

Effectiveness of the Decision-Making Process in International Security Organizations in the Context of International Crises

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Abstract

The relevance of the chosen topic is determined by the aggravation of interstate conflicts at the regional and interregional levels. In these conditions, the issue of the effectiveness of decision-making mechanisms and procedures in the activities of the United Nations (UN), the North Atlantic Treaty Organization (NATO), and the Organization for Security and Cooperation in Europe (OSCE) becomes relevant. The aim of the article is to carry out a comparative analysis of the decision-making process in the activities of international security organisations, such as the UN, NATO, and the OSCE, and determine their effectiveness in the context of aggravation of interstate conflicts at the regional and interregional level. Using the methodology of content analysis, descriptive, comparative methods and analysis of legal acts. The procedure for the development and adoption was analysed, and the effectiveness of the adoption and implementation of UN, NATO, and OSCE decisions was considered. Further research prospects may be the study of the mechanisms of such limitations.

Keywords: International conflict, crisis, international organisations, decision-making process, international security, conflict settlement.

Introduction

In the modern world, there is an aggravation of interstate conflicts at the regional and interregional levels. This trend affects states and the entire system of international law. The Russian invasion of Crimea in 2014 and military occupation

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of the peninsula, the conflict in Donbas since 2014 and the large-scale invasion of Ukraine in 2022, the migration crisis in Europe in 2015-2023, and the new aggravation of the Middle East crisis call into question the effectiveness of the modern system of collective security in response to new threats and implementation of security guarantees for the participating states (Baskakova, 2021; Kovtunyk et al., 2023; Primush et al., 2023).

Since the end of World War II and the formation of the Yalta-Potsdam system of international relations, the countries of the Western world have created their image of societies based on certain democratic values. Supranational institutions such as the UN, NATO, and the OSCE were created to protect the democratic values of the Western world. However, the Russian-Ukrainian war, the mass murders of Israelis by the Palestinian extremists of the Hamas movement in October 2023, and the approach of some, particularly European, politicians to these conflicts have raised questions that must be answered before we can talk about any global security architecture (Coynash, 2021). Are current international institutions – EU, NATO, OSCE, Council of Europe – effectively protecting the values and principles underlying their creation?

In answering this question, it is worth mentioning the hesitation of the Council of Europe in excluding Russia after it annexed Crimea and its tacit consent to the return of Russia to the Parliamentary Assembly in 2019 (Coynash, 2021). Another example is the OSCE's failure to prevent the closure of missions in Georgia in 2008 and Ukraine in 2022 (Liechtenstein, 2022) or to implement the rule of Consensus-Minus-One (Russia) in its deliberations. These are just a few examples of when the effectiveness of decision-making by international security organisations (hereinafter referred to as ISOs) has been called into question. As for the possibility of preventing Russian aggression by UN forces and other ISOs in the settlement of global conflicts with the participation of the Russian Federation, raising these issues is generally considered inappropriate, given the permanent status of the Russian Federation in the UN Security Council. The Yalta-Potsdam system is no longer adequate. The Helsinki Final Act (OSCE, 1975) and the UN Charter (United Nations, n.d.) failed to prevent a new war in Europe, to resolve the ongoing Middle East crisis, or to stem waves of illegal migration (Coynash, 2021).

None of the previous European crises showed such a level of violation of international law, which was observed during Russia's aggression against Ukraine. Russia's initiation of war against Ukraine has caused changes in the security environment and will have long-term consequences for international politics and relations. The complex security situation requires effective solutions from supranational institutions. ISOs experience significant fluctuations in

decision-making or the extent to which they produce policy outcomes. Intended to be effective decision-making mechanisms, they suffer from a stalemate. How can such a situation be explained?

Therefore, the issues of the effectiveness of the collective security system, the identification of problems in the international legal mechanisms for preventing and ending conflicts, and the development of recommendations for improving global and regional security systems are relevant. At the same time, the effectiveness of the decision-making process in the activities of the ISOs in the context of modern international crises remains insufficiently studied in the academic environment. So, the aim of this article is to study decision-making processes in the activities of the ISOs and determine their effectiveness in the context of modern international crises. The selected research topic is important for analysing the current system of collective security in the activities of world security organisations, particularly the UN, NATO, and OSCE. This becomes especially relevant in the context of Russian aggression against Ukraine.

Research objectives

1. Carry out a content analysis of current international legal acts, which are the regulatory and legal framework for decision-making by the ISOs.
2. Identify the problems of the effectiveness of the decision-making process by the ISOs in the context of current international crises using the example of Russian aggression against Ukraine.
3. Provide proposals for improving the legal framework of the decision-making process by such organisations as the UN, NATO, and the OSCE.

Methods

Research Design

The research design can be illustrated using the following Figure 1:

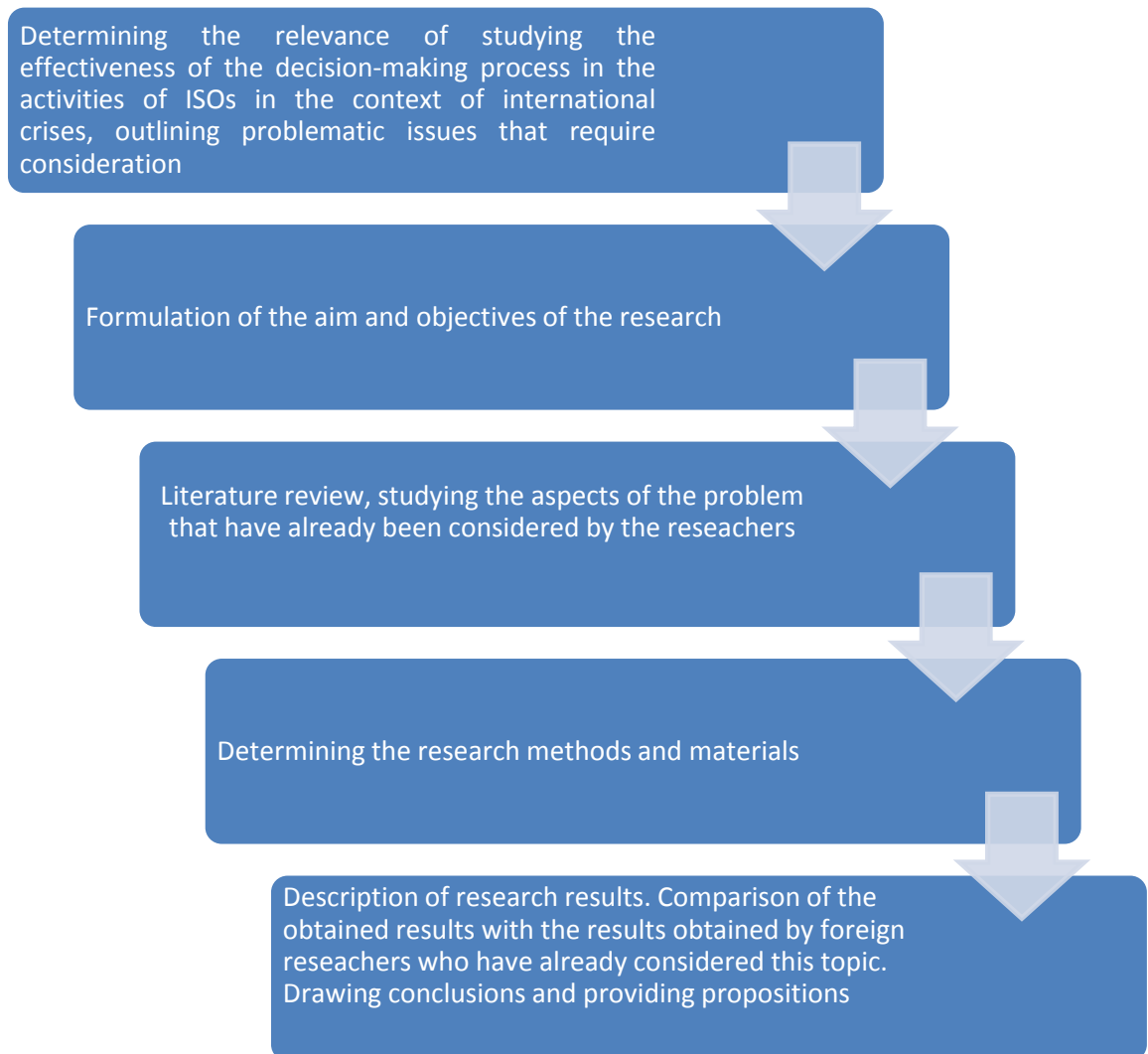


Figure 1. Research design

During 2023, the author conducted a content analysis of the current fundamental international legal acts, which are the normative and legal framework for decision-making by ISOs, particularly the UN, NATO, and the OSCE. When researching international acts, the author used only official sources, particularly official websites of international organisations.

The author reviewed the literature and studied the aspects of the problem that had already been considered by the researchers. For this purpose, the author analysed academic articles by European and Ukrainian authors, more than 80% of which were published in 2018-2023. The greatest attention was focused on the publications on the Russian-Ukrainian war as an international crisis, which most

vividly demonstrated such effectiveness. Because the effectiveness of the decision-making process by the ISOs in the context of modern international crises remains insufficiently studied in the academic environment, the articles that, in one way or another, relate to the issue under research were taken for this study. The work focused on the analysis of the current articles by European researchers.

Methods

The research employs several methods, such as a doctrinal approach, comparative law and analysis of legal acts. Comparative law and doctrinal approach were used in the study of the regulatory legal acts of the ISOs. Special attention is paid to special methods of scientific research, in particular to the method of interpretation of legal norms for studying the content of international regulatory legal acts, which are the legal basis for decision-making by the ISOs. The comparative law method is also used to identify common and distinctive features in making such decisions.

Sample

An analysis of the UN Charter and voting procedures for key resolutions of the UN Security Council regarding international security from 2008 (invasion of the Russian Federation in Georgia) to 2023 was carried out in this study. The provisions of the Washington Treaty as the founding treaty of NATO, the Helsinki Final Act (OSCE, 1975), the decision-making process in the UN Security Council (United Nations, 2022), NATO, and the OSCE were analysed.

Literature review

Maintenance of international peace and security is traditionally the main responsibility of the UN Security Council, as stated in Chapter VII of the UN Charter and recognised by the vast majority of researchers. As the Security Council's competence to address issues of international peace and security is not exclusive, other international bodies may take on a role in addressing threats (Stipsits, 2024).

Analysing decision-making processes and their effectiveness, the theorists tend to believe that international organisations differ significantly in decision-making effectiveness or the extent to which they produce political results. Some international organisations, such as the UN, have main decision-making bodies prone to stalemates and are best known for failing to deliver results (Gray, 2018). Other international organisations, such as the EU, make hundreds of decisions each year. At the same time, the input of international organisations in decision-making changes over time. Some international organisations, such as the Association of South East Asian Nations (ASEAN), have seen their policy

outcomes increase over time, while others, such as the International Monetary Fund (IMF), have had relatively stable year-to-year performance.

In recent years, the authors of academic periodicals have been trying to explain such differences in the effectiveness of decision-making by the ISOs. The key issue of the research is determining the factors that make ISOs effective decision-making mechanisms or, on the contrary, those creating stalemates. A better understanding of this issue is important for research and shaping global security policy. The effectiveness of decision-making matters because it sheds light on the performance of international supranational security institutions.

Existing research usually distinguishes between two main aspects of ISOs' effectiveness – process and outcome, where the former focuses on organisational effectiveness, while the latter – on the achievement of organisational goals (Squatrito et al., 2018). Privileging of decision-making effectiveness shifts the focus to the intermediate stage between process and outcome, namely the capacity of ISOs to make policy decisions (Sommerer & Tallberg, 2019). In most cases, the results of the ISOs' policy temporarily precede the results and are also signs of the process; results are unlikely without effective processes, and it is difficult for supranational organisations to achieve goals without results. However, the effectiveness of decision-making is not equivalent to the productivity as a whole. It is rather one of the key parts of a wider picture.

The effectiveness of decision-making also matters because it is related to the regime's effectiveness. Regime effectiveness refers to the degree of success of international cooperation in reducing or solving societal problems. Securing peace and addressing migration crises will require more than decision-making by international security organisations. So, the international challenge of Russian aggression was accompanied by the official reaction of international organisations. In particular, the UN and NATO expressed dissatisfaction with the unjustified Russian invasion of Ukraine. They recommended a diplomatic solution to the Russian-Ukrainian conflict. The EU and the Group of Seven (G7) imposed unprecedented sanctions against the Russian Federation, which brought the Russian economy to the brink of recession (Estrada & Koutronas, 2022). Russia faces significant economic sanctions that affect the economy and limit its ability to participate in global markets (Prykaziuk et al., 2023; Steinbach, 2023). However, this reaction of supranational organisations, as stated in the academic literature, did not resolve the conflict.

Among the analysed studies of researchers, the majority conclude that decision-making is necessary for effective regimes. In other words, understanding the effectiveness of decision-making is an important step towards understanding how supranational bodies contribute to the effectiveness of regimes in solving

problems, an issue that has become increasingly relevant as international organisations have become more numerous (Pevehouse et al., 2020), have received increasing political authority (Zurn, 2018), and regime complexes have evolved (Alter & Raustiala, 2018). Decision-making by international security organisations becomes an example and impetus, for example, to impose corporate sanctions to protect their reputation (Balyuk & Fedyk, 2022; Berninger et al., 2022; Basnet et al., 2022).

It follows from the conducted review of academic publications that, in general, the academic community is united in the opinion that the military invasion of Ukraine led to the creation of a new geopolitical situation in the region and the world. “The unpredictable behaviour of a major nuclear power, which refuses to comply with international law and redraws the state’s borders in its favour, dealt a catastrophic blow to the international order established after World War II”(Balyuk & Fedyk, 2022).

In this situation, “international security organisations were unprepared for such a development of events. The key structural elements of European and Euro-Atlantic security – NATO, the EU and the OSCE – were in search of urgent responses to regional and global threats arising from the actions of the Russian Federation” (Berninger et al., 2022, p. 44). The delay in decision-making by international security organisations played into the aggressor’s favour, exacerbating tensions on the European continent.

As a result of the current crisis, the aforementioned organisations and key international players have not only demonstrated a lack of institutional governance but also made tactical and strategic mistakes in assessing threats and understanding the nature of the post-bipolar security environment. The idea of a decline in the role of “hard threats” on the European continent and the world turned out to be premature. The military invasion of Ukraine, the Middle East crisis, and the migration crises they provoked in Europe disturbed the military-strategic balance in Europe and the world. They influenced the change in configurations after the end of the Cold War. The “engagement” tactics or the policy of reconciliation of the Russian Federation, which is based on treating Russia as a partner of the West, has received a blow.

Results

The content analysis of the current fundamental international legal acts, which are the regulatory legal framework for decision-making in the activities of the UN, NATO, the OSCE and CSTO (Collective Security Treaty Organization), showed the following results.

According to the provisions of Chapter VII of the UN Charter, “the maintenance of international peace and security is traditionally the primary responsibility of the UN Security Council” (Berninger et al., 2022, p. 40). According to Part 1 of Article 24 of the UN Charter, “To ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace and security” (Berninger et al., 2022, p. 42). Therefore, the UN Security Council is a key body in the UN framework for ensuring international security (Figure 2).

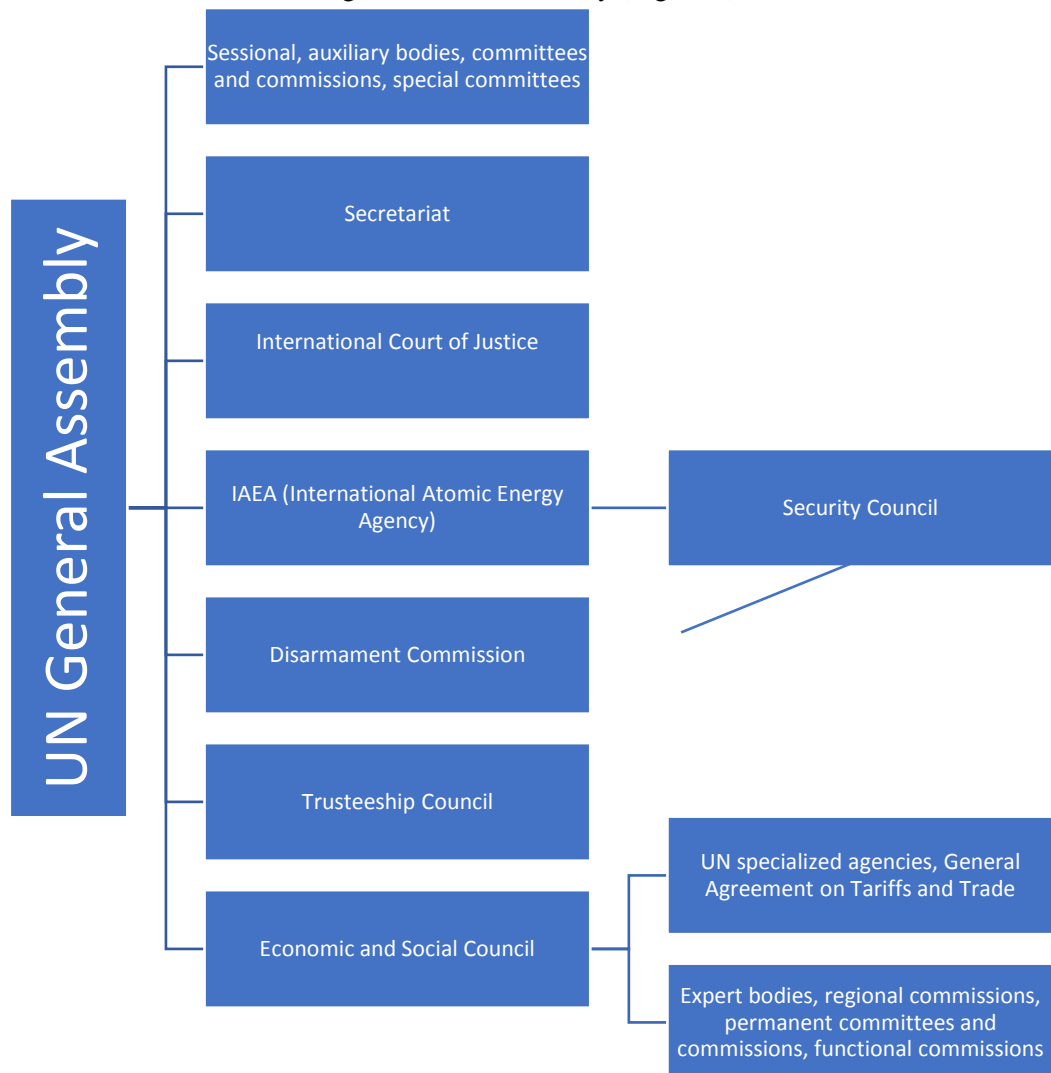


Figure 2. The UN structure (according to the Organization’s official website <https://www.un.org>)

“The creators of the UN Charter decided that five countries – China, France, the USSR (the Russian Federation since 1991), the United Kingdom, and the USA, due to their key role in the creation of the UN, should play an important role in ensuring international peace and security. They were awarded the special status of permanent members of the Security Council and a special right to vote, known as the right of veto. If one of the permanent members votes against, the draft resolution on which the vote is held shall not be adopted” (Gardashuk, 2022). At the same time, the Russian Federation constantly abuses its status as a permanent member of the UN Security Council, using the right of veto to block important decisions aimed at ensuring international peace and security. For example, out of 22 cases of veto use from 2010 to 2020, Russia used the right of veto 19 times. Of these, the Russian Federation twice vetoed resolutions related to the Russian-Ukrainian war (regarding the illegal referendum in Crimea in 2014 and the creation of an international tribunal regarding the downing of the MH-17 aircraft in 2015), and 15 times vetoed resolutions related to Syrian conflict. As a result, a situation arose where the UN Security Council was unable to make important decisions aimed at ensuring international peace and security, and it has shown its ineffectiveness in the face of global threats.

NATO continues to be one of the strongest security organisations in the international arena, and decision-making processes in this organisation are one of the important topics for research (Figure 3).

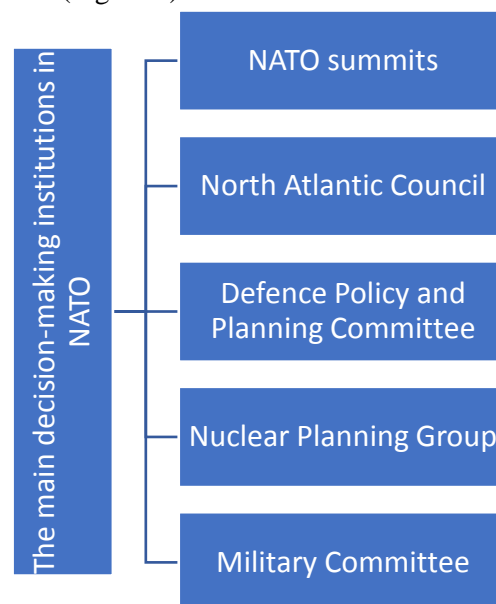


Figure 3. The main decision-making institutions in NATO (according to the Organization’s official website)

From Figure 3, it is necessary to identify the three most important bodies for making strategic decisions, subject to the following hierarchy: the North Atlantic Council, where the member states are represented by permanent representatives under the leadership of the Secretary General and with the support of international staff; the Military Committee chaired by a chairman with the support of international military personnel. These bodies are headquartered in Brussels. As an external advisory measure, along with other military bodies, the NATO Allied Command Operations, with the Supreme Headquarters Allied Powers Europe headquarters in the city of Mons, Belgium, should be singled out.

Determining the decision-making process in NATO, it should first of all be emphasised that all decisions of this organisation are made based on consensus, upon discussion and consultation with Member States. The principle of consensus has been used since the founding of the Alliance. The Washington Treaty does not define decision-making methods in the organisation and emphasises the consultative nature of the Alliance. This principle is used in all structures of the North Atlantic Alliance, at the level of any committee, and clearly shows that all members make NATO decisions of the organisation. Consensus decision-making implies that there are no votes in NATO. Consultations continue until a solution satisfactory to all is agreed upon. So, the consultation process is the basis for decision-making in NATO.

According to Article 4 of the North Atlantic Treaty (NATO, 2023), a member state can ask the North Atlantic Council any question and discuss it with the Allies. Any Member State may refer to Article 4 of the North Atlantic Treaty. A discussion of the problem begins when a state resorts to Article 4, which should lead to a unified decision or action on behalf of the Alliance.

Therefore, NATO's decision is an expression of the collective will of all Member States because all decisions are made by general agreement based on the principle of consensus. However, the ineffectiveness of the decision-making process in NATO is caused by the need to seek consensus because the positions of more than thirty countries on key issues often do not coincide. Throughout its history, NATO has made many decisions without reaching a clear consensus. They used a "procedure of silence", in which decisions were announced unless either party formally "broke silence" against them. In the 1980's, the Consensus-Minus-One principle was sometimes even used, where a few dissenting members were allowed to "reserve their positions" in footnotes to decisions. If France was not on the Military Committee, NATO often made military decisions to avoid France's veto in the North Atlantic Council (NAC).

Although these innovations received support from NATO, they were valuable but insufficient. Decision-making challenges and risks continue to have a negative impact. As a result:

- key decisions are not made;
- there is no discussion;
- irrationality arises from consensus thinking;
- irrationality arises from the fear of consensus.

For some time, due to the lack of consensus (Turkey's position), the decision regarding Sweden's accession to NATO was blocked. Finland's accession to NATO was also delayed because of Turkey and Hungary.

The need to reach a consensus among all delegations reduces the effectiveness of decision-making and the OSCE (Figure 4).

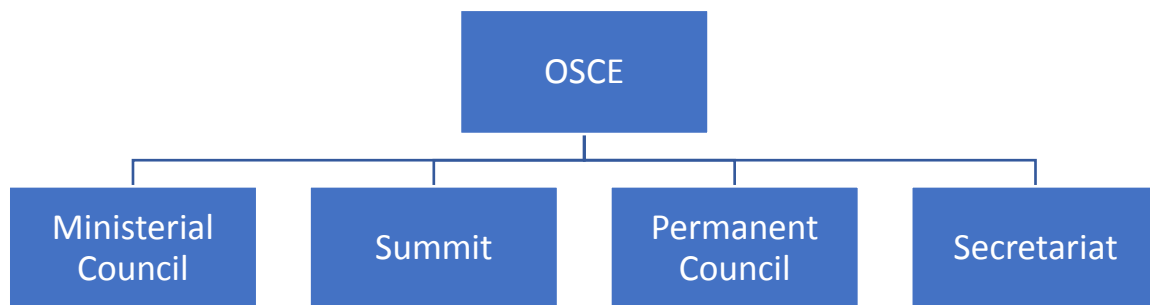


Figure 4. Structure of OSCE bodies (according to the Organization's official website)

The Permanent Council is a decision-making body that regularly holds political consultations and coordinates the operational work of the OSCE in the periods between meetings of the Ministerial Council. It is the main decision-making body for holding regular political consultations and managing the day-to-day operational activities of the OSCE between meetings of the Ministerial Council. Within its competence, it fulfils the tasks set and adopted at the summits and meetings of the Ministerial Council of the OSCE.

Meetings of the Permanent Council are held weekly in Vienna. The meeting is convened and chaired by the Acting Chairman or his representative. The Permanent Council includes delegates from 57 participating countries. A total of 11 OSCE cooperation partners, representatives of the OSCE Parliamentary Assembly and OSCE executive agencies can attend and contribute to the work. The delegation to the Permanent Council consists of representatives of this

participating country under the leadership of a permanent representative to the OSCE – the ambassador.

The decision-making process in the OSCE is also based on consensus. The Chairman seeks to obtain the consent of all delegations. The decision becomes politically binding for all participating countries if all delegates agree.

The Russian Federation is currently blocking the adoption of decisions that hinder the work of the OSCE. Russia has blocked the extension of the mandate of the OSCE missions in Ukraine and the adoption of the annual budget for the second year in a row. This has led to the OSCE's operation based on monthly allocations per the 2021 budget, which does not allow for the creation of new positions and does not consider the inflation rate.

In 2023, Russia created a crisis of management of the organisation by blocking, together with Belarus, the appointment of the Chairman of the OSCE from 2024 and the extension of the mandate of four key OSCE officials, whose mandate was to end by December 4, 2023: “the Secretary General, the Director of the Office for Democratic Institutions and Human Rights (2022), High Commissioner on National Minorities, and Representative on Freedom of the Media” (Korotkyi, 2023).

The OSCE, already facing financial problems, is in danger of losing control due to uncertain political and administrative leadership. The root of this problem is an inefficient decision-making mechanism, which allows the Russian Federation to block the Organization's decisions.

Discussion

In academic circles, the opinion that the Yalta-Potsdam system of international relations established after World War II is no longer effective (Zakeri et al., 2022; Gardashuk, 2022) is becoming increasingly important. The Helsinki Final Act and the UN Charter could not prevent modern international crisis phenomena, which call into question the entire international security system (Nikiforenko, 2022; Estrada & Koutroufas, 2022).

Modern researchers admit that “the system of collective security is in deep crisis because of the armed aggression of the Russian Federation against Ukraine” (Gill, 2022), emphasising “the failure of the UN, created to ensure international peace and security, to protect individual member states from the armed aggression of other members of the organisation” (Green et al., 2022).

Researchers note that international institutions, particularly NATO and the OSCE, completely lost trust in the aggressor country, but they could not make effective decisions to stop Moscow's aggression (Green et al., 2022). Instead, other researchers note that “NATO's reaction to the Russian-Ukrainian war, which

had to balance between military support for Ukraine and the avoidance of an open armed conflict with the Russian Federation, was more or less justified” (Voitsikhovkyi & Bakumov, 2023).

Noting the weakness of the reaction of international security organisations caused by an imperfect decision-making mechanism, the case of vetoing the draft resolution on February 25, 2022 (United Nations, 2022) is mentioned in the academic literature. This resolution was aimed at condemning the act of Russian aggression, an immediate ceasefire, and holding Russia accountable (Voitsikhovkyi & Bakumov, 2023).

The academic literature shares the opinion presented in this article that the Russian-Ukrainian war “endangers the existence of the international law and order established after World War II. Ukraine’s victory in this conflict will lead to the weakening of the influence of the Russian Federation on important world processes and the disappearance of the outdated post-war system of collective security in the European space. It is already obvious that Ukraine plays a key role in the formation of a new system of collective security” (Ivanytska, 2022, p. 127).

A significant number of researchers share our opinion regarding the need to limit the right of veto and revise the principle of consensus within the framework of the ISOs. This is necessary to eliminate cases where one country can block security decisions. Consensus has always been important to both organisations, allowing small states a sense of equality and influence in the decision-making process.

Conclusions

Decision-making is the first and necessary requirement for IBOs to change world politics. However, our understanding of the factors influencing decision-making effectiveness in supranational security institutions has been limited. The research showed that international organisations make decisions according to very different rules. In addition to unanimity and simple majority rule, international organisations have developed various forms of majority voting with different procedures for counting votes and allocating veto power to individual states or groups of states. The key principle in the decision-making of the ISOs is the principle of consensus, designed to ensure the agreed will of the member states on key issues.

The conclusions drawn in this study can be applied when making changes to international legal acts regarding restricting the right of veto and revising the principle of consensus during decision-making within the UN, NATO, and OSCE. Further research prospects may be the development of specific proposals regarding the mechanisms of imposing such restrictions.

Recommendations

The continued preservation of the UN, NATO, and the OSCE as risk management tools and means of ensuring international security has been called into question within the existing decision-making procedures due to the lack of unanimity. To restore their effectiveness, we recommend:

- limit the right of veto;
- review the principle of consensus to prevent cases where one country can block decisions in the security sphere;
- more carefully approach the formation of strategic decision-making bodies of the IBO.

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