

States in the Middle East has become Iran. The United States and its allies, suspecting Iran of developing nuclear weapons, did not find ways to prevent it.

**Conclusion.** Comparing the "National Security Strategy" of George. W. Bush's administration with the strategies of previous presidents it is important to highlight that the strategy of George. W. Bush was the most aggressive, rigid in security and the policy sphere. For all its innovation, "Bush Doctrine" was more associated with the strategy of national security during the Cold War than a long-term concept designed to reflect the new unconventional threats of the XXI century. George Bush's Administration almost entirely focused their attention on the threat of the so-called "rogue states" and their connection with international terrorist organizations [3].

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## THE UNITED NATIONS AND THE CRISIS IN UKRAINE

**Introduction.** The crisis in Ukraine has been going since 2014 and continues to attract the international community's attention. Many recent researchers have

concentrated on this relevant subject. The United Nations also faces the new threats, challenges and specific international environment related to this Ukrainian crisis and its Security Council needs to take some effective measures to settle this political crisis. Thus, several different actors, including regional ones are being involved into the Ukrainian crisis.

**The objective of the given paper** is to discuss a number of certain viewpoints of the UN activities that tend to resolve the conflict or settle the crisis in Ukraine. Moreover, it provides effective proposals that might be used by the policymakers as well as assesses the efficiency of the activities and develops some useful proposals to improve the effectiveness of the UN activities.

Under the UN Charter, the UN Security Council has primary responsibility to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace [1]. Even so, the concept of Security unveils several new challenges, threats, including the inefficient activities of the UN Security Council and other main UN organs to take proper measures to avoid and settle various international conflicts and crises situations. The crisis in Ukraine attracted the international community attention in 2014. Thus, in September, the Minsk Protocol was signed by the parties. This Protocol agreed a ceasefire and launched a political process to resolve the crisis [2]. In unison, the involved parties have not recognized this crisis as a military conflict. The Ukrainian crisis in this article could be viewed as an indicator that may measure the efficacy and the activities of UN Security Council and other main organs regarding avoiding and settling different international conflicts and crisis situations. The UN activities in terms of crisis in Ukraine have not been analyzed so far. However, there are many different authors who dedicated their works to the legal nature of the United Nations, its mechanisms such as G.I. Tunkin and A.Q. Mertsch.

Considering a controversial nature of the crisis in Ukraine it seems timely to assess the UN involvement and impact on the prevention and settlement of the crisis in Ukraine. The UN and its main organs are involved into the analysis and settlement of the crisis in Ukraine. They consider all angles of the crisis such as a public unrest, a military conflict in the East of Ukraine as well as observance of the international law by the parties that are involved. At the same time, the parties assess this situation in a different way. All that makes this convoluted situation even more complicated. This article investigates the international reaction in terms of crisis in Ukraine as well as looks upon methods, activities and efforts of the UN within its legal framework.

The UN Security Council has monitored and reviewed several aspects of the crisis in Ukraine since March 1, 2014 upon the requests of Ukraine (Letter dated on 28.02.2014) [3]. The UN Security Council also examined a current political situation, the issues of human rights observance in a country, activity of insurgents in the south-east of Ukraine and the aircraft crash. Consequently, the UN Security Council has not

taken any real actions, and rather it was kind of cautious in terms of that situation. Perhaps, because of a partial involvement of the Russian Federation (RF) in the situation. In addition to that, RF used its veto during voting on the Resolution on 15 March, 2014 (S/2014/189) [4].

Despite that the UN Security Council adopted the resolution on Malaysian Airlines Flight MH17, which was downed in Ukraine (Resolution 2166 dated on 21.07.2014) [5]. It demanded to start a detailed international investigation regarding the plane crash. Generally, at the UN Security Council meetings, the three main permanent members such as the United States of America, France, the United Kingdom and a non-permanent member as Ukraine have blamed the Russian Federation for the crisis in Ukraine. China and some other non-permanent members appealed to settle crisis peacefully and suggested to use peaceful mechanisms to resolve the international disputes, including Ukraine. China tried to keep the neutral and objective position during all the UN Security Council meetings.

In addition, the UN Security Council did not attempt to clarify whether the crisis in Ukraine could be qualified as a dispute between Ukraine and the Russian Federation. As a matter of fact, if this dispute was established, the Russian Federation would have to abstain during the voting under the Article 27/3 of the UN Charter. As a minimum, the UN Security Council could suggest to use certain types of dispute resolution between the above mentioned states. Overall, the inefficient activities of the UN Security Council and other main UN organs look kind of strange in this crisis, as they could use more diplomatic means and could initiate some dispute settlement mechanisms to resolve that situation.

The UN General Assembly has not been involved a lot in settling the crisis in Ukraine. On 27 March, 2014, the Assembly adopted Resolution 68/262 and appealed to all member-states not to recognize the referendum's results in Crimea, and condemned the decision of the Russian Federation to add Crimea to its territory [6]. Under Article 11 of the UN Charter this Resolution could be considered only as a recommendation, however, the UN General Assembly resolutions may have future legal consequences. As they show the official approach of member-states in terms of certain issues, which could play a very important role in the formation of international customs. However, their legal impact, as correctly noted by J. E. Alvarez, can only be judged over time [7].

The legal consequences of Resolution 68/262 are not clear yet. There were 100 affirmative votes and 11 negative. 58 states abstained. Per Article 18/2 of the UN Charter all decisions of the UN General Assembly regarding important issues shall be made by a two-thirds majority of the members present and voting. The same article particularly states that recommendations that maintain the international peace and security are included in the scope of important issues. Under paragraph 86/126 of the UN General Assembly Rules of Procedure, members present and voting means members casting an affirmative or negative vote.

Members which abstain from voting are considered as not voting. Considering the requirement of Article 18/2 was formally observed with 90 % of affirmative votes. At the same time, this approach has been supported by only 59 % of states

which were present at the meeting and behaved actively (i.e. pressed the button) and only 51 % of the UN members [8]. Consequently, voting results in this situation do not show the overall approach and cannot be considered as *opinio juris* on behalf of formation of the international custom.

The UN Secretary-General has focused on the crisis in Ukraine as well. Particularly, he condemned the armed activities of unidentified groups in Donetsk and Luhansk regions, violence, attacks on the OSCE military observers and the downing of Malaysian Airlines Flight MH17. Moreover, the Secretary General encouraged the extension of the cease-fire period, efforts regarding de-escalation of the conflict in Ukraine, Geneva and Minsk talks. On 28 May, 2014, the Secretary-General had a conversation over the phone with the President of Ukraine, Petro Poroshenko. The Secretary expected him to move fast to steer the country away from political, economic and social instability in the direction of security, prosperity and real democratic governance. In its turn, he was encouraged by Poroshenko's commitment to deescalate the conflict and conduct a dialog with Donetsk and Luhansk regions which might be critical within Ukraine.

On the other hand, he expressed some concerns in terms of the situation in Crimea and in the South-East of Ukraine. The Secretary-General was also concerned that the unstable situation may fast get out of control with serious consequences, which no one could predict. He stresses, in the strongest terms, upon the necessity for all the parties to honour their commitments under the Geneva Statement. Military action must be avoided at all costs. The Secretary-General calls on all sides to immediately refrain from violence, intimidation or provocative actions and find a way forward toward de-escalation.

However, the above mentioned statements were political ones. These statements do not give any legal assessment and do not suggest any specific ways how to settle this situation, even though the UN Secretary-General has been constantly involved in some mediation processes he has not suggested any proposals to this crisis in Ukraine.

In contrast, there were taken some steps by other UN organs. Mainly, the UN High Commissioner for Human Rights called for the need to respect the rule of law and observe the human rights as well as to stop violence in the South-East of Ukraine. He condemned unidentified armed groups in Donetsk and Luhansk regions for the violation of human rights and real threats to civilians. The UN Human Rights Monitoring Mission was deployed in 2014 that monitors the current situation in Ukraine and reports to the UN headquarters monthly.

Overall, the United Nations undertakes responsibility to monitor the current situation and offers an international platform for peaceful discussions without making any legal assessment or taking any steps to settle the conflict in Ukraine.

The United Nations and other main UN organs have been monitoring the situation and reacting to the crisis in Ukraine all the time. However, they have not taken any major steps to launch a peaceful dialogue or talks between the involved parties, using the UN as an international platform to settle that crisis. The UN Security Council meetings give the chance to involve all the parties and state-

members of the Security Council to share their official positions. But it is not necessary that the positions or suggestions of states will be heard. This situation worries the involved parties and other state-members of the UN Security Council. Namely, those who suggested to use special ways to settle the crisis or resolve the conflict.

Unfortunately, the United Nations has not used the mechanisms that has at its disposal. The UN neither has authoritatively established ones, nor has it established as a fact-finding mission that may bring some clarity and help to avoid various allegations and abuse of facts. As a matter of fact, in the modern century, the UN tactic to settle the international and internal crisis or conflicts is qualified as a cautious approach. For example, as far as the crisis and conflict in Syria, the UN demonstrates a very narrow understanding of the real situation and various threats in that region and does not use all the necessary measures and mechanisms that has at its disposal to combat terrorism in Syria more effectively.

Moreover, there should be mentioned the OSCE activity and proper reaction to the crisis and conflict in Ukraine. Even though, the OSCE was repeatedly criticized for its soft approach and the total absence of any enforcement mechanisms, it still demonstrated its impartial approach. Namely, the OSCE monitored and examined all angles of the conflict in Ukraine, tried to make all the probable efforts to stop and settle the situation. This organization continues to play a significant role in the settlement of the conflict in Ukraine.

Considering the present situation in Ukraine, the over mentioned steps are justifiable and the only possible. But on the other hand, any military involvement may only escalate the crisis. The overall situation in Ukraine illustrates inadequacy and ineffective system of the collective security. Because of that, several states and international organizations became involved in a political game over the crisis. Every actor tends to manipulate each other using common terminology relating to high values to justify its activities in the international arena. Besides, this actor blames the opponents for the violation of norms of the public international law. The situation gets even worse when the involved parties and many international organizations try to use double standards and concentrate on finding the guilty one, ignoring abuses committed by the other good party.

In addition, none of the parties are interested to take any real attempt to settle the existing situation. Therefore, there is an obvious requirement to improve the rule of law to maintain the international peace and security. It is the right time to stop playing games and start seeking for the mutual solution. The international organizations need to get rid of double standards and start demonstrating real willingness to settle any conflicts.

**Conclusion.** Finally, the situation in Ukraine obviously demonstrates the lack of cooperation between the United Nations and some other regional organizations. Therefore, there is an urgent need to develop more effective mechanisms to coordinate the activities of regional organizations with the UN in the force major situations. This coordination could help to cut the period, which is necessary to settle the crisis or resolve the conflict.

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## SOFT POWER IN EDUCATION AS A STRATEGY OF COUNTRY'S POSITIVE IMAGE

**Introduction.** International relations, those which are built on an aggressive and forced basis and are identified as hard power cause the resistance revanchism,