



What You Need to Know: Unpacking the Law in Russia's War Against Ukraine

Ukraine and How Russia's War Reverberates at the United Nations

Richard Gowan | September 20, 2022



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This is the first United Nations General Assembly annual meeting since Russia's full-scale invasion of Ukraine in February 2022, more than half a year ago. What can be done at the General Assembly about the situation in Ukraine? Should we expect to see any formal action taken related to the war, either to help manage the consequences of the invasion or hold Russia accountable?

The General Assembly week is not an opening for peace-making between Russia and Ukraine. As of now, both sides seem bent on pushing for military victory. Secretary-General António Guterres [warned](#) at a pre-General Assembly press conference that the chances of a peace deal in the near term are nil. This is a wartime General Assembly, and both Ukraine's allies and the Russians are in town to gain political advantage, not talk peace.

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In March, the United States and Europeans were able to get 141 General Assembly members to [back a resolution](#) condemning Russia's aggression. While skeptics noted that big non-Western countries like India and China abstained—and the resolution imposed no concrete penalties on Russia—this was still a marked improvement on 2014, when only 100 states [backed a resolution](#) opposing Russia's takeover of Crimea. This April, 93 states [backed Moscow's suspension](#) from the Human Rights Council. That was a solid score given that even some supporters of Ukraine, such as Mexico, argue on principle that isolating countries at the U.N. only makes diplomacy harder.

But Western diplomats admit that they were already encountering "Ukraine fatigue" by the late spring. A lot of African, Asian and Latin American countries were initially willing to deplore Russia's offensive, but have not wanted to endanger their security and economic relationships with Moscow by doing so repeatedly. The Ukrainian mission in New York is frustrated that the General Assembly has not said more about the war since April. Kyiv's allies

see little gain in pushing through resolutions that would secure diminishing support.

On the upside, 101 General Assembly members [voted last week](#) in favor of allowing Ukrainian President Volodymyr Zelenskyy to address the high-level session by video (ironically, all leaders had to speak via video in 2020, thanks to COVID-19, but the U.N. has been keen to get back to in-person-only sessions). Most African states abstained or did not vote on the issue, but some notable non-Western powers such as India backed the proposal. At the end of the day, I think most diplomats recognized that it is common sense that a leader in a country under siege should be able to give a speech without trekking to New York.

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More broadly, a lot of non-Western U.N. members are nervous about this year’s food price crisis, the broader economic downturn, and the probability that major aid donors will cut assistance to poor states to divert money to Ukraine. These fears surfaced in the first weeks of the war—I recall talking them through with a European ambassador in mid-March—but a lot of Western officials were too focused on the Russian threat to address them sympathetically at the time. As Crisis Group [warned at the end of March](#), European officials were hurting their own cause by going into U.N. meetings on challenges like famine in the Horn of Africa and insisting on talking about Ukraine.

The Biden administration was one of the first Western powers to grasp that this messaging was counter-productive. Secretary of State Antony Blinken hosted some well-received talks about food issues in New York in May 2022. One Arab diplomat privately made an interesting point at the time, which was that the United States focus on global food prices stood in positive contrast to the Trump

administration’s maladroit handling of COVID-19 in multi-lateral forums in 2020. But the United States and Ukraine’s other allies still have to work hard to convince the Global South that they can both pursue hardball diplomacy over Ukraine and help vulnerable states navigate global economic turmoil too.

On that front, it is notable that the United States, European Union and African Union are jointly co-hosting [a summit](#) on food security at the General Assembly this week. The General Assembly is friendly “home turf” for Washington and its friends, as Western leaders will be out in force in New York (after a dash to London for Queen Elizabeth’s funeral) whereas Vladimir Putin and Xi Jinping are [absent](#) from the General Assembly meeting. It’s a helpful platform for a high-level pro-Ukrainian “hearts and minds” campaign, where the United States and EU can cajole leaders from non-Western countries to see things their way. It helps that global food prices have stabilized in recent months, mainly because markets are pricing in a global recession. But the General Assembly is a rare opportunity for President Biden and his friends to reach out to a big group of counterparts from the Global South.

Russian Foreign Minister Sergey Lavrov—a former ambassador to the U.N.—will be at the General Assembly this week to press Moscow’s case over the war. Over the course of the year, we have seen Russia playing up its claim to be a friend of post-colonial African countries like Mali (where Russian military contractors are backing the government). Lavrov will presumably hit similar notes in New York. We’ve seen that Moscow can play up memories of the colonial era—and Soviet support for anti-colonial movements—quite effectively.

In the end, this week offers the U.S. space to promote its political messages, but the struggle for non-Western support over Ukraine won’t end one way or another this week.

How far does the geopolitical fall-out from the Russian invasion, which has largely pitted Russia against the West, spread through the U.N. system? Are we seeing new fissures, or just extensions of old ones? What are the anticipated and perhaps unanticipated ways in

which the war may shape business at the U.N. during the General Assembly?

Ukraine's friends have made an enormous effort to isolate Russia at the U.N. since February. At various points in the last six months, I've heard of initiatives to strip Russian officials of roles in U.N. processes on road safety and the protection of wetlands that are homes for wildfowl. To be honest, I think some of this is a bit pointless. The war for the future of Ukraine won't be shaped by who is making policy proposals on safeguarding storks' nests in swamps.

I think what has got lost amidst a lot of this diplomatic noise is that one much-maligned part of the U.N. system is working better than we expected in the context of this war. That is the United Nations Security Council. As Crisis Group has noted, the Council has been predictably gridlocked over Ukraine, but has kept up a sort of minimal functionality on other crises this year. It has passed some noteworthy resolutions updating the frameworks for international support to Afghanistan (where the U.N. assistance mission is now the world's residual point of contact with the Taliban) and Somalia. It has kept rolling over the mandates of U.N. peacekeeping missions in Africa. We have seen a nasty breakdown with the Chinese and Russians over U.S. proposals to impose more sanctions on North Korea, and Russia used its veto this July to block a proposal to extend U.N. aid supplies to rebel-held North-West Syria for one year. But the Russians did at least agree to a six-month extension of the aid mandate, and Moscow has not been swinging its veto around entirely egregiously (other than with respect to Ukraine).

There are a few explanations for this. We hear that French and Chinese diplomats have been quietly working to minimize Council frictions behind the scenes. Some elected members, such as Ireland and Norway, have done hard but necessary work coaxing out compromises on contentious files like humanitarian assistance to Syria. More fundamentally Russia, the United States and the other veto-wielding permanent members (the P5) seem to see that they have shared national interests in preventing the Ukraine mess from poisoning talks on other issues.

Earlier this month in advance of the General Assembly, U.S. Ambassador to the U.N. Linda Thomas-Greenfield delivered remarks decrying Russia's aggression and violations of the U.N. Charter and committing the United States to a number of principles for leadership at the U.N., including "efforts to reform the Security Council... The Security Council should also better reflect the current global realities and incorporate more geographically diverse perspectives." In articulating its view of what it means to recommit itself to "defending the U.N. Charter" and "protecting the U.N.'s principles," is the United States exercising meaningful leadership? Can it live up to the six principles it has set for itself? What realistically could be in store if the United States is "recommitted" to Security Council reform but Russia is not? Or do you see this more as a rhetorical strategy that won't have much impact in practice?

I doubt that Washington has a model for what it would like to come out of talks on Security Council reform. U.S. officials say they are making a "serious call" for reform discussions, but that is about it. That said, I presume that the United States recognized that, given the Council's obvious impotence over Ukraine this year, a "business as usual" approach to the U.N. would go down pretty badly when Biden speaks to the General Assembly. Biden is likely to echo Ambassador Thomas-Greenfield's words in his General Assembly speech, but it is still unclear whether the United States will invest real diplomatic energy in reform following a brief moment of excitement.

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I think that the United States has to be careful about appearing to indulge in what we might call "diplomatic populism" on Security Council reform. It is well known that China hates the idea of opening up reform talks because Beijing worries that these could lead to one or both of its regional

rivals Japan and India gaining permanent seats in the Council. This is awfully unlikely. After all, the U.N. Charter grants all P5 members a veto over any Charter reform. But it is a genuinely neuralgic concern for Chinese officials in New York. The United States can win some easy points by ostensibly championing Council reform, albeit in vague terms, and then blaming its geopolitical rivals for the fact that this is impossible. (I predicted that the United States would do this in a book chapter in 2020, but it's only [available in Japanese](#), so my acute predictive powers have been overlooked elsewhere). The United States may score some points in this way, but could also hurt its very tenuous relation with China in Turtle Bay as a result.

That said, my colleagues at Crisis Group and I have been probing ways that the U.N. could improve its organizational structures' performance after this year's shocks. We are [intrigued](#) by the Secretary-General's call for a "New Agenda for Peace" to report on what collective security may mean today in an unpromising environment. And we would never rule out the possibility that Security Council reform, especially with U.S. support, could be a good thing. But we have been around these issues long enough to know that we should not say it's anything close to a panacea either.

At the end of the day, Russia's war on Ukraine has highlighted the organization's weaknesses, but they were flaws anyone who has studied the organization knew were there. I wrote [a](#)

[piece](#) for *Just Security* about how the Security Council would fail on Ukraine back in January that was sadly prescient (in fairness I underestimated how much support Kyiv would get in the General Assembly early on). But I take some comfort from the fact the council has managed to keep up diplomacy on other topics, which I [was not sure](#) would be possible in the first quarter of the year. I have also been pleasantly surprised by the way that Secretary-General Guterres has played a useful role on efforts to mitigate the effects of the war, such as helping mediate the Black Sea Grain deal, which I have [discussed elsewhere](#).

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If you work in the U.N., you learn to appreciate the organization's small wins, and endure its major failures. I understand that a lot of people—and a lot of governments—look at the U.N. this year and see a profound mess. It would be nice to design a better global institution. But I still value the residual resilience of what we've got. 🌐