



THE EFFECTS OF THE UKRAINIAN WAR ON THE LEGAL SYSTEM AND INTERNATIONAL ORDER

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Russia's invasion in Ukraine, in February 2022, marked the re-emergence of war as a social phenomenon on the European continent, but it also represented a clear signal of challenging the international order based on the UN legal system. Moreover, the continuation of this conflict, despite the measures taken by the international community, has triggered doubts regarding the system's degree of functionality underlying the international order, in the context of new global challenges. Also, as the conflict in Ukraine prolongs, the policies of the great powers, but also that of small and medium-sized states fearful for their survival, are changing, which will obviously lead to a recalibration of the international order. Therefore, the purpose of this research focuses on establishing the degree of resilience of the current international security system and what transformative trends are identified in the international law system and in the global order in general, but also as effects of the development of the Russian-Ukrainian conflict. In this respect, the main research method is the content analysis of certain international legal documents and statements of some government officials, the conclusions being later translated into an empirical interpretation that helps to achieve the purpose of the research.

Keywords: *resilience of the international relations system; international order; international law system; legality; legitimacy; trust.*

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Introduction

The international security system represents the structure of relations (general principles, rules, roles and constraints) established at the international level between different types of state and non-state actors¹.

The international order established after World War II, seen as “the hierarchy of states within the international system (of security, A.N.²)” (Jackson and Sørensen 2010, 302), is established on liberal foundations. This order is ensured by a legal system recognized and respected by the international community, materialized in a network of subordinate bodies (General Assembly, Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice and Secretariat) (United Nations 2023), or coordinated by the United Nations (International Monetary Fund, World Bank, UNESCO, World Health Organization, World Trade Organization, International Criminal Court, etc.), and regulations (UN Charter, Universal Declaration of Human Rights, conventions, treaties, decisions, etc.).

Initially, upon the establishment of the international security system, the liberal order was one “configured on a rules-based multilateralism” (Börzel and Zürn 2021, 282), later, after the 1990s, “the post-World War II liberal international order of liberal multilateralism moved to a post-Cold War international order of post-national liberalism” (Börzel and Zürn 2021, 282). This development of the liberal order included “a significant increase in the authority of international institutions and a strengthening of decisively liberal features (such as human rights, the rule of law, democracy and free movement)” (Börzel and Zürn 2021, 282), transformations that, by their more intrusive character, by requiring nation-states to cede part of their sovereignty to intergovernmental organizations, posed challenges to the liberal international order, but without causing major changes in the liberal structure.

The outbreak of the Russian-Ukrainian war without the Russian Federation being in a situation where a military operation would be authorized by the UN Security Council (UN SC) and “in an international society of capitalist democracies where war has been outlawed” (Lebow 2022, 118) shakes the existing status quo and encourages the anarchic tendencies of the component states of an international system that suddenly seems “lacking a central authority that has the means to protect states from aggression” (Posen 2022, 1). Thus, in the presence of an apparent anomie of global governance, intervened after the illegal action of the Russian Federation to attack a sovereign state, states tend to resort to their own resources to ensure their security at the expense of those offered by the organizations of the international system, a phenomenon which, combined with the emergence of new global power poles, reflects a tendency to reorganize the international order.

¹ The category of non-state actors includes non-governmental organizations (NGOs), multinational corporations (MNCs), private military companies, media outlets, terrorist groups, organized ethnic groups, academic institutions, lobby groups, organized crime organizations, syndicates, social movements, oligarchs, etc.

² Author’s note.



1. How Resilient is the Current International System?

Francis Fukuyama said, about the Western liberal democracy, that it may represent the “end point of mankind’s ideological evolution” and the “final form of human government”, thus constituting “the end of history” (Fukuyama 1992, xi). Although the author did not see it as an ideal model of government, he viewed it as the ultimate form of human government through its success in universalizing itself at the expense of the main opposing systems of authoritarian government, such as fascism and communism. But currently the global situation tends to contradict his ideas.

To educate ourselves on the question “How resilient is the current international system?”, in an article published in “Strategic Colloquium” no. 9/2022, we carry out an analysis inspired by a study of the British Chatham House Institute in which it was presented that “for a legal system to endure, three interconnected conditions must be met: legitimacy, equity and trust” (Chatam House 2015, 3). Thus, applying this methodological framework to the current international system, the main conclusions resulting from the analysis were (Atanasiu 2022, 5-9):

- the main source of legitimacy in the 21st century for relations between actors in the international system comes from what is permitted by the UN Charter in force since 1945, which clearly prohibits the threat or use of force between states and interference in the internal jurisdiction of other states, other than those initiated in accordance with the right of self-defence of states subject to an armed attack or actions authorized by the UN Security Council;

- the legitimacy of the current international system requires strict compliance with the specific legal regulations by its main promoters, namely the nuclear states, which are also the permanent members with voting rights in the UN Security Council (the USA, the Russian Federation, China, France and the United Kingdom of Great Britain, the so-called P5 group) which causes the other members of the international community to accept it and respect its legal elements;

- there is an interdependence between legitimacy and legality, the manifestation of the former strengthening the latter, and legitimacy being undermined by the legal inability to respond to urgent matters. The second interdependent link, which can cause syncopes in terms of the functionality of the current international system due to the accelerated dynamics of global phenomena and the diversification of the types of actors on the international scene, has determined the emergence of the concept of “constructive flexibility of international law” (United Nations University 2008), which, in certain extreme circumstances, some actors resorted to (the USA when it intervened in Kosovo in 1999, the international sanctions against Iraq preceding the 2003 invasion, the legal motivation brought by the USA to the invasion of Iraq, the annexation of Crimea by the Russian Federation in 2014, etc.), many experts having different opinions regarding the legality and/or legitimacy of interventions in those circumstances considered extreme;



- ensuring the equity of the international legal framework is achieved if the order based on the recognized rules works to the advantage of the majority and not of a minority but, since the democratic system and respect for human rights have been implemented more in the West than in the East, this condition has suffered in the contexts in which some legal norms began to be interpreted differently in the interest of geopolitically dominant states, such as the USA, the Russian Federation and China³, which also stimulated states outside the P5 to ignore norms of international law, or even previously signed treaties (North Korea withdrew from the Nuclear Non-Proliferation Treaty to develop a nuclear capability, Turkey withdrew from a human rights treaty and launched military incursions against the Kurds in Syria);
- the level of confidence in the functionality of the order in the current international system derives from the extent to which the other two aspects (legitimacy and equity) are implemented, its longevity being an indicator of the fact that the way it was established and operated largely reflected the geopolitical reality, only occasional repairs being required.

As we presented in the introductory part of this article, the post-national liberal order after the 1990s also raised overall a series of challenges to its address (Table no. 1).

Table no. 1: Initiatives challenging the post-national liberal order

No.	Initiatives
1	The development of Islamic fundamentalism with the culminating evolution of the Islamic State terrorist organization in 2014
2	Russian policy revisionism culminating in the takeover of Crimea (2014) and the ongoing Russian-Ukrainian war
3	The rise of the Chinese model of authoritarianism “challenging the ideals of liberal democracy, including individual liberties, the rule of law, and transparency and accountability” (Democracy 2022)
4	Anti-globalization movements (RAND Corporation 2006)
5	The rise of populism and nationalism in Europe and the USA (Baker Institute 2016)
6	Right-wing extremism in Western societies (Counter Extremism Project 2021)
7	Turkey’s military incursions into Syrian territory from 2016-2020

From what has been presented up to this point, it can be seen that the liberal order as a whole is challenged not only by autocratic regimes, but also by liberal democracies. Also, against the background of the fact that international institutions are criticized for not respecting the principle of equality, but “working in favour of Western societies and elites, ... applying double standards” (Börzel and Zürn 2021, 283) there are a number of states that **have not** ratified some international

³ Amid USA’s and Russian preoccupation with the Ukraine conflict, the Chinese leadership has accelerated steps to turn disputed claims over islands in the South China and East China Seas into a fait accompli. For example, in March 2022 it militarized three islands in the respective region.



conventions, **do not** support the initiatives of such organizations or have withdrawn from them, some examples being included in Table no. 2.

Table no. 2: Examples of challenging the liberal order at the global level

No.	Bodies/initiative	Contesting states
1	International Criminal Court (ICC) established in 2002	- China, USA, India, Russian Federation, Ukraine are not members of this organization - 42 states have not signed or become parties to the Rome Statute of the ICC, among them Bhutan, Brunei, Equatorial Guinea, Grenada, Indonesia, Japan, Mauritania, Micronesia, Palau, Qatar, Somalia, Suriname, Turkmenistan (Prevent Genocide International 2005)
2	World Health Organization established in 1948	- Liechtenstein is not a member.
3	World Trade Organization established in 1995	- Aruba, Eritrea, Kiribati, Kosovo, Marshall Islands, Micronesia, Monaco, Nauru, North Korea, Palau, Palestinian Territories, San Marino and Tuvalu are not members
4	International Monetary Fund established in 1944	- Cuba, North Korea, Monaco, Taiwan, the Vatican and East Timor, Liechtenstein are not members of it
5	The 2015 Paris Agreement on Climate Change	- Iran, Libya, Yemen and Eritrea have not ratified the agreement (Climate Home News 2020) - The USA withdrew for a while ⁴
6	International Covenant on Civil and Political Rights entered into force in 1976	- China and Cuba have not ratified the pact - North Korea tried to withdraw
7	2007 Convention on the Rights of Persons with Disabilities	- Bhutan, Cameroon, Lebanon, Liechtenstein, Tonga and the USA have not ratified the convention - Eritrea, South Sudan and the Vatican have not signed the convention
8	1992 Rio de Janeiro Convention on Biological Diversity	The USA, Andorra, South Sudan and the Vatican have not ratified the convention (UN 2015)
9	2018 Global Compact on Migration	- A number of states such as the USA, Australia, Bulgaria, Hungary, Austria, Israel, Italy, Latvia, Poland, Slovakia, Chile, Dominican Republic, Czech Republic, Estonia, Switzerland did not participate in its negotiation conference - Brazil withdrew from the pact after one year - Russia signed it with reserves
10	2018 Global Compact for Refugees	- The USA and Hungary voted against - Eritrea, Libya and the Dominican Republic abstained
11	1990 Convention on the Rights of the Child	- The USA and Somalia have not ratified it.
12	The 1970 Treaty on the Non-Proliferation of Nuclear Weapons	- India, Israel, and Pakistan never signed the treaty.
13	1948 Convention on the Prevention and Punishment of the Crime of Genocide	- Angola, Cameroon, Cape Verde, Chad, Congo, Eritrea, Guinea-Bissau, Guyana, Kenya, Oman, Madagascar, Thailand, Solomon Islands, United Arab Emirates had not signed the document by June 2015 (Prevent Genocide International 2005)
14	Convention on the Elimination of All Forms of Discrimination against Women, New York, 1979	- The USA has signed but not ratified the convention - Iran, Palau, Somalia, Sudan and Tonga have not signed it.
15	Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Basel, 1989	East Timor, Fiji, Haiti, San Marino, South Sudan and the USA have not signed the convention

⁴ In November 2020, during the term of President Donald Trump, the USA withdrew from the agreement, but with Joe Biden coming to power, they re-joined the pact in early 2021.



The contestations take place regarding various bodies and initiatives, they are initiated when the respective state actor considers that they may harm its national interests. For example, the USA, although they supported the negotiations that went into the establishment of the ICC, currently does not recognize its jurisdiction over USA citizens “considering the prosecution of its citizens before an international body without the consent of the US as a violation of its sovereignty” (Anthony Dworkin 2020). Also, neither Ukraine nor the Russian Federation are parties to the Rome Statute of the ICC, which made it possible to investigate war crimes committed by the Russian military on Ukrainian territory only at the express request of the Ukrainian authorities in accordance with Article. 12, paragraph 3, of the Rome Statute of the International Criminal Court (UN 2002).

However, even in its form of post-national liberalism, until 2022, the international system managed by the UN has proven its resilience in fulfilling its main purpose established in Article 1 of the Charter of the organization with a global vocation “to maintain international peace and security” (UN 1945) through the established ways of regulating relations between the actors on the global stage, as long as there were no major tensions between the great powers that would give rise to the suspicion of the imminent outbreak of a global conflagration.

2. What has Changed in the Legal System and in the International Order with the Irruption of the Russian-Ukrainian Conflict?

In the matter of international law of the liberal international order in which we still find ourselves, the notion of “war” is no longer current, it being replaced by that of “conflict”. This terminological change occurred with the adoption of the United Nations Charter in 1945 which prohibits, under Article 2, the use of force by one state against another (Organizația Națiunilor Unite 1945). Since then, states have avoided declaring war on other states. Later, the Geneva Conventions of 1949 adopted deliberately the more general “armed conflict” term to cover the whole range of situations and to avoid legal arguments about the precise definition of war, a welcome move as non-state actors proliferated, and protracted armed violence between government authorities and organized armed groups, or just between sub-state armed groups, became commonplace on the international scene. Also, since the creation of the Charter, it was known that “the organization will not be able to deal with problems and/or conflicts between great powers or between a great power and a smaller country” (Global Governance Forum 2022), sooner rather than later, so as Cord Meyer, a prominent member of the USA delegation to the San Francisco Conference in 1945, pointed out, “a major power may violate every principle and purpose stated in the Charter and yet remain a member of the Organization by the lawful use of the veto which it has been expressly granted” (Global Governance Forum 2022). Moreover, even before the Russian-Ukrainian war, the UN was facing



problems such as increasing competition between great powers and evolving threats to peace and security.

The outbreak of the Russian-Ukrainian war not only represented the reactivation of the concept of “war” in the 21st century, but it was also a brutal challenge to the current global order by an authoritarian power, the Russian Federation, with an important role in shaping the international system regulated by UN, materializing precisely that situation of violation of the principles of the UN Charter, and international law as a whole, by a state with the right of veto in the organization’s Security Council. However, the activity of the UN was not paralyzed by this conflict, it continued to act in the sense of mitigating the crises and conflicts of the world, according to its mission, without neglecting the problem in Ukraine as a series of measures were taken against the Russian Federation to determine it to give up this illegal war (Table no. 3).

But amid the apparent lack of results following UN actions against F. Ruse, a vacuum of legitimacy and a philosophical “aporia”⁵ has been generated among members of the global community regarding the confidence invested in the resilience of the current international system to manage such a military situation, questioning the need to reform it in a new formula.

3. Trends in the Transformation of the International Security System

It is important to point out that since the beginning of the 21st century, experts in international relations have presented the idea of the transition of power in the global hierarchy from the USA to China. Moreover, specialists show that with the emergence of great powers on the global scene, the imminence of a multipolar world order also appears (Wijninga, Oosterveld și Galdiga 2014, 146).

Taking into account the findings of international law, official documents and the actions of global actors, we can identify some perspectives regarding the transition of power at the global level.

Even before the Russian-Ukrainian conflict, the current global order, based on the liberal norms of the classical international legal system, advanced towards a bipolar formula as China began to challenge not only the economic and technological supremacy of the USA, but also their presence as power in the Indo-Pacific region, against the background of the development of Chinese economic power. This structural change, due mainly to the intensification of Sino-American confrontation, very different from the bipolarity of the Cold War era, took place at a time when a series of transnational challenges (the 2008 global financial crisis, climate change, accelerated technological innovation, global pandemic, as well as ethnic, racial and political tensions, etc.) were already existing, and the policy of American “withdrawal” from various global initiatives or regions of influence, only increased the perception of “weakness” of this pole of power.

⁵ In philosophy “aporia” represents a conundrum or state of puzzlement.



Table no. 3: Actions undertaken by the UN against Russia in the context of the war outbreak in Ukraine (United Nations Regional Information Centre and Western Europe 2023)

No.	Date	Action
1.	February 25, 2022	United Nations Secretary-General appoints Amin Awad of Sudan as Deputy Secretary-General to Serve as UN Coordinator for the Ukraine Crisis.
2.	February 28, 2022	The Prosecutor of the International Criminal Court opened an investigation for war crimes and crimes against humanity in regard to the conflict in Ukraine.
3.	March 2, 2022	United Nations General Assembly adopted a resolution deploring Russia's "aggression" against Ukraine (141 votes in favour, 5 against and 35 abstentions).
4.	March 4, 2022	UN Human Rights Council passed a resolution calling for the "swift and verifiable" withdrawal of Russian troops and Russian-backed armed groups from all of Ukrainian territory.
5.	March 5, 2022	The UN Human Rights Council decided to urgently establish an independent international commission of inquiry following Russia's aggression against Ukraine.
6.	March 16, 2022	The International Court of Justice has ordered Russia to immediately suspend its military operations in Ukraine.
7.	March 24, 2022	The UN General Assembly overwhelmingly called for civilian protection and humanitarian access to Ukraine, while criticizing Russia for creating a "horrendous" humanitarian situation (140 votes in favor, 5 against and 38 abstentions).
8.	March 30, 2022	The UN has appointed three human rights experts to investigate possible violations of international law committed during the conflict in Ukraine.
9.	April 7, 2022	The UN General Assembly passed a resolution calling for the suspension of Russia from the Human Rights Council. The resolution received a two-thirds majority of those voting, minus abstentions, in the 193-member Assembly, with 95 nations voting in favor and 24 against.
10.	April 2022	The UN Secretary General visited Russia and Ukraine.
11.	April 26, 2022	The UN General Assembly adopted a new resolution asking the five permanent members of the Security Council to justify their use of the veto.
12.	May 6, 2022	The UN Security Council adopted a statement strongly supporting the Secretary-General's efforts to reach a peaceful solution in Ukraine.
13.	May 12, 2022	The Human Rights Council approved a resolution at a special session on Ukraine calling for an investigation into alleged atrocities against Russian occupation troops.
14.	June 3, 2022	As Russia's invasion of Ukraine entered its 100 th day, António Guterres marked the grim milestone with a renewed call for an immediate end to the violence.
15.	June 10, 2022	The UN Office for Human Rights (OHCHR) has condemned the death sentence of three foreign fighters in Ukraine by a court in the self-proclaimed Donetsk People's Republic.
16.	June 21, 2022	The UN Special Adviser on the Prevention of Genocide, Wairimu Nderitu, briefed the Security Council and raised concerns about the "increased risks" of sexual violence and trafficking, which "significantly affects women and children".
17.	August 18, 2022	The Secretary General arrived in L'viv, Ukraine, to attend a trilateral meeting with Turkish President Recep Tayyip Erdogan and Ukrainian President Volodymyr Zelensky.
18.	August 23, 2022	The High Commissioner for Human Rights expressed concern after photos and videos circulated on social media appeared to show metal cages built in the philharmonic hall in the devastated Ukrainian city of Mariupol, apparently to house prisoners of war (POW) during a future "trial-show".



No.	Date	Action
19.	September 7, 2022	The UN's Head of policy and peacebuilding, Rosemary DiCarlo, informed the Security Council that 5,718 people had been killed, including 372 children since the start of the war. Registered Ukrainian refugees across Europe have exceeded seven million.
20.	September 29, 2022	The UN Secretary General said Russia's plan to annex four occupied regions of Ukraine would be an illegal move, a violation of international law and should be condemned.
21.	September 30, 2022	Russia rejected the UN Security Council resolution condemning the attempted annexation of Ukrainian regions.
22.	October 12, 2022	The UN General Assembly passed a resolution by a large majority calling on countries not to recognize the four regions of Ukraine that Russia wanted to illegally annex.
23.	November 14, 2022	The UN General Assembly passed a resolution demanding Russia to pay war reparations to Ukraine as ambassadors met to resume their special emergency session on the conflict. 94 countries voted in favor of the resolution and 14 against, while 73 abstained.
24.	November 23, 2022	Addressing the UN Security Council, Rosemary DiCarlo, UN Under-Secretary-General for Political Affairs and Peacebuilding, warned of the devastation caused by Russia's "relentless attacks" against civilians and critical infrastructure in Ukraine.
25.	November 25, 2022	The UN High Commissioner for Human Rights, Volker Türk, has expressed his shock at the human suffering in Ukraine, as evidenced by Russia's continued large-scale missile and drone attacks against critical infrastructure and recent allegations of summary executions of POWs.
26.	December 4, 2022	The UN High Commissioner for Human Rights began a four-day official visit to Ukraine at the invitation of the Government.
27.	January 16, 2023	The UN Secretary-General has strongly condemned the rocket attack on a residential building in the city of Dnipro, Ukraine, in which at least 40 people were killed, with many more injured and dozens missing.
28.	January 24, 2023	The UN children's agency (UNICEF) said eleven months of war in Ukraine had disrupted the education of more than five million boys and girls.
29.	January 25, 2023	The historic center of the Ukrainian port city of Odessa has been inscribed on the UNESCO World Heritage List, 11 months after the full-scale Russian invasion.

Moreover, under the influence of recent developments on the international scene, especially the diplomatic and military actions of Russia through which it wants to become a pole of global power, we find that the tendency is to transform the system of international relations as a whole from one unipolar to multipolar. Moreover, Vladimir Putin's speech at the Munich Security Conference in 2007, when he declared that he was convinced that it was reached "the decisive moment when we have to think seriously about the global security architecture", foreshadowed his desire to move from the unipolar world, dominated by the USA, to a multipolar one in which Russia would play a major role.

As the conflict in Ukraine lingers, the policies of major powers such as Russia, China and the USA are undergoing changes, which will obviously lead to a recalibration of the international order as a whole, where small and medium-sized states can approach one of two possible solutions:



- adopting a neutral position towards the Ukrainian conflict and focusing on increasing their national resilience to crises resulting from the competition of great powers for global supremacy;

- the obvious positioning on one or the other side of the barricade in this competition, namely on the side of Ukraine supported with priority by (especially Western) states with democratic regimes or on Russia's side, supported by authoritarian regimes (China, Iran, North Korea, etc.), to have some subsequent benefits from the winning global powers.

The end of American hegemony gives small powers greater opportunity to pursue divergent political and economic patterns, sometimes through targeted actions at the expense of democratic values and the spread of repression. Small and middle powers, democracies or not, can only take advantage of this if they can control their domestic fragility. We see this in Turkey and Hungary, which are trying to maximize their benefits by maintaining relations with both sides in the war in Ukraine.

What is also interesting to point out is the fact that in a modified international order, in which China and Russia, two authoritarian regimes, will come to hold a central role, if we take into account the principles of the theory of power transition as it was defined by Organski (Organski 1968, 361), the construction of a new international order will be achieved by taking over the governance model of the dominant nation/nations. Thus, in this context we can expect major changes in the style of global governance, in the sense that they can be directed at the detriment of the rule of law and democratic governance. To prevent this, large liberal powers should outdo autocratic leaders in gaining the support of small powers under the condition of continued democratic rule.

Conclusions

With the challenge of the international legal system and the current global order, against the background of the outbreak of the Russian-Ukrainian war, a philosophical *aporia* began to manifest among the larger or smaller international actors; this may be the reason why some of the international actors hesitated to stand firmly on the side of Ukraine, an independent and sovereign state, recognized as such by the international community and attacked by another state that was not in one of the situations recognized in the UN Charter as legitimate to use the armed force.

In time, this *aporia* can lead to a global reorganization both by establishing alliances between the world's authoritarian powers and by repositioning small and medium-sized states vis-à-vis potential aggressors or stronger allies by resorting to the "bandwagoning" or "balancing" policies in relation to them, a fact reflected in



the firm support of one or the other of the parties in the ongoing Russian-Ukrainian conflict, or an oscillating attitude towards them.

Although the Russian-Ukrainian war was not the triggering element of the global reorganization, it has the potential to fundamentally transform, with its prolongation, the way the actors of the international scene relate to each other, this being one of the current factors driving us apart from an international order centered on the liberal characteristics of the West, a phenomenon known as the “de-Westernization” of the world. That is why this war must be seen as a wake-up call for the civilized world to develop a new security architecture and strengthen international law to protect democracy against dictatorship and terror.

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NATO-ISRAEL COOPERATION IN THE CONTEXT OF THE RUSSIA-UKRAINE WAR

*Zsolt CSEPREGI**

Russia's invasion of Ukraine has shifted NATO's attention to its eastern flank and raised the importance of collective defence. However, the transatlantic alliance has spent long years to build up its reputation as a security provider in the Middle East as well, in the southern strategic direction. The current paper analyses the state of NATO's efforts on the southern flank, using its partnership with Israel as a case study. It argues that, in the context of the Russia-Ukraine war, robust NATO cooperation in the South, having Israel as a key pillar, is more important than ever, even though it is a low priority on NATO's agenda in 2023 because of the ongoing war.

Keywords: *NATO; Israel; Middle East; Russia-Ukraine war; security policy; security cooperation; alliance theory.*

Introduction

The North Atlantic Treaty Organization (NATO) is undergoing a constant transformation to adapt to the current security environment and serve its members' interests. In the post-Cold War era, with the dissolution of the Soviet Union as a superpower adversary, the importance of the southern strategic direction has elevated compared to the eastern one. The Russian invasion of Ukraine in 2022 has refocused NATO's attention to its eastern flank. However, this paper highlights that the eastern and southern threats are once again interlinked to a degree unprecedented since the early decades of the Cold War. NATO provides different answers on the differing challenges from the two main strategic directions, and, in those answers, the role

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of partnerships is varying as well. While the eastern flank is under threat in terms of collective defence, in the south, cooperative security and crisis prevention and management present the main tasks. This paper analyses what role the southern strategic direction plays in the security environment which has developed after the start of the 2022 Russia-Ukraine war. The paper argues that, since the security threat presented by Russia will not dissipate even with an envisioned end of the war in Ukraine, NATO needs low-cost solutions to achieve its security goals in the south and partnerships are exactly the tools for that.

The study utilises the case of the NATO-Israel partnership to demonstrate the opportunities in southern security partnerships, while also highlighting the limitations of the partnerships' scope in the south. Israel aims at defending itself on its own as much as possible, maintaining its freedom of decision, while also reaping the benefits of being part of a wide and deep security partnership. The paper employs the alliance theory to explain Israel's approach *vis-à-vis* NATO. The theory explains the main factors that indicate whether a state is interested in forming treaty alliances or solely maintaining flexible partnerships. The paper demonstrates that it is the type of "threat" that motivates a particular state to choose one or the other, creating in effect a mid-tier security partnership scope, between formal alliances and ad-hoc cooperation. Beyond the theoretical approach, the study highlights the practical importance and the potential future of NATO's developing partnership with Israel in limiting threats coming from the southern direction by focusing on the last three decades of the NATO-Israel partnership. The paper demonstrates that NATO's best solution to guarantee its security is to support the self-interests of its southern partners, such as Israel, both on a bilateral and multilateral basis. This way, the partner states can themselves provide security in their region, and, by extension, stabilise and guard NATO's southern flank. This is true both in mitigating instability and the threat stemming from terrorism and lack of state control, while also balancing potential regional hegemony that could present an eventual threat to NATO members as well.

1. NATO's Southern Strategic Direction in the Context of the Russia-Ukraine War

NATO emerged in 1949 as the main security alliance to confront the Soviet Union and its allies and safeguard Western democracies from the threat of a Communist invasion. While this eastward-facing security perception might have dominated, NATO was never solely looking only in one direction. The Soviet Union was also threatening to directly attack the North American NATO allies through the North Pole and to expand its reach in the Middle Eastern and North African (MENA) region, which could have led to a situation potentially enveloping the