

**LEGAL BASIS AND PROBLEMS OF DEVELOPMENT OF A NEW
MULTIPOLAR WORLD : NATIONAL AND INTERNATIONAL
REGULATORY ASPECTS**

Recent decades have been marked by an unprecedentedly rapid change of political eras. It started with the collapse of the bipolar world. The proclaimed era of globalization was quickly replaced by objectively inevitable economic crises that defined a new dominant - national interests. New centers of economic power were being formed in the world arena, which at the same time began to gain political weight adequate to their economic capabilities.

Today they are most strongly represented by China, India and the Islamic world. The African continent is declaring aloud its place in world geopolitics. Having their own cultural and civilizational codes, different from the established and previously dominant trans-Atlantic community, they necessitate the search for *new* approaches to building a *new* world order adequate to the *new* multipolar world.

The inevitability of the formation of the new world order was dictated with even greater force by the military actions unfolding in Ukraine with the practical involvement of NATO countries. The disruption of political, economic and humanitarian ties between states, political deformations in the activities of international organizations, destruction of economic ties in the world market, forced migration and deformation of relations in the cultural sphere have led to the need of rethinking many institutions of not only international but also of national law, as well as the principles of interaction of national legal systems.

The events that unfolded after the beginning of the SMO as a localized military confrontation developed into a "pre-world military conflict". The

concept of "*pre-world military conflict*" is proposed for the purposes of legal assessment of the ongoing military actions insofar as Russia, on the one hand, and Ukraine and the "collective West", on the other, have not declared a state of war in any order and forms known to the world practice.

Every day of the modern military confrontation between Russia and the "collective west" destroys the last bastions of the concept of the United Nations, as military force, not peaceful coexistence, has become the main factor in relations between the founding members of the UN. We are witnessing the destruction of both direct inter-state relations based on the principle of peaceful coexistence and institutional structures - international organizations. That which is happening naturally raises the question of the future fate of the UN and its specialized agencies.

The current military confrontation will end sooner or later, but the problems with the "Ukrainian settlement" will not be the only ones. What is now called the proxy war, or "*pre-world military conflict*," has destroyed not only the world's political infrastructure, but also the institutions of law on which the rule of law was built. This destruction is profound, as it concerns not only the disavowal of the sources of international law, but also the traditional principles of national legal systems. The development of the crisis leads to understanding that the state faces the task of serious restructuring of the system-forming institutions of the national legal system, development of legal policy concepts in relation to the renewal of the general world order and legal basis that ensure the functioning of political and economic integration processes.

Partial accomplishment of these tasks has already begun and the importance of what has been done is demonstrated by the events that began with the Special Military Operation (SMO). Others require a quick solution to ensure that the military phase of the crisis can be ended and that Russia is guaranteed to be among the leaders of the post-war settlement. The third category of tasks is

related to building of the legal order for a certain historical perspective, not excluding in the future a new crisis associated with another war.

Among the legal issues resolved in 2022, two amendments to the Constitution of the Russian Federation should be highlighted. This is the amendment on *inviolability of borders* - cl. 2.1, *Article 67* and the amendment to *Article 79* of the Constitution on the decisions of interstate bodies contradicting the foundations of the state system of the Russian Federation. Projecting the above amendments onto this day and looking into tomorrow, one can fully appreciate their merits. In the first case, they exclude any possibility of negotiating and signing agreements that change Russia's borders at the time of admission of the four new federation subjects, and within their administrative boundaries, i.e. including territories currently under the control of the Kiev regime.

The amendment to *Article 79* of the Constitution, in addition to providing legal protection against diplomatic and information aggression, i.e. what has come to be called hybrid or proxy wars, lays the foundations for the development of both domestic legislation ensuring its sovereignty and the development of treaty law.

Formation of the de facto anti-Russian coalition by the United States and the European Union introduced the concept of "collective west" into political life. With the beginning of the SMO, the political plans of this coalition received a new normative formulation, expressed in acts of various levels adopted by the U.S., a number of its allies and the European Union.

The destruction of the existing world order can be illustrated by the examples from world politics, military expansions, humanitarian boycotts and economic sanctions. The latter

will make particular problems for the development of the new multipolar world, as they are linked to basic economic relations enshrined in national and international legal systems. Considering the problem of imposition of anti-

Russian sanctions by the "collective west" in the context of restructuring of legal regulation in the foreign economic sphere, it should be noted the effectiveness of prompt adoption of anti-sanctions measures in the Russian Federation. They are reflected in a number of systematically adopted normative acts, the legitimacy of which, from the point of view of international legal regulation, is based on such universally recognized institutions as "reciprocity" and "retorsion". However, the positive value of the measures taken at present, and their preservation at the beginning of the process of peaceful settlement, objectively cannot serve as a sufficiently adequate basis for building a new model of regulation of foreign economic relations.

As for the system of normative acts adopted by the countries of the "collective west" and the EU, they are initially aimed at breaking foreign economic ties and, as such, cannot serve as a platform for creation of positive regulation of the foreign economic relations. Procedural problems should also be highlighted. The adoption of many of these measures by legislative bodies, primarily in the United States, objectively implies a complex process for their reform. A similar situation is possible in cases where normative acts are adopted by consensus, as is the case in the EU. Without fundamental reforming of the existing regulation, the basis for a treaty process to establish a new economic legal order is not realistic.

Noting the destruction of the world order created by the United Nations, and assessing the possible shape of the future, it is necessary to work out not only political, **but also legal** positions to address at least three issues. First, what is to be done with the still extant "construct" of international law and, above all, with the UN, the Security Council and the UN specialized agencies. Secondly, to work out **legal solutions** for the development of international structures friendly to Russia, where BRICS occupies a special place. Thirdly, taking into account the accumulated experience of interaction with the European Union, to develop **legal principles** of relations between the Russian Federation and

members of international organizations of any type, on the one hand, and the relevant organizations as such.

It is necessary to emphasize the importance of legal concepts in relation to political ones because legal decisions are not only necessary to formalize the political agreements adopted, they must also serve as a guarantor of the enforceability of the agreements adopted.

It is now obvious that the role of bilateral treaty relations as a mechanism for the formation of a new legal order is increasing. A bilateral treaty not only creates a clear and mutually acceptable legal basis for the relationship between the two countries, but can become a core to which other states will be interested to join.

In historical retrospect, the creation of regional organizations is quite understandable and explainable from any position: geographical, ethnic, political, economic, etc. All continents provide examples of legal diversity of regional organizations. At the current stage, Russia, developing regional cooperation, initiated the creation of BRICS. The BRICS organization by a number of parameters goes beyond the traditional notions of international regional organizations and, first of all, by the fact that it does not have a geographical community of member states, which is very important for the implementation of economic tasks and their legal support. This circumstance indicates its special status. Objectively, the special status of this organization is given by its economic, socio-political, demographic and civilizational characteristics. The totality of these features can be considered as a certain step towards the realization of the idea of creating a model of a multi-polar world. At the same time, guided by the existing notions of international organizations, the BRICS in its organizational and legal forms is still able to fully respond effectively to contemporary international contradictions and challenges. Moreover, BRICS is opposed by a well-oiled EU-NATO international grouping

backed by US military capacity and money. Moreover, all these elements are firmly organized in the legal sense.

Thus, to predict the picture of the future world order, where Russia must retain its position as a great power, it is necessary, firstly, to solve not only a number of political, economic and military problems, but also to develop a concept of reforming its national regulation for the external contour of emerging relations. Secondly, to have **legally organized allies** to implement the idea of a multipolar world based on the ideas of equality and diversity. Thirdly, to become an initiator in the formation of new legal institutions adequate to the tasks of forming a new world legal order.