote, through teaching and education, respect for these rights and freedoms and to secure, by progressive national and international measures, their universal and effective recognition and observance, both among the peoples of Member States of the Organisation and among the peoples of territories under their jurisdiction.

## **Article 1**

All human beings are born free and equal in dignity and rights. They are

endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

### **Article 2**

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether independent, trust, non-self-governing or under any other limitation of sovereignty.

### **Article 3**

Everyone has the right to life, liberty and security of person.

### **Article 4**

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

### **Article 5**

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

### **Article 6**

Everyone has the right to recognition everywhere as a person before the law.

### **Article 7**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

### **Article 8**

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

### **Article 9**

No one shall be subjected to arbitrary arrest, detention or exile.

#### **Article 10**

Everyone is entitled in full equality to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law, in the determination of his rights and obligations and of any criminal charge against him.

#### **Article 11**

1. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national law or international law at the time when it was committed. Nor shall a heavier penalty be imposed than that which was applicable at the time the criminal offence was committed.

#### **Article 12**

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

#### **Article 13**

1. Everyone has the right to freedom of movement and residence within the borders of each State.

2. Everyone has the right to leave any country, including his own, and to return to his country.

#### **Article 14**

1. Everyone has the right to seek and enjoy asylum from persecution in other countries.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

#### **Article 15**

1. Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

#### **Article 16**

1. Men and women of full age have the right to marry and to found a family without any limitation due to race, nationality or religion. They have equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

#### **Article 17**

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

#### **Article 18**

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

#### **Article 19**

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

#### **Article 20**

1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

#### **Article 21**

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right of equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret

vote or by equivalent free voting procedures.

### **Article 22**

Everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international co-operation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

### **Article 23**

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone has the right to form and join trade unions for the protection of their interests.

### **Article 24**

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

### **Article 25**

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other loss of livelihood through no fault of his own.

2. Motherhood and infancy entitle special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

### **Article 26**

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and vocational education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human

personality and to the strengthening of respect for human rights and fundamental freedoms. Education shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education to which their young children should have access.

#### **Article 27**

1. Everyone has the right to participate freely in the cultural life of the community, to enjoy the arts, and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

#### **Article 28**

Everyone has the right to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised.

#### **Article 29**

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. The exercise of these rights and freedoms shall in no case be contrary to the purposes and principles of the United Nations.

#### **Article 30**

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

### **Source**

1. <http://www.un.org/russian/documen/declarat/declhr.htm>.

**15**

**Appendix**

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# STATUTE OF THE ORGANISATION OF UNITED NATIONS

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## Note

The Charter of the United Nations was signed on 26 June 1945 in San Francisco at the final meeting of the United Nations Conference on the Establishment of an International Organisation and entered into force on 24 October 1945. The Statute of the International Court of Justice forms an integral part of the Charter.

Amendments to Articles 23, 27 and 61 of the Charter were adopted by the General Assembly on 17 December 1963 and entered into force on 31 August 1965. An amendment to Article 109, adopted by the General Assembly on 20 December 1965, entered into force on 12 June 1968.

The amendment to Article 23 of the Charter increases the number of members of the Security Council from eleven to fifteen.

The amended Article 27 provides that decisions of the Security Council on procedural matters shall be considered adopted when nine members (previously seven) vote in favour, and on all other matters when nine members (previously seven) vote in favour, including the concurring votes of five permanent members of the Security Council.

The amendment to Article 61 increases the number of members of the Economic and Social Council from eighteen to twenty-seven. A subsequent amendment to this article, which entered into force on 24 September 1973, increases the number of members of the Council from twenty-seven to fifty-four.

An amendment to the first paragraph of Article 109 provides that the time and place of the General Conference of Member States for the purpose of revising the Charter shall be determined by a two-thirds vote of the members of the General Assembly and the votes of any nine (previously seven) members of the Security Council.

Paragraph 3 of Article 109, which provides for the possibility of convening a conference to revise the Charter, was considered by the General Assembly and the Security Council at the tenth regular session of the General Assembly in 1955 and left in its original wording: "by the votes of any seven members of the Security Council".

## **Charter of the United Nations**

*WE THE PEOPLES OF THE UNITED NATIONS, DETERMINED*

— to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

— to reaffirm faith in fundamental human rights, in the dignity and

worth of the human person, in the equal rights of men and women and of nations large and small, and

— to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

— to promote social progress and better standards of life in larger freedom,

*AND TO THIS END*

— to practise tolerance and live together in peace with one another as good neighbours, and

— to combine our strength to maintain international peace and security, and

— to ensure, by the acceptance of principles and by the institution of methods, that armed force shall be used only in the common interest, and

— to employ international machinery for the promotion of the economic and social advancement of all peoples,

*HAVE DECIDED TO UNITE OUR EFFORTS TO ACHIEVE THESE OBJECTIVES.*

Accordingly, our respective governments, through their representatives assembled in San Francisco, having presented their full powers found in good and due form, have agreed to adopt this Charter of the United Nations and hereby establish an international organisation to be known as the United Nations.

## **Chapter I** **PURPOSES AND PRINCIPLES**

### **Article 1**

The United Nations shall pursue the following Purposes:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and, and for the suppression of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to settle or settle by peaceful means, and in

conformity with the principles of justice and international law, disputes or situations which might lead to a breach of the peace.

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.

3. To achieve international cooperation in solving international problems of an economic, social, cultural, and humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To serve as a centre for harmonising the actions of nations in the attainment of these common ends.

## **Article 2**

In order to achieve the purposes set forth in Article 1, the Organisation and its Members shall act in accordance with the following principles:

1. The Organisation is based on the principle of the sovereign equality of all its Members.

2. All Members of the United Nations shall fulfil faithfully the obligations assumed by them under the present Charter, so as to ensure that they all together enjoy the rights and benefits of membership in the Organisation.

3. All Members of the United Nations shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

4. All Members of the United Nations shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members of the United Nations shall give the United Nations their full support in all actions taken by it in accordance with the present Charter and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action.

6. The Organisation shall ensure that non-Members act in accordance with these Principles, as may be necessary for the maintenance of international peace and security.

7. Nothing in this Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members of the United Nations to submit such matters to settlement under this Charter; However, this principle does not affect the application of coercive measures under Chapter VII.

## **Chapter II**

### **MEMBERS OF THE ORGANISATION**

#### **Article 3**

The original Members of the United Nations shall be those States which, having participated in the San Francisco Conference on the Establishment of an International Organisation or having previously signed the United Nations Declaration of 1 January 1942, have signed and ratified this Charter in accordance with Article 110.

#### **Article 4**

1. Membership in the Organisation shall be open to all other peace-loving States which accept the obligations contained in this Charter and which, in the judgement of the Organisation, are able and willing to carry out these obligations.

2. The admission of any such State to membership shall be by a resolution of the General Assembly upon the recommendation of the Security Council.

#### **Article 5**

If the Security Council has taken preventive or enforcement action against a Member of the Organisation, the General Assembly may, on the recommendation of the Security Council, suspend the rights and privileges of that Member. The exercise of these rights and privileges may be restored by the Security Council.

#### **Article 6**

A Member of the Organisation which systematically violates the principles and contained in this Charter may be expelled from the Organisation by the General Assembly upon the recommendation of the Security Council.

## **Chapter III**

### **ORGANISATIONS**

#### **Article 7**

1. The principal organs of the United Nations shall be the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and the Secretariat.

2. Such subsidiary organs as may be necessary may be established in accordance with the present Charter.

### **Article 8**

The United Nations shall not impose any restrictions on the right of men and women to participate in any capacity and on equal terms in its principal and subsidiary organs.

## **Chapter IV GENERAL ASSEMBLY**

### **Composition**

#### **Article 9**

1. The General Assembly shall consist of all Members of the Organisation.

2. Each Member of the Organisation shall have no more than five representatives in the General Assembly.

### **Functions and Powers**

#### **Article 10**

The General Assembly shall have the power to discuss any matter or business within the scope of this Charter or relating to the powers and functions of any of the organs provided for in this Charter and, except as provided in Article 12, to make recommendations to the Members of the United Nations or to the Security Council or to the Members of the Organisation and the Security Council on any such matters or issues.

#### **Article 11**

1. The General Assembly shall be empowered to consider the general principles of cooperation in the maintenance of international peace and security, including those relating to disarmament and the regulation of armaments, and to make recommendations to the Members of the Organisation or to the Security Council or to the Members of the Organisation and the Security Council on these principles.

2. The General Assembly shall be empowered to discuss any matters relating to the maintenance of international peace and security brought before it by any Member of the Organisation or by the Security Council or by a State

which is not a Member of the Organisation in accordance with paragraph 2 of Article 35, and, subject to the exceptions provided for in Article 12, to make recommendations on any such matters to the State or States concerned or to the Security Council or to the Security Council and the State or States concerned. Any such matter requiring action shall be referred by the General Assembly to the Security Council before or after discussion.

3. The General Assembly may draw the attention of the Security Council to situations which may threaten international peace and security.

4. The powers of the General Assembly set forth in this article shall not limit the general meaning of article 10.

### **Article 12**

1. When the Security Council is exercising the functions assigned to it by the present Charter in relation to any dispute or situation, the General Assembly may not make any recommendations concerning that dispute or situation unless the Security Council requests it to do so.

2. The Secretary-General shall, with the consent of the Security Council, inform the General Assembly at each of its sessions of all matters relating to the maintenance of international peace and security which are under consideration by the Security Council, and shall likewise inform the General Assembly, and if the General Assembly is not in session, the Members of the Organisation, as soon as the Security Council has ceased to consider such matters.

### **Article 13**

1. The General Assembly shall organise studies and make recommendations with a view to:

a) Promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;

b) Promoting international cooperation in the economic, social, cultural, educational and health fields and promoting the realisation of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

2. Further duties, functions and powers of the General Assembly in relation to the matters mentioned in paragraph 1b above are set out in Chapters IX and X.

### **Article 14**

Subject to the provisions of Article 12, the General Assembly is authorised to recommend measures for the peaceful settlement of any

situation, regardless of its origin, which, in the opinion of the Assembly, may disturb the general welfare or friendly relations among nations, including situations arising from violations of the provisions of this Charter setting forth the Purposes and Principles of the United Nations.

#### **Article 15**

1. The General Assembly shall receive and consider annual and special reports of the Security Council; these reports shall include a statement of the measures for maintaining international peace and security which the Security Council has decided to take or has taken.

2. The General Assembly shall receive and consider reports from other organs of the Organisation.

#### **Article 16**

The General Assembly shall exercise such functions in relation to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of trusteeship agreements for non-strategic territories.

#### **Article 17**

1. The General Assembly shall consider and approve the budget of the Organisation.

2. The members of the Organisation shall bear its expenses in accordance with the distribution established by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with the specialised agencies referred to in Article 57 and shall examine the administrative budgets of such specialised agencies with a view to making recommendations to the agencies concerned.

### **Voting**

#### **Article 18**

1. Each Member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important matters shall be made by a two-thirds majority of the Members present and voting. These matters shall include: recommendations concerning the maintenance of international peace and security, the election of non-permanent members of the Security Council, the election of members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of Members of the

Organisation, the expulsion of Members from the Organisation, matters relating to the functioning of the trusteeship system, and budgetary matters.

3. Decisions on other matters, including the determination of additional categories of matters to be decided by a two-thirds majority, shall be taken by a simple majority of those present and voting.

#### **Article 19**

A Member of the Organisation which is in arrears in the payment of its financial contributions to the Organisation shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, however, authorise such a Member of the Organisation to participate in the voting if it recognises that the delay in payment was due to circumstances beyond its control.

#### **Procedure**

#### **Article 20**

The General Assembly shall meet in regular annual sessions and in such special sessions as circumstances may require. Special sessions shall be convened by the Secretary-General at the request of the Security Council or of a majority of the Members of the Organisation.

#### **Article 21**

The General Assembly shall establish its own rules of procedure. It shall elect its own President for each session.

#### **Article 22**

The General Assembly shall have the power to establish such subsidiary organs as it deems necessary for the performance of its functions.

### **Chapter V** **SECURITY COUNCIL**

#### **Composition**

#### **Article 23**

1. The Security Council shall consist of fifteen Members of the Organisation. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and

the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the Organisation as non-permanent members of the Security Council, giving due consideration, in particular, to the degree of participation of Members of the Organisation in the maintenance of international peace and security and in the achievement of the other purposes of the Organisation, as well as to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. At the first election of non-permanent members after the expansion of the Security Council from eleven to fifteen members, two of the four additional members shall be elected for a term of one year. A member of the Security Council who is retiring shall not be immediately eligible for re-election.

3. Each member of the Security Council has one representative.

## **Functions and powers**

### **Article 24**

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council the primary responsibility for the maintenance of international peace and security, and agree that, in carrying out its duties under this responsibility, the Security Council acts on their behalf.

2. In carrying out these duties, the Security Council shall act in accordance with the Purposes and Principles of the United Nations. Certain powers conferred upon the Security Council for the performance of these duties are set forth in Chapters VI, VII, VIII and XII.

3. The Security Council shall submit annual reports and, as necessary, special reports to the General Assembly.

### **Article 25**

The Members of the Organisation agree to submit to the decisions of the Security Council and to carry them out in accordance with this Charter.

### **Article 26**

In order to promote the establishment and maintenance of international peace and security with the least diversion of the world's human and economic resources to the armaments cause, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans for the establishment of a system of arms control to be submitted to the Members of the Organisation.

## **Voting**

### **Article 27**

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be adopted when nine members of the Council vote in favour.
3. Decisions of the Security Council on all other matters shall be deemed to have been adopted when nine members of the Council, including the concurring votes of all permanent members of the Council, have cast their votes in favour, provided that the party to the dispute shall abstain from voting when a decision is taken under Chapter VI and under Article 52, paragraph 3.

## **Procedure**

### **Article 28**

1. The Security Council shall be organised in such a manner as to enable it to function continuously. For this purpose, each member of the Security Council shall be represented at the seat of the United Nations at all times.
2. The Security Council shall meet periodically, at which each of its members may, at its discretion, be represented either by a member of the government or by any other specially appointed representative.
3. The meetings of the Security Council may be held not only at the seat of the Organisation, but also at any other place which, in the opinion of the Council, is more conducive to its work.

### **Article 29**

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

### **Article 30**

The Security Council shall establish its own rules of procedure, including the procedure for the election of its President.

### **Article 31**

Any Member of the Organisation which is not a member of the Security Council may participate, without vote, in the discussion of any matter brought before the Security Council in all cases where the Security Council considers

that the interests of that Member of the Organisation are specially affected.

### **Article 32**

Any Member of the Organisation which is not a member of the Security Council, or any State which is not a Member of the Organisation, if it is a party to a dispute being considered by the Security Council, shall be invited to participate, without vote, in the discussion relating to that dispute. The Security Council shall determine the conditions for the participation of a State not a Member of the Organisation which it deems equitable.

## **Chapter VI PEACEFUL SETTLEMENT OF DISPUTES**

### **Article 33**

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall first endeavour to settle the dispute by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems it necessary, call upon the parties to settle their dispute by such means.

### **Article 34**

The Security Council is authorised to investigate any dispute or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuation of the dispute or situation might threaten the maintenance of international peace and security.

### **Article 35**

1. Any Member of the Organisation may bring any dispute or situation of the nature referred to in Article 34 to the attention of the Security Council or the General Assembly.

2. A State which is not a Member of the Organisation may bring any dispute to which it is a party to the attention of the Security Council or the General Assembly, provided that it has previously accepted the obligations of peaceful settlement of disputes provided for in this Charter in respect of that dispute.

3. The General Assembly shall deal with matters brought to its attention under this Article in accordance with the provisions of Articles 11 and 12.

### **Article 36**

1. The Security Council shall be empowered at any stage of a dispute of the nature referred to in Article 33 or a situation of a similar nature to recommend appropriate procedures or methods of settlement.

2. The Security Council shall take into account any procedure for the settlement of the dispute which has already been accepted by the parties.

3. In making recommendations under this Article, the Security Council shall also take into account that disputes of a legal nature should, as a general rule, be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

### **Article 37**

1. If the parties to a dispute of the nature referred to in Article 33 do not settle it by the means specified in that Article, they shall refer it to the Security Council.

2. If the Security Council considers that the continuation of the dispute could in fact endanger the maintenance of international peace and security, it shall decide whether to act under Article 36 or to recommend such terms for the settlement of the dispute as it deems appropriate.

### **Article 38**

Without prejudice to Articles 33 to 37, the Security Council is authorised, if all parties to any dispute so request, to make recommendations to the parties with a view to the peaceful settlement of the dispute.

## **Chapter VII**

### **ACTION IN RESPECT OF THREATS TO PEACE, BREACHES OF THE PEACE AND ACTS OF AGGRESSION**

#### **Article 39**

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

#### **Article 40**

In order to prevent the situation from deteriorating, the Security Council shall be empowered, before making recommendations or deciding on the measures to be taken under Article 39, to call upon the parties concerned to carry out

such temporary measures as it deems necessary or desirable. Such provisional measures shall not prejudice the rights, claims or position of the parties concerned. The Security Council shall take due account of failure to comply with such provisional measures.

#### **Article 41**

The Security Council is authorised to decide what measures, not involving the use of armed force, shall be employed to give effect to its decisions, and it may call upon the Members of the Organisation to apply such measures. These measures may include complete or partial interruption of economic relations, rail, sea, air, postal, telegraphic, radio or other means of communication, as well as the severance of diplomatic relations.

#### **Article 42**

If the Security Council considers that the measures provided for in Article 41 would be inadequate or have proved to be inadequate, it shall be empowered to take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockades and other operations of air, sea or land forces of Members of the Organisation.

#### **Article 43**

1. All Members of the Organisation, in order to contribute to the maintenance of international peace and security, undertake to place at the disposal of the Security Council, at its request and in accordance with a special agreement or agreements, the armed forces, assistance and appropriate facilities, including the right of passage, necessary for the maintenance of international peace and security.

2. Such agreement or agreements shall determine the number and type of troops, their state of readiness, their general disposition, and the nature of the facilities and assistance to be provided.

3. Negotiations for the conclusion of the agreement or agreements shall be undertaken as soon as possible at the initiative of the Security Council. They shall be concluded between the Security Council and Members of the Organisation or between the Security Council and groups of Members of the Organisation and shall be subject to ratification by the signatory States in accordance with their constitutional procedures.

#### **Article 44**

When the Security Council has decided to use force, before requiring a Member of the Organisation not represented on the Council to provide armed

forces in fulfilment of the obligations assumed by it under Article 43, the Security Council shall invite that Member of the Organisation, if it so desires, to participate in the decisions of the Security Council regarding the use of the armed forces of that Member of the Organisation.

#### **Article 45**

In order to enable the United Nations to take urgent military action, Members of the Organisation shall maintain national air force contingents in a state of readiness for joint international enforcement action. The size and readiness of these contingents and their plans for joint action shall be determined by the Security Council through the Military Staff Committee within the limits specified in the special agreement or agreements referred to in Article 43.

#### **Article 46**

Plans for the use of armed forces shall be drawn up by the Security Council with the assistance of the Military Staff Committee.

#### **Article 47**

1. A Military Staff Committee shall be established to advise and assist the Security Council in all matters relating to the military requirements of the Security Council in the maintenance of international peace and security, the use of forces placed at its disposal, and the command thereof, as well as to the regulation of armaments and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the Organisation not permanently represented on the Committee shall be invited by the Committee to cooperate with it if the effective performance of the Committee's duties requires the participation of that Member of the Organisation in the work of the Committee.

3. The Military Staff Committee, under the authority of the Security Council, shall be responsible for the strategic direction of any armed forces placed at the disposal of the Security Council. Matters relating to the command of such forces shall be worked out at a later date.

4. The Military Staff Committee may, with the authorisation of the Security Council and after consultation with the appropriate regional bodies, establish its own regional subcommittees.

#### **Article 48**

1. The actions required to implement the decisions of the Security Council for the maintenance of international peace and security shall be taken

by all or some of the Members of the Organisation, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the Organisation directly and through their action in the appropriate international agencies of which they are members.

#### **Article 49**

Members of the Organisation shall join together to render mutual assistance in the implementation of measures decided upon by the Security Council.

#### **Article 50**

If the Security Council takes preventive or enforcement measures against any State, any other State, whether or not a Member of the Organisation, which is faced with special economic problems arising from the implementation of the said measures, shall have the right to consult the Security Council with a view to resolving such problems.

#### **Article 51**

This Charter shall in no way affect the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the Organisation, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members of the Organisation in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall in no way affect the powers and responsibilities of the Security Council in accordance with this Charter, to take at any time such action as it deems necessary to maintain or restore international peace and security.

### **Chapter VIII REGIONAL AGREEMENTS**

#### **Article 52**

1. This Charter shall in no way preclude the existence of regional arrangements or bodies for the settlement of such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or bodies and their activities are consistent with the Purposes and Principles of the Organisation.

2. Members of the Organisation who have entered into such agreements or constitute such bodies shall use their best endeavours to achieve the peaceful settlement of local disputes through such regional

agreements or such regional bodies before referring them to the Security Council.

3. The Security Council shall encourage the development of the peaceful settlement of local disputes through such regional agreements or such regional bodies, either on the initiative of the States concerned or on its own initiative.

4. This article shall in no way affect the application of articles 34 and 35.

#### **Article 53**

1. The Security Council shall, where appropriate, use such regional arrangements or bodies for enforcement action under its direction. However, no enforcement action shall be taken under these regional agreements or by regional bodies without the authorisation of the Security Council, except for measures provided for in Article 107 against any hostile State as defined in paragraph 2 of this Article or measures provided for in regional agreements directed against the resumption of aggressive policies by any such State until such time as the Organisation, at the request of the Governments concerned, may be entrusted with the responsibility of preventing further aggression by such a State.

2. The term "enemy state" as used in paragraph 1 of this article refers to any state which during the Second World War was an enemy of any of the states which signed this Charter.

#### **Article 54**

The Security Council shall be kept fully informed of any action taken or contemplated under regional arrangements or by regional agencies for the maintenance of international peace and security.

### **Chapter IX INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION**

#### **Article 55**

With a view to creating conditions of stability and well-being necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a) the promotion of higher standards of living, full employment, and conditions of economic and social progress and development;
- b) the solution of international problems in the economic, social, health and related fields; international cooperation in the cultural and educational fields;
- c) universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

#### **Article 56**

All Members of the Organisation undertake to take joint and separate action in cooperation with the Organisation to achieve the objectives set out in Article 55.

#### **Article 57**

1. Various specialised agencies established by intergovernmental agreements and entrusted with broad international responsibilities in the economic, social, cultural, educational, health and similar fields, as defined in their constitutive acts, shall be associated with the Organisation in accordance with the provisions of Article 63.

2. Such agencies, which shall be associated with the Organisation in the manner described above, shall be referred to in the following articles as "specialised agencies".

#### **Article 58**

The Organisation shall make recommendations for the coordination of the policies and activities of the specialised agencies.

#### **Article 59**

The Organisation shall, when necessary, take the initiative in bringing the interested States together to discuss the establishment of any new specialised agencies that may be required to achieve the objectives set out in Article 55.

#### **Article 60**

Responsibility for the functions of the Organisation specified in this Chapter shall be vested in the General Assembly and, under the direction of the General Assembly, in the Economic and Social Council, which shall be vested with the powers specified in Chapter X for this purpose.

## **Chapter X ECONOMIC AND SOCIAL COUNCIL**

### **Composition**

#### **Article 61**

1. The Economic and Social Council shall consist of fifty-four Members of the Organisation, elected by the General Assembly.

2. Subject to the provisions set forth in paragraph 3, eighteen members of the Economic and Social Council shall be elected annually for a term of three years. A retiring member of the Council shall be immediately eligible for re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four, in addition to the members elected to replace the nine members whose terms of office expire at the end of that year, twenty-seven additional members shall be elected. The term of office of nine of the twenty-seven additional members so elected shall expire at the end of the first year, and that of the other nine members at the end of the second year, in accordance with the decision of the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

### **Functions and powers**

#### **Article 62**

1. The Economic and Social Council shall be empowered to undertake studies and make reports on international matters in the economic, social, cultural, educational, health and related fields, or to encourage others to do so, and to make recommendations on any of these matters to the General Assembly, to Members of the Organisation and to the specialised agencies concerned.

2. The Council is authorised to make recommendations with a view to promoting respect for and observance of human rights and fundamental freedoms for all.

3. The Council shall be empowered to prepare for submission to the General Assembly draft conventions on matters within its competence.

4. The Council shall be empowered to convene, in accordance with the rules prescribed by the Organisation, international conferences on matters within its competence.

### **Article 63**

1. The Economic and Social Council is authorized to enter into agreements with any of the agencies referred to in Article 57, defining the conditions under which the agencies concerned shall be associated with the Organization. Such agreements shall be subject to approval by the General Assembly.

2. The Council shall be authorised to co-ordinate the activities of the specialised agencies through consultation with them and through recommendations to them and to the General Assembly and to Members of the Organisation.

### **Article 64**

1. The Economic and Social Council shall be authorised to take appropriate measures to obtain regular reports from the specialised agencies. The Council is authorised to enter into agreements with Members of the Organisation and with specialised agencies for the purpose of obtaining from them reports on the measures taken by them in pursuance of its own recommendations and those of the General Assembly on matters within its competence.

2. The Council shall be authorised to communicate its observations on these reports to the General Assembly.

### **Article 65**

The Economic and Social Council is authorised to submit information to the Security Council and, at the request of the Security Council, is obliged to assist it.

### **Article 66**

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the implementation of the recommendations of the General Assembly.

2. The Council shall be authorised, with the approval of the General Assembly, to undertake work at the request of Members of the Organisation and at the request of specialised agencies.

3. The Council shall perform such other functions as are specified in other parts of this Constitution or as may be assigned to it by the General Assembly.

## **Voting**

### **Article 67**

1. Each member of the Economic and Social Council shall have one vote.

2. The decisions of the Economic and Social Council shall be taken by a majority of the members of the Council present and voting.

## **Procedure**

### **Article 68**

The Economic and Social Council shall establish commissions in the economic and social fields and in the promotion of human rights, as well as such other commissions as may be required for the performance of its functions.

### **Article 69**

The Economic and Social Council shall invite any Member of the Organisation to participate, without the right to vote, in the discussion of any question of particular interest to that Member.

### **Article 70**

The Economic and Social Council shall be authorised to make arrangements for representatives of specialised agencies to participate, without vote, in the discussion of matters in the Council or in commissions established by it, and for representatives of the Council to participate in the discussion of matters in specialised agencies.

### **Article 71**

The Economic and Social Council shall be authorised to take appropriate measures for consultation with non-governmental organisations interested in matters within its competence. Such measures may be agreed upon with international organisations and, where necessary, with national organisations after consultation with the Member concerned.

### **Article 72**

1. The Economic and Social Council shall establish its own rules of procedure, including the procedure for the election of its President.

2. The Economic and Social Council shall meet as necessary, in accordance with its rules of procedure, which shall include provisions for convening meetings at the request of a majority of its members.

**Chapter XI**  
**DECLARATION ON**  
**NON-SELF-GOVERNING TERRITORIES**

**Article 73**

The Members of the United Nations which have or assume responsibility for the administration of territories whose peoples have not yet attained a full measure of self-government, recognise the principle that the interests of the peoples of these territories are paramount, and undertake as a sacred trust to promote to the utmost the well-being of the peoples of these territories within the system of international peace and security established by the present Charter, and for this purpose:

a) to ensure, with due regard for the culture of the said peoples, their political, economic and social advancement, their educational progress, their just treatment and their protection against abuse;

b) to develop self-government, to take due account of the political aspirations of these peoples, and to assist them in the progressive development of their free political institutions in accordance with the specific circumstances of each territory and its peoples and their different stages of development;

c) to strengthen international peace and security;

d) promote the development of creative activities, encourage research and cooperate with each other and, where and when appropriate, with specialised international organisations for the practical achievement of the social, economic and scientific objectives set forth in this article; and

e) to transmit regularly to the Secretary-General, for information and with such restrictions as may be required for reasons of security and constitutional order, statistical and other information of a special nature relating to the economic, social and educational conditions in the territories for which they are respectively responsible, except for those territories to which Chapters XII and XIII apply.

**Article 74**

The Members of the Organisation also agree that their policies in respect of the territories to which this Chapter applies shall be based, at least as far as their metropolitan areas are concerned, on the general principle of good neighbourliness, with due regard to the interests and welfare of the rest of the world in social, economic and trade matters.

## **Chapter XII**

### **INTERNATIONAL TRUSTEESHIP SYSTEM**

#### **Article 75**

The United Nations shall establish under its administration an international trusteeship system for the administration of such territories as may be included therein by subsequent individual agreements, and for the supervision of such territories. These territories shall hereinafter be referred to as "trust territories".

#### **Article 76**

The main tasks of the trusteeship system, in accordance with the purposes of the United Nations as set forth in Article 1 of this Charter, shall be:

- a) to strengthen international peace and security;
- b) to promote the political, economic and social advancement of the peoples of the Trust Territories, to promote their progress in the field of education and their progressive development towards self-government or independence, as may be appropriate to the specific conditions of each territory and its peoples, taking into account the freely expressed wishes of those peoples, and as may be provided for in the terms of each trusteeship agreement;
- c) to promote respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion, and to promote recognition of the interdependence of the peoples of the world;
- d) to ensure equal treatment of Members of the Organisation and their nationals in the social, economic and commercial fields, as well as equal treatment in the administration of justice, without prejudice to the achievement of the above objectives and subject to the provisions of Article 80.

#### **Article 77**

1. The trusteeship system shall apply to such territories of the following categories as may be included in it by trusteeship agreements:

- a) territories currently under mandate;
- b) territories that may be taken from enemy states as a result of the Second World War, and
- c) territories voluntarily included in the trusteeship system by the states responsible for their administration.

2. The question of which of the territories in the above categories should be included in the trusteeship system and under what conditions will be the subject of a subsequent agreement.

#### **Article 78**

The trusteeship system shall not apply to countries that have become Members of the Organisation, whose relations shall be based on respect for the principle of sovereign equality.

#### **Article 79**

The terms of trusteeship for each territory to be included in the trusteeship system, including all modifications and amendments, shall be determined by agreements between the States directly concerned, including the Mandatory Powers, in the case of territories under the mandate of a Member of the Organisation, and shall be approved as provided for in Articles 83 and 85.

#### **Article 80**

1. Except as may be agreed in individual trusteeship agreements concluded in accordance with Articles 77, 79 and 81, incorporating each territory into the trusteeship system, and pending the conclusion of such agreements, nothing in this Chapter shall be construed as altering in any way the rights of any States or peoples or the terms of existing international agreements to which Members of the Organisation may be parties.

2. Paragraph 1 of this article shall not be interpreted as giving grounds for delaying or postponing negotiations and the conclusion of agreements on the inclusion of mandate and other territories in the trusteeship system, as provided for in article 77.

#### **Article 81**

The trusteeship agreement shall in each case include the terms under which the trust territory is to be administered and shall designate the authority which is to administer the trust territory. Such authority, hereinafter referred to as the administering authority, may be one or more States or the United Nations as such.

#### **Article 82**

Any trusteeship agreement may define a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements concluded under Article 43.

#### **Article 83**

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of trusteeship agreements and amendments or modifications thereto, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall apply to the people of each of the strategic areas.

3. The Security Council, in compliance with the terms of the trusteeship agreements and without prejudice to security requirements, shall avail itself of the assistance of the Trusteeship Council in the performance of those functions of the United Nations, in accordance with the trusteeship system, which relate to political, economic, social and educational matters in the strategic areas.

#### **Article 84**

It shall be the duty of the administering Power to ensure that the Trust Territory plays its part in the maintenance of international peace and security. To this end, the administering Power shall be authorised to use the voluntary armed forces, facilities and assistance of the Trust Territory in the fulfilment of the obligations assumed in this regard by the administering Power towards the Security Council, as well as for local defence and the maintenance of law and order within the Trust Territory.

#### **Article 85**

1. The functions of the United Nations in respect of trusteeship agreements for all areas not classified as strategic, including the approval of the terms of trusteeship agreements and amendments or modifications thereto, shall be exercised by the General Assembly.

2. The Trusteeship Council, acting under the authority of the General Assembly, shall assist the General Assembly in the exercise of these functions.

### **Chapter XIII TRUSTEESHIP COUNCIL**

#### **Composition**

#### **Article 86**

a) The Trusteeship Council shall consist of the following Members of the United Nations:

a) those Members of the Organisation which administer Trust Territories;

b) those Members of the Organisation named in Article 23 which do not administer Trust Territories;

c) such number of other Members of the Organisation as may be elected by the General Assembly for a term of three years, as may be necessary to ensure that the total number of members of the Trusteeship Council is distributed equally between Members of the Organisation administering and not administering Trust Territories.

b) Each Member of the Trusteeship Council shall appoint one specially qualified person to represent it on the Trusteeship Council.

## **Functions and powers**

### **Article 87**

The General Assembly and the Trusteeship Council under its direction shall, in the exercise of their functions, be empowered to:

- a) to examine reports submitted by the administering authority;
- b) to receive and consider petitions, in consultation with the administering power;
- c) to make periodic visits to the territories under the mandate at times agreed with the administering Power; and
- d) to take the aforementioned and other actions in accordance with the terms of the trusteeship agreements.

### **Article 88**

The Trusteeship Council shall prepare a questionnaire concerning the political, economic and social progress of the population of each trust territory, as well as its progress in the field of education, and the administering authority of each trust territory within the competence of the General Assembly shall submit annual reports to the latter on the basis of this questionnaire.

## **Voting**

### **Article 89**

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be taken by a majority of the members present and voting.

## **Procedure**

### **Article 90**

1. The Trusteeship Council shall adopt its own rules of procedure, including the procedure for electing its President.

2. Meetings of the Trusteeship Council shall be convened as necessary in accordance with its rules of procedure, which shall provide for the convening of meetings at the request of a majority of the members of the Council.

#### **Article 91**

The Trusteeship Council shall, as appropriate, have the assistance of the Economic and Social Council and the specialised agencies in matters in which they have an interest.

### **Chapter XIV INTERNATIONAL COURT OF JUSTICE**

#### **Article 92**

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the attached Statute, which is based on the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

#### **Article 93**

1. All Members of the Organisation shall be ipso facto parties to the Statute of the International Court of Justice.

2. A State which is not a Member of the Organisation may become a party to the Statute of the International Court of Justice on such terms as may be determined in each case by the General Assembly on the recommendation of the Security Council.

#### **Article 94**

1. Each Member of the Organisation undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to the case fails to comply with the obligation imposed upon it by the decision of the Court, the other party may refer the matter to the Security Council, which may, if it deems it necessary, make recommendations or decide on measures to be taken to enforce the decision.

#### **Article 95**

This Charter shall in no way prevent Members of the Organisation from submitting their disputes to other courts by virtue of existing agreements or such agreements as may be concluded in the future.

### **Article 96**

1. The General Assembly or the Security Council may request advisory opinions from the International Court of Justice on any legal question.

2. Other organs of the United Nations and specialised agencies which may be authorised by the General Assembly at any time may also request advisory opinions from the Court on legal questions arising within the scope of their activities.

## **Chapter XV SECRETARIAT**

### **Article 97**

The Secretariat shall consist of a Secretary-General and such staff as may be required by the Organisation. The Secretary-General shall be appointed by the General Assembly on the recommendation of the Security Council. The Secretary-General shall be the chief administrative officer of the Organisation.

### **Article 98**

The Secretary-General shall act in that capacity at all meetings of the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council and shall perform such other functions as may be assigned to him by those organs. The Secretary-General shall submit an annual report on the work of the Organisation to the General Assembly.

### **Article 99**

The Secretary-General shall have the right to bring to the attention of the Security Council any matter which, in his opinion, may threaten the maintenance of international peace and security.

### **Article 100**

1. In the performance of their duties, the Secretary-General and the staff of the Secretariat shall not seek or receive instructions from any government or authority outside the Organisation. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organisation.

2. Each Member of the Organisation undertakes to respect the strictly international character of the duties of the Secretary-General and the staff of

the Secretariat and not to seek to influence them in the performance of their duties.

#### **Article 101**

1. The staff of the Secretariat shall be appointed by the Secretary-General, in accordance with rules established by the General Assembly.

2. Appropriate staff shall be assigned to serve on a permanent basis in the Economic and Social Council, the Trusteeship Council and, as necessary, in other organs of the Organisation. Such staff shall form part of the Secretariat.

3. In recruiting and determining conditions of service, the main consideration shall be the need to secure the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting on as wide a geographical basis as possible.

### **Chapter XVI MISCELLANEOUS PROVISIONS**

#### **Article 102**

1. Any treaty or international agreement concluded by any Member of the Organisation after the entry into force of this Statute shall, as soon as possible, be registered with and published by the Secretariat.

2. No party to any such treaty or international agreement not registered in accordance with paragraph 1 of this article may invoke such treaty or agreement in any organ of the United Nations.

#### **Article 103**

In the event of a conflict between the obligations of Members under this Charter and their obligations under any other international agreement, the obligations under this Charter shall prevail.

#### **Article 104**

The United Nations shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

#### **Article 105**

1. The United Nations shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of Members of the Organisation and its officials shall also enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the activities of the Organisation.

3. The General Assembly may make recommendations for determining the details of the application of paragraphs 1 and 2 of this article, and may also propose conventions to the Members of the Organisation for this purpose.

## **Chapter XVII SECURITY MEASURES DURING THE TRANSITIONAL PERIOD**

### **Article 106**

Pending the entry into force of such special agreements referred to in Article 43 as the Security Council considers will enable it to begin to exercise its functions under Article 42, the participants in the Declaration of the Four Powers signed at Moscow on 30 October 1943 and France shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with each other and, if necessary, with other Members of the Organisation, with a view to taking such joint action on behalf of the Organisation as may be necessary to maintain international peace and security.

### **Article 107**

This Charter shall in no way affect the validity of any action taken or authorised as a result of the Second World War by the governments responsible for such action in respect of any State which during the Second World War was an enemy of any of the signatory States to this Charter, nor shall it prejudice such action.

## **Chapter XVIII AMENDMENTS**

### **Article 108**

Amendments to this Charter shall come into force for all Members of the Organisation after they have been adopted by a two-thirds majority of the members of the General Assembly and ratified, in accordance with their constitutional procedures, by two-thirds of the Members of the Organisation, including all permanent members of the Security Council.

### **Article 109**

1. For the purpose of revising this Charter, a General Conference of Members of the United Nations may be convened at a time and place to be determined by a two-thirds vote of the members of the General Assembly and the votes of any nine members of the Security Council. Each Member of the Organisation shall have one vote at the Conference.

2. Any amendment to this Charter recommended by two-thirds of the members of the Conference shall come into force upon ratification, in accordance with their constitutional procedures, by two-thirds of the Members of the Organisation, including all permanent members of the Security Council.

3. If such a Conference has not been held by the tenth annual session of the General Assembly following the entry into force of this Charter, a proposal to convene such a Conference shall be included in the agenda of that session of the General Assembly, and the Conference shall be convened if so decided by a simple majority of the members of the General Assembly and by the votes of any seven members of the Security Council.

## **Chapter XIX RATIFICATION AND SIGNATURE**

### **Article 110**

1. This Charter shall be subject to ratification by the signatory States in accordance with their constitutional procedures.

2. The instruments of ratification shall be deposited with the Government of the United States of America, which shall notify all signatory States of the deposit of each instrument, as well as the Secretary-General of the Organisation when appointed.

3. This Charter shall enter into force upon the deposit of the instruments of ratification by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory States. Thereafter, the Government of the United States of

America shall prepare a protocol of deposit of the instruments of ratification, copies of which shall be sent to all signatory States.

4. The signatory States which ratify the present Charter after it has come into force shall become Original Members of the United Nations from the date of deposit of their respective instruments of ratification.

#### **Article 111**

This Charter, of which the Chinese, French, Russian, English and Spanish texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. That Government shall transmit duly certified copies thereof to the Governments of all other signatory States. IN WITNESS WHEREOF, the representatives of the Governments of the United Nations have signed this Charter.

DONE at San Francisco, this twenty-sixth day of June, one thousand nine hundred and forty-five.

#### **Source**

1. <https://www.un.org/russian/documen/basicdoc/charter.htm>.