

INTERNATIONAL LAW AND THE LEGITIMACY OF GLOBAL SECURITY INSTITUTIONS: CHALLENGES, CASE STUDIES, AND REFORM PATHWAYS

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Abstract

Global security institutions, including the United Nations Security Council and regional organizations, are central to addressing contemporary threats to international peace and stability. Yet, their legitimacy remains a subject of intense debate, particularly when their actions or inactions are perceived as inconsistent with international law or global expectations. This paper investigates the intricate relationship between international law and the legitimacy of global security institutions, analyzing how legal frameworks both empower and constrain their operations. By examining foundational legal documents, customary norms, and landmark interventions, including Kosovo, Libya, and Syria, the study identifies key sources of legitimacy and highlights persistent challenges such as selective enforcement, the dominance of major powers, and gaps in representation.

The analysis extends to emerging issues like humanitarian intervention without Security Council authorization, responses to cyber threats, and the increasing influence of non-state actors. Drawing on comparative case studies, empirical evidence, and recent developments, the paper proposes avenues for institutional reform including greater inclusivity, enhanced accountability, and legal oversight, to strengthen credibility and effectiveness. The findings emphasize that adherence to international law and the pursuit of inclusive, transparent governance are essential for global security institutions to maintain legitimacy and fulfill their mandates in an evolving international order.

Keywords: International law; legitimacy; global security institutions; United Nations; institutional reform

Introduction

The landscape of international security in the twenty-first century is increasingly complex, marked by a proliferation of both traditional and non-traditional threats. From protracted interstate conflicts and humanitarian crises to the ever-evolving challenges of cyber-attacks and transnational terrorism, the need for robust and adaptive mechanisms to maintain international peace and stability remains acute². In response, global security institutions such as the United Nations Security Council (UNSC), the North Atlantic Treaty Organization (NATO), the African Union (AU), and the Organization for Security and Co-operation in Europe (OSCE) have assumed central roles in the management and resolution of security threats worldwide³. Yet, the effectiveness of these institutions is not determined

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² United Nations, *Global Trends 2040: A More Contested World*, 2021, https://www.dni.gov/files/images/globalTrends/GT2040/GlobalTrends_2040_for_web1.pdf (12.03.2026)

³ Hurd Ian, *After Anarchy: Legitimacy and Power in the United Nations Security Council*, Princeton University Press, Princeton, 2007, pp. 30-33

solely by their capacity to deploy resources or enforce mandates. At the core of their enduring impact lies the notion of legitimacy, the widespread perception that their authority is justified, their actions are appropriate, and their decisions are made in accordance with established legal, moral, and political standards¹. Legitimacy is not only a matter of compliance with international law; it is also essential for securing cooperation from member states, gaining the support of the international community, and ensuring the sustainability of peace and security initiatives. For example, empirical studies show that UN peacekeeping operations with higher perceived legitimacy are more likely to secure host-state consent and public cooperation². Despite the foundational role of international law in shaping the mandates and operations of global security institutions, questions persist about the adequacy and consistency of this legal framework in conferring legitimacy. Criticisms related to selective enforcement, power asymmetries, and gaps in representation, such as the lack of permanent Security Council seats for Africa or Latin America, have sparked ongoing debates among scholars and practitioners alike³. Moreover, the emergence of new security challenges, such as unauthorized humanitarian interventions (Kosovo 1999), cyber threats, and the growing influence of non-state actors, has further complicated the legitimacy landscape. Against this backdrop, the present paper seeks to critically investigate the relationship between international law and the legitimacy of global security institutions. The central research questions guiding this inquiry are: How does international law shape the legitimacy of global security institutions? What principal challenges undermine this legitimacy in practice? And what reforms are necessary to enhance the credibility and effectiveness of these institutions?

This analysis focuses on the UNSC, NATO, AU, and OSCE, employing a multidisciplinary methodology that combines legal analysis, comparative case studies, empirical data, and institutional review. Drawing on foundational legal documents, customary norms, and landmark interventions, the paper identifies key sources of institutional legitimacy, highlights persistent challenges, and proposes pathways for reform. The subsequent sections will first establish the conceptual and theoretical framework, then examine specific case studies, analyse core challenges and emergent issues, and finally offer recommendations for strengthening legitimacy in global security governance in the contemporary era.

Theoretical and Conceptual Foundations

Defining Legitimacy in Global Security Institutions

Legitimacy is a foundational concept in international relations and legal studies, especially as it pertains to global security institutions⁴. At its core, legitimacy refers to the widespread acceptance of an institution's authority and its right to exercise power. In the context of international organizations such as the United Nations Security Council (UNSC), the North Atlantic Treaty Organization (NATO), and other regional bodies, legitimacy is

¹ Thomas M. Franck, *Legitimacy in the International System*, "American Journal of International Law", Vol 82, No. 4, 1988, pp. 705–59

² Lise Morjé Howard, *UN Peacekeeping in Civil Wars*, Cambridge University Press, Cambridge, 2008, pp. 112–114

³ African Union, *The Common African Position on the Proposed Reform of the United Nations: The Ezulwini Consensus*, 2005. <https://td-sa.net/index.php/td/article/view/387/507> (12.03.2026)

⁴ Thomas M. Franck, *Op. cit.*, p. 43

essential for ensuring compliance, garnering support, and maintaining the credibility of collective security measures¹.

Scholars distinguish between several dimensions of legitimacy. Legal legitimacy derives from conformity with established rules, treaties, and legal frameworks. Moral legitimacy is rooted in the alignment of institutional actions with shared values, such as human rights and justice. Sociopolitical legitimacy encompasses the perceptions of member states, affected populations, and the broader international community². For example, survey data from the Lowy Institute and UNDP indicate that public support for UN peacekeeping in sub-Saharan Africa is closely tied to perceptions of fairness and local participation³. The interplay among these forms of legitimacy shapes the authority and effectiveness of security institutions in a dynamic and often contested global environment.

The Role of International Law in Legitimacy

International law provides the normative foundation for the existence and operation of global security institutions. The UN Charter, for instance, establishes legal parameters for collective security, the use of force, and the peaceful settlement of disputes.⁴ Compliance with such foundational legal documents is widely regarded as a precondition for institutional legitimacy. The International Court of Justice (ICJ) has also played a significant role in shaping the legal dimension of legitimacy, most notably through its 2010 Advisory Opinion on Kosovo's declaration of independence. This opinion addressed the legality of secession and contributed to ongoing debates about the scope of international law in conferring or withholding legitimacy in contested situations.

However, the relationship between international law and legitimacy is complex. While legal conformity is necessary, it is not always sufficient to guarantee widespread acceptance. For instance, actions that are technically legal but perceived as unjust or exclusionary may struggle to gain broad-based legitimacy⁵. Conversely, interventions that deviate from strict legal mandates but are widely viewed as morally necessary, such as NATO's intervention in Kosovo, may attain a form of "pragmatic legitimacy"⁶. The debate over Kosovo (1999) is frequently cited as an example where procedural legality diverged from moral legitimacy⁷.

Theoretical Approaches to Legitimacy in International Relations

Realist theorists, such as John Mearsheimer, argue that legitimacy is largely a function of power and the interests of dominant states⁸. From this perspective, institutions such as the UNSC derive their authority primarily from the consent and cooperation of major powers, rather than from legal or moral considerations. In contrast, liberal-institutionalist scholars, including Robert Keohane, emphasize the importance of rules, norms, and

¹ Allen Buchanan, Robert O. Keohane, *The Legitimacy of Global Governance Institutions*, "Ethics & International Affairs", Vol. 20, No. 4, 2006, pp. 414–418

² Alex Oliver, *2019 Lowy Institute Poll: Confidence in International Institutions*, Lowy Institute, 2019, <https://poll.lowyinstitute.org/> (12.03.2026)

³ UNDP, *Perception Survey: UN Peace Operations in Africa*, 2018, <https://erc.undp.org/evaluation/documents/download/18692> (12.03.2026)

⁴ Charter of the United Nations, 1945, Art. 24, <https://www.un.org/en/about-us/un-charter/full-text>, (12.03.2026)

⁵ Thomas M. Franck, *Op. cit.*, p. 751

⁶ Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society*, Oxford University Press, Oxford, 2000, pp. 288–289

⁷ *Idem*

⁸ John J. Mearsheimer, *The Tragedy of Great Power Politics*, W.W. Norton, New York, 2001, pp. 32–36

institutional procedures in generating legitimacy¹. According to this view, transparent decision-making, inclusivity, and adherence to established legal frameworks are essential for maintaining the authority of international organizations.

A third perspective, constructivism (e.g., Alexander Wendt), focuses on the role of shared ideas, identities, and norms in shaping the legitimacy of institutions. ²Constructivist scholars argue that legitimacy is socially constructed, contingent upon the recognition and acceptance of institutional authority by relevant actors. This helps explain why interventions like the AU's peace operations in Mali may be viewed as legitimate in African contexts even when they receive limited Western support.

Sources of Legitimacy: Legal, Procedural, and Substantive

Legal legitimacy is grounded in formal mandates conferred by treaties, charters, and customary international law. For example, the UN Charter explicitly authorizes the Security Council to take measures to maintain or restore international peace and security³. Procedural legitimacy relates to the fairness, transparency, and inclusivity of institutional decision-making processes; institutions that adhere to clear and consistent rules, provide avenues for participation, and ensure procedural justice are more likely to be perceived as legitimate⁴.

Substantive legitimacy is concerned with the outcomes of institutional actions, particularly their consistency with widely held values such as human rights, justice, and the rule of law. For instance, the Security Council's inability to protect civilians in Syria, despite legal and procedural authority, has been widely viewed as a failure of substantive legitimacy⁵.

The Relationship between Legitimacy, Effectiveness, and Authority

The legitimacy of global security institutions is closely linked to their effectiveness and authority. Institutions that are viewed as legitimate are more likely to secure compliance, attract resources, and foster cooperation among member states and stakeholders⁶. Conversely, legitimacy deficits can undermine institutional authority, hinder enforcement, and erode public trust. For example, the lack of perceived legitimacy in some UN peacekeeping missions has led to non-cooperation by local actors and even mission withdrawal⁷. There is a dynamic relationship between legitimacy and authority. While legal authority is derived from formal mandates, its practical realization depends on the perceived legitimacy of institutional actions. When institutions lose legitimacy, whether due to selective enforcement, lack of representation, or perceived injustice, their authority to act may be called into question, leading to diminished effectiveness and greater contestation.

Legitimacy is a multifaceted and contested concept within global security governance, encompassing legal, moral, and political dimensions shaped by the interplay of international law, institutional practice, and stakeholder perceptions⁸. While compliance with legal

¹ Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*, Princeton University Press, Princeton, 1984, pp. 243–246

² Alexander Wendt, *Social Theory of International Politics*, Cambridge University Press, Cambridge, 1999, pp. 35–36

³ Charter of the United Nations, Art. 39–42, <https://treaties.un.org/doc/publication/ctc/uncharter.pdf> (12.03.2026)

⁴ Anne Peters, *The Accountability of International Organizations*, “The Oxford Handbook of International Organizations”, Jacob Katz Cogan (Ed.), Oxford University Press, Oxford, 2016, pp. 1032–1035

⁵ Ian Johnstone, *The Security Council and Syria: Deadlock and Its Discontents*, “Survival” Vol. 56, No. 1, 2014, pp. 19–35

⁶ Thomas M Franck, *Op. cit.*, pp. 749

⁷ Lise Morjé Howard, *Op. cit.*, Ch. 8, pp. 220–225

⁸ Allen Buchanan, Robert O. Keohane *Op. cit.*, p. 85

mandates is necessary, it is not sufficient. The procedures by which decisions are made, the values embodied in institutional actions, and the broader context of power and representation all play critical roles in shaping legitimacy¹. As global security institutions continue to confront new and complex challenges, ranging from humanitarian crises and armed conflict to cyber threats and the rise of non-state actors, a nuanced understanding of legitimacy will be essential. Only by addressing both the legal foundations and the sociopolitical dynamics of legitimacy, and by grounding reforms in empirical realities, can these institutions maintain their authority, secure broad-based support, and effectively fulfill their mandates in the contemporary.

Sources and Architecture of Institutional Legitimacy Legal Instruments: Foundations of Legitimacy

The legitimacy of global security institutions is fundamentally grounded in international legal instruments, most notably the United Nations Charter, multilateral treaties, and customary international law. The UN Charter, for example, vests the Security Council with “primary responsibility for the maintenance of international peace and security,” providing a unique legal mandate and clear authority for collective action². This legal foundation is reinforced by other treaties, such as the North Atlantic Treaty (1949), which established NATO³ and the Constitutive Act of the African Union (2000)⁴, each of which sets explicit frameworks for security cooperation. Customary international law also plays a critical role. Principles such as the prohibition of aggression, non-intervention, and the inherent right of self-defence (as reflected in Article 51 of the UN Charter) have become embedded in customary law, shaping expectations for both institutional conduct and member state compliance⁵.

Critical Perspective

Scholars from the Global South have frequently argued that postcolonial legal structures continue to marginalize regional organizations in decision-making and crisis response⁶. For instance, Siba Grovogui highlights how the slow and insufficient global response to the Rwandan genocide exposed the limitations of a system where African agency was systematically sidelined⁷. The Ezulwini Consensus, adopted by the African Union in 2005, further illustrates these concerns by demanding stronger African representation and authority within global security institutions⁸.

Procedural Legitimacy: Decision-Making Processes. Beyond legal mandates, the legitimacy of security institutions depends on the fairness, transparency, and inclusivity of

¹ Siba N’Zatioula Grovogui, *Regimes of Sovereignty: International Morality and the African Condition*, University of Chicago Press, Chicago, 1996, pp. 137–145

² Charter of the United Nations, 24 October 1945, 1 U.N.T.S. XVI, art. 24, <https://treaties.un.org/doc/publication/ctc/uncharter.pdf> (12.03.2026)

³ North Atlantic Treaty, 4 April 1949, 34 U.N.T.S. 243, <https://www.nato.int/en/about-us/official-texts-and-resources/official-texts/1949/04/04/the-north-atlantic-treaty> (12.03.2026)

⁴ Constitutive Act of the African Union, 11 July 2000, OAU Doc. CAB/LEG/23.15, <https://hrlibrary.umn.edu/africa/auconst-act2001.html> (12.03.2026)

⁵ Charter of the United Nations, art. 51, <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>, (12.03.2026); Ian Brownlie, *Principles of Public International Law*, 8th Ed, Oxford University Press, Oxford, 2012, pp. 732-733

⁶ Siba N’Zatioula Grovogui, *Op. cit.*, pp. 120–145

⁷ *Ibidem*, pp. 137–138

their decision-making processes. Procedural legitimacy is achieved when rules are applied consistently, when decisions are made through participatory and representative mechanisms, and when affected parties are given meaningful opportunities for input.¹ The United Nations Security Council's voting system, for example, requires the concurrence of all five permanent members (the "P5") for substantive decisions. While this structure reflects the political realities of the post-World War II era, it has been widely criticized for enabling paralysis and selective action through the veto, as seen in the repeated blockage of resolutions on Syria². The Security Council's inaction in the face of mass atrocities, despite overwhelming international consensus, has led to accusations of procedural injustice and eroded legitimacy in the eyes of many member states and civil society actors³.

By contrast, the OSCE's consensus-based approach, where all participating states must agree on major decisions, embodies a different procedural model. This fosters inclusivity and equal standing but can also result in gridlock, as any single state can block action⁴. Empirical research suggests that regional organizations with more transparent and participatory decision-making structures, such as the African Union Peace and Security Council, are often viewed as more legitimate by their stakeholders⁵.

Substantive Legitimacy. Alignment with Global Values Substantive legitimacy is measured by the degree to which institutional actions align with widely shared global values, especially human rights, justice, the rule of law, and the protection of civilians⁶. For example, the UNSC's authorization of collective action in Libya in 2011 (Resolution 1973) was widely regarded as legitimate because it aimed to prevent mass atrocities, in line with the emerging Responsibility to Protect (R2P) norm⁷. However, when the intervention shifted toward regime change without clear post-conflict planning, critics argued that this undermined both the legitimacy of the action and the credibility of the Security Council⁸. Conversely, the Council's inability to intervene effectively in cases like Syria, due to repeated vetoes, has been interpreted as a failure of substantive legitimacy, as the institution appeared unable to fulfil its own stated principles of civilian protection and conflict resolution⁹. This disconnects between legal/procedural authority and substantive outcomes highlights the importance of aligning actions with global values.

Synthesis: The Architecture of Legitimacy. The legitimacy of global security institutions emerges from a dynamic interplay of legal, procedural, and substantive elements. Legal instruments provide formal authority and structure; procedural mechanisms ensure fairness, transparency, and representation; and substantive outcomes determine whether

¹ Anne Peters, *Op. cit.*, pp. 1026–1047

² Security Council Report, "Security Council Vetoes," https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/veto_table.pdf (12.03.2026)

³ Ian Johnstone, *Op. cit.*, pp. 19–23

⁴ OSCE, "Consensus and the OSCE," <https://www.osce.org/consensus> (12.03.2026)

⁵ Tim Murithi, *The African Union's Evolving Role in Peace Operations: The African Standby Force and Beyond*, "African Security Review", Vol. 17, No. 1, 2008, pp. 71–82, <https://www.files.ethz.ch/isn/101652/FULL.pdf> (12.03.2026)

⁶ Allen Buchanan, Robert O. Keohane, *Op. cit.*, pp. 405–37

⁷ United Nations Security Council Resolution 1973 (2011), <https://unscr.com/en/resolutions/1973/>, (12.03.2026)

⁸ Aidan Hehir, *The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect*, "International Security", Vol 38, No. 1, 2013, pp. 137–159

⁹ Ian Johnstone, *Op. cit.*, pp. 20–27

institutional actions are consistent with the evolving expectations and values of the international community¹. See Figure 1 below.

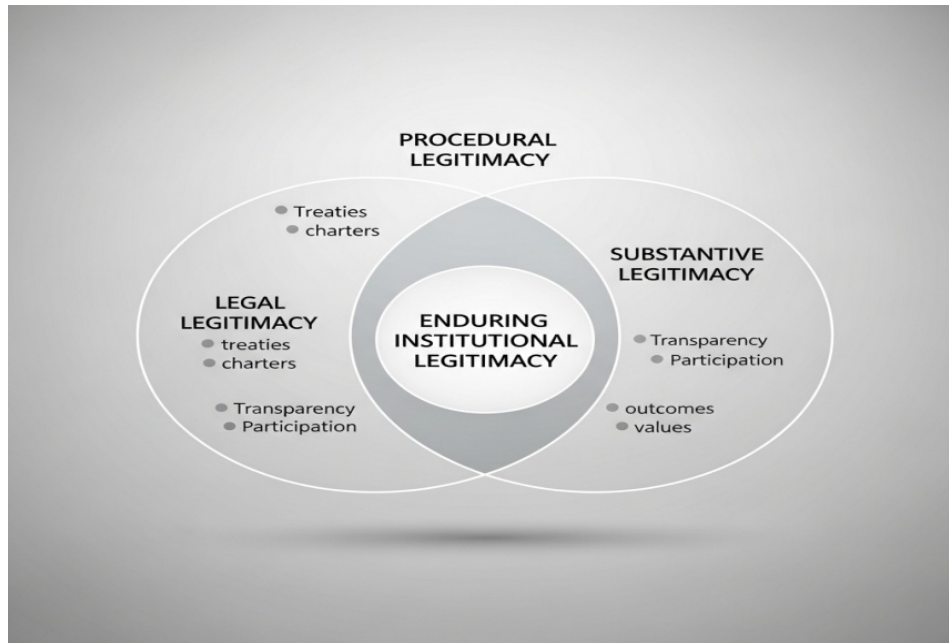


Figure 1. Procedural legitimacy²

No single dimension is sufficient on its own; rather, enduring legitimacy depends on the integration and balance of all three. Recent scholarship increasingly emphasizes the need for reforms that address representation, procedural fairness, and real-world outcomes to strengthen the legitimacy and effectiveness of global security governance³.

¹ Allen Buchanan, Robert O. Keohane, *Op Cit.*, pp. 422–423

² Author's research

³ Anne Orford, *International Authority and the Responsibility to Protect, Cambridge Studies in International and Comparative Law*, Cambridge University Press, Cambridge, 2011, p. 67

Case Studies: Practice, Precedent, and Perception

Empirical case studies offer critical insight into how international law interacts with institutional legitimacy in real-world security crises. By examining landmark interventions, we can assess how legal, procedural, and substantive elements of legitimacy are constructed, challenged, or eroded in practice.

Case Selection Criteria: The case studies of Kosovo (1999), Libya (2011), and Syria (2011–present) were selected based on their status as landmark interventions that exemplify the complex interplay between legal mandates, procedural processes, and substantive outcomes in global security governance. Each case presents a distinct set of legitimacy challenges, from humanitarian intervention without Security Council authorization (Kosovo), to legally authorize but controversial outcomes (Libya), to procedural paralysis and selective enforcement (Syria). These examples thus provide a comprehensive basis for analysing the varying dimensions of legitimacy across different legal and political contexts.

Kosovo (1999): Humanitarian Imperative versus Legal Authority

In 1999, NATO launched an aerial campaign against the Federal Republic of Yugoslavia in response to mounting humanitarian abuses in Kosovo. Legally, the intervention was controversial: the UN Security Council did not authorize the use of force, as Russia and China threatened to veto any enabling resolution.¹ Thus, the campaign lacked explicit legal sanction under the UN Charter, which generally prohibits the use of force except in self-defence or with Security Council approval.

NATO justified its action on humanitarian grounds, arguing the need to prevent ethnic cleansing and mass atrocities. While many Western states and human rights organizations defended the operation as morally legitimate and consistent with emerging norms such as the Responsibility to Protect (R2P), others, including Russia, China, and numerous Global South states, condemned it as a violation of state sovereignty and a dangerous precedent for unilateral intervention². Academic debate crystallized around the concept of “illegal but legitimate” action: while the intervention contravened strict legal procedures, it was widely seen as morally necessary³. This divergence between legal and moral legitimacy highlights the complex reality that compliance with international law may not always align with broader perceptions of justice or necessity. The Kosovo case continues to influence debates on the limits of legal authority and the scope of humanitarian intervention.

The ICJ’s Advisory Opinion (2010) on Kosovo’s declaration further influenced international perceptions of the legal legitimacy of intervention and self-determination, reinforcing the complexity of aligning procedural legality with broader principles of justice and legitimacy.

Libya (2011): Authorized Intervention and Its Aftermath

The 2011 international intervention in Libya was, at least initially, a textbook example of legal legitimacy. The Security Council, invoking Chapter VII of the UN Charter, passed Resolution 1973, authorizing member states to take “all necessary measures” to protect civilians facing imminent threat from the Gaddafi regime⁴. This explicit legal mandate garnered broad, though not universal, support, including from the Arab League and African Union.

¹ Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society*, Oxford University Press, Oxford, 2000, pp. 257–59

² *Ibidem*, pp. 289–91

³ *Ibidem*, p. 293

⁴ Alex J. Bellamy, Paul D. Williams, *The New Politics of Protection? Côte d’Ivoire, Libya and the Responsibility to Protect*, “International Affairs”, Vol. 87, No. 4, 2011, pp. 827–29

However, as NATO operations progressed, the mission expanded from civilian protection to regime change, raising questions about “mandate creep.” Critics, especially from the Global South and some European states, argued that the coalition had overstepped its legal authority and undermined the principle of limited intervention¹. The aftermath of the intervention, marked by state collapse, civil conflict, and regional instability, further complicated assessments of legitimacy.² While the operation initially enjoyed legal and procedural legitimacy, the negative substantive outcomes led to widespread reassessment.

Libya demonstrates that Security Council authorization, while vital for legal legitimacy, is not alone sufficient. Substantive legitimacy, measured by consistency with humanitarian objectives and long-term stability, remains essential for the enduring credibility of security interventions.

Syria (2011–Present): Paralysis, Double Standards, and Legitimacy Erosion

The ongoing conflict in Syria offers a stark contrast. Despite extensive evidence of mass atrocities and repeated calls for action, the Security Council has been paralyzed by the vetoes of Russia and China, blocking collective intervention³. This procedural deadlock, in the face of grave human rights violations, has severely damaged the Council’s legitimacy and credibility⁴.

Some states have pursued unilateral or coalition-based actions, such as airstrikes against ISIS, arguing a moral imperative to act where formal mechanisms fail. However, these efforts have been contested both legally and politically, with some critics arguing that bypassing the Council further undermines global norms and risks deepening great-power rivalries⁵. Civil society voices, regional organizations, and affected populations have repeatedly criticized the Security Council’s inaction as emblematic of selective enforcement and major-power dominance. Public opinion surveys in the Middle East and North Africa indicate widespread disillusionment with the legitimacy of global security institutions in the wake of the Syrian crisis.

Comparative Insights

Taken together, these case studies underscore the complex and context-dependent nature of institutional legitimacy in global security governance. Kosovo demonstrates how moral necessity may sometimes override strict legal procedures, while Libya illustrates that even fully authorized interventions can lose legitimacy due to outcome divergence or mandate abuse. Syria, by contrast, exposes the dangers of procedural paralysis and selective enforcement, showing that institutional inaction can be as damaging to legitimacy as controversial intervention. For a visual summary of these main comparative insights, including the legal, procedural, and substantive dimensions of legitimacy, as well as their real-world outcomes, see Table 1 below. This table distils the core lessons from each case, highlighting the dynamic interplay between law, process, and perception in shaping the legitimacy of global security interventions.

¹ *Ibidem*, pp. 836–39

² *Ibidem*, pp. 845–48

³ Security Council Report, *Security Council Vetoes*, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/veto_table.pdf, (12.03.2026)

⁴ Ian Johnstone, *Op. Cit.*, pp. 23–25

⁵ *Ibidem*, pp. 26–27

Case	Legal Basis	Procedural Legitimacy	Substantive Legitimacy	Outcome/Perception	Key References
Kosovo (1999)	No UNSC authorization; intervention justified on humanitarian grounds; considered “illegal but legitimate” by some	UNSC bypassed due to anticipated vetoes; NATO acted without collective Security Council mandate	Seen as morally necessary by many Western states and NGOs; condemned by Russia, China, and many Global South states	Sparked enduring debate over “illegal but legitimate” interventions; set precedent for humanitarian intervention without UNSC approval	Wheeler 2000, Ch. 9; Franck 1988, pp. 706–707
Libya (2011)	Explicit UNSC authorization (Res. 1973) under Chapter VII; clear legal mandate for civilian protection	Initial broad procedural legitimacy; operation later criticized for “mandate creep” beyond civilian protection	Initial support for R2P; legitimacy eroded as mission shifted to regime change and post-conflict instability emerged	State collapse, civil conflict, and regional instability; legitimacy questioned post-intervention	Bellamy & Williams 2011, pp. 827–29, pp. 845–48; Hehir 2013, pp. 137–159
Syria (2011–Present)	No collective authorization for intervention; repeated UNSC vetoes blocked action	Severe procedural paralysis; P5 vetoes (esp. Russia, China) prevented coordinated response	Widespread perception of institutional failure to uphold humanitarian norms and protect civilians	Legitimacy of UNSC severely damaged; deepened disillusionment in MENA; selective enforcement and erosion of credibility	Johnstone 2014, pp. 23–27; Security Council Report 2024; Oliver 2019, pp. 11–13

Table 1. Comparative Analysis of Kosovo (1999), Libya (2011), and Syria (2011–Present)¹

Structural and Political Challenges to Legitimacy

While legal frameworks and procedural mechanisms are essential for establishing the authority of global security institutions, a range of structural and political challenges continue to undermine their legitimacy in practice. These challenges are most acutely observed in the context of power asymmetries, deficits in representation, selective enforcement, and the exclusion of affected populations from decision-making processes.

Power Asymmetries: The Security Council Veto and Major-Power Privilege

The United Nations Security Council (UNSC) exemplifies the enduring relevance of power politics in global security governance. The veto power held by the five permanent members (P5), the United States, the United Kingdom, France, Russia, and China, was initially designed to secure the participation of the major victors of World War II and prevent unilateral action against their interests.² However, in the contemporary era, the veto is widely criticized as an instrument that enables major-power privilege and selective inaction, often at the expense of collective security and humanitarian imperatives. Empirical data shows that since 2011, Russia and China have exercised their veto on over a dozen draft resolutions pertaining to Syria alone, frequently blocking even humanitarian access.³ This persistent use of the veto has triggered widespread frustration among other member states and civil society,

¹ Author` research

² Ian Hurd, *Op. cit.*, pp. 25–49

³ Security Council Report, *Security Council Vetoes*, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/veto_table.pdf (15.03.2026)

who argue that it has led to paralysis in the face of mass atrocities and undermined the credibility and legitimacy of the Security Council¹.

Representation and Inclusivity: The Global South and Marginalized Voices

A second major challenge relates to the composition and representativeness of global security institutions. The current structure of the UNSC, with no permanent members from Africa, Latin America, or the Middle East, reflects the geopolitical realities of 1945 rather than the diversity of the contemporary international system. The African Union and the Group of Four (G4) nations (Germany, Brazil, India, Japan) have long advocated for reforms to address these imbalances, as captured in the Ezulwini Consensus and numerous UN General Assembly debates². The lack of equitable representation not only weakens procedural legitimacy but also diminishes the substantive legitimacy of decisions, as affected regions and populations frequently feel excluded from processes that fundamentally impact their security and sovereignty³. Research shows that when regional organizations like the African Union or ASEAN are given meaningful roles in peace operations, local buy-in and mission effectiveness tend to increase⁴. Selective Enforcement and Double Standards - selective enforcement of international norms and resolutions is another persistent source of legitimacy erosion. Critics argue that the application of Security Council mandates and international law is often shaped by the interests of powerful states rather than by principled consistency⁵. For instance, the swift authorization of intervention in Libya, 2011, contrasted sharply with the lack of action in Syria or Yemen, despite similar harms to civilians⁶.

This perceived double standard has led to accusations of hypocrisy, particularly from states in the Global South and from non-state actors. It also fuels scepticism about the universality of the international legal order and undermines the willingness of states to cooperate with institutions they perceive as politicized or biased⁷. Affected Populations and Civil Society - a final structural challenge is the limited participation of affected populations and civil society organizations in decision-making processes. Although the Security Council and other bodies occasionally consult with NGOs or representatives of local communities, most deliberations remain dominated by state actors, particularly the P5 and other powerful states⁸. This exclusion weakens both the legitimacy and effectiveness of security interventions. Studies of peacekeeping and post-conflict reconstruction highlight the importance of local ownership, transparency, and inclusive processes for building trust and sustaining peace. ⁹Affected populations are more likely to perceive interventions as legitimate, and to cooperate with them, when their voices are meaningfully included. Emergent Challenges in Legitimacy Discourse As the security landscape evolves, global security institutions face a series of new and intensified challenges that further complicate

¹ Ian Johnstone, *Op. cit.*, pp. 19–35

² Sebastian von Einsiedel et al., *The UN Security Council in an Age of Great Power Rivalry*, United Nations University Centre for Policy Research, 2023

³ Siba N'Zatioula Grovogui, *Op.cit.*, pp. 137–45

⁴ Tim, Murithi, *The African Union's Evolving Role in Peace Operations*, "African Security Review", Vol. 17, No. 1, 2008, pp. 71–82

⁵ Anne Orford, *International Authority and the Responsibility to Protect*, *Cambridge Studies in International and Comparative Law*, Cambridge University Press, Cambridge, 2011, pp. 201–218

⁶ Aidan Hehir, *The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect*, "International Security Journal", Vol. 38, No. 1, 2013, pp. 137–59

⁷ Buchanan and Keohane, *Op. cit.*, pp. 405–37

⁸ Jan Wouters; Jonas Wouters. *Civil Society Participation in Global Governance: The Cases of the United Nations and the European Union*, "Global Policy", Vol. 6, No. 2, 2015, pp. 148–57

⁹ Lise Morjé Howad, *Op. cit.*, Ch. 8.

their legitimacy. These emergent issues stem from shifting patterns of conflict, technological innovation, changing power dynamics, and the rise of new actors and norms.

Humanitarian Intervention and the Evolution of the Responsibility to Protect (R2P)

The emergence of the Responsibility to Protect (R2P) norm has both enriched and complicated debates over legitimacy. Traditionally, the use of force in international law was strictly limited by the principles of state sovereignty and non-intervention, as enshrined in Article 2(4) of the UN Charter.¹ However, failures to prevent atrocities in Rwanda (1994) and Srebrenica (1995) galvanized calls for a more proactive international response. R2P, endorsed at the 2005 World Summit, redefined sovereignty to include a responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.² While R2P has provided a normative framework for humanitarian intervention, its implementation has been inconsistent and highly contested. The intervention in Libya (2011) was initially hailed as a successful application of R2P, but subsequent regime collapse and civil conflict led to criticisms of overreach and concerns that humanitarian justifications could be misused for political goals.³ Conversely, in Syria, despite widespread atrocities, the Security Council's deadlock has demonstrated the limits of R2P in the face of major-power rivalry and procedural vetoes⁴. These cases reinforce the tension between respecting state sovereignty and fulfilling moral/legal obligations to protect civilians, raising difficult questions regarding when and how legitimacy is established or lost in practice.

Cybersecurity, Information Warfare, and Legal Gaps The digital revolution has resulted in new forms of conflict that challenge traditional models of legitimacy and international law. Cyberattacks, disinformation campaigns, and "hybrid" warfare are increasingly used by both state and non-state actors to undermine national security, disrupt critical infrastructure, and influence political processes⁵. Existing legal frameworks, developed for an analog era, often lack the specificity and enforcement mechanisms necessary to address cyber threats. For instance, there is currently no comprehensive international treaty governing state behaviour in cyberspace, and attribution for cyberattacks remains technically and politically challenging⁶. Recent developments, including the United Nations Open-Ended Working Group (OEWG) process on cybersecurity (2024–2025), have sought to update and clarify norms and cooperative mechanisms for state behaviour in cyberspace. These efforts reflect the evolving landscape of cyber governance and the necessity for global institutions to remain current and responsive to technological change⁷. Global South states and civil society organizations have argued that cyber governance must account for digital divides and technological inequalities, fearing that current norm-setting is

¹ Charter of the United Nations, *Op. cit.*, Art. 2(4)

² United Nations, "2005 World Summit Outcome," A/RES/60/1, https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ARES60_1.pdf (24.04.2026)

³ Alex J. Bellamy, *Libya and the Responsibility to Protect: The Exception and the Norm*, "Ethics & International Affairs", Vol. 25, No. 3, 2011, pp. 263–269

⁴ Ian Johnstone, *Op. cit.*, pp 19–35

⁵ Michael N. Schmitt, (Ed.), *Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations*, Cambridge University Press, Cambridge, 2017, p. 34

⁶ *Ibidem*, pp. 12-18

⁷ United Nations, *Open-ended Working Group on Developments in the Field of Information and Telecommunications in the Context of International Security*, A/AC.290/2021/CRP.2, <https://database.cyberpolicyportal.org/en/entity/qvze094daaf/relationships?file=1676530797055mtym3o7f32d.pdf&page=7> (15.03.2026)

dominated by a handful of technologically advanced actors¹. As cyber threats escalate, the inability of traditional institutions to adapt may further erode their legitimacy and relevance.

The Proliferation of Non-State Actors

Non-state actors, including international NGOs, private military companies, terrorist groups, and transnational corporations, play increasingly influential roles in conflict and security governance.² While NGOs have often enhanced legitimacy by advocating for affected populations and holding institutions accountable, the involvement of private actors in combat, security provision, and even norm-setting creates new challenges for transparency and accountability.³ For example, the use of private military contractors in Iraq and Ukraine has raised concerns about legal responsibility, while the activities of transnational advocacy networks have strengthened the influence of civil society in shaping global norms⁴. However, the rise of violent non-state actors, such as terrorist organizations, raises complex questions about engagement, legitimacy, and the extension of international legal protections.

As the boundaries of legitimate authority become more diffuse, institutions must develop new frameworks for recognizing, regulating, and collaborating with diverse actors, while avoiding the pitfalls of fragmentation and inconsistent accountability.

Multipolarity, Shifting Alliances, and Norm Contestation

The increasing multipolarity of the international system, marked by the resurgence of China, India, and other regional powers, as well as shifting alliances, has contributed to the contestation of existing global norms and the authority of traditional institutions.⁵ Competing visions for international order, for example, the “democratic peace” promoted by Western states versus the “sovereignty-first” approach favoured by some Global South and authoritarian regimes, have resulted in fragmented approaches to legitimacy.

Regional organizations (such as the Shanghai Cooperation Organization or African Union) sometimes offer alternative models for security governance, challenging the perceived universality of UN norms and procedures⁶. This pluralization of authority can either supplement global institutions by providing context-specific legitimacy or further undermine collective action by fuelling norm competition and institutional rivalry.

Institutional Reform and the Future of Legitimacy

The persistent challenges and emergent threats facing global security institutions have spurred calls for comprehensive reform. Scholars, practitioners, and affected populations increasingly argue that only by adapting their structures, processes, and mandates can institutions like the United Nations Security Council (UNSC), NATO, and regional organizations restore and sustain their legitimacy in a rapidly changing world.

Reforming Representation, the Veto, and Inclusivity. One of the most enduring critiques of the UNSC and comparable bodies is their outdated structure and lack of equitable representation. Despite a dramatic increase in UN membership since 1945 and the rise of new global powers, the Council’s permanent membership remains static, with no seats for Africa,

¹ Elonnai Hickok, *Digital Sovereignty in the Global South: Norms, Challenges, and Opportunities*, Carnegie Endowment for International Peace, 2022, <https://carnegieendowment.org/people/elonnai-hickok> (15.03.2026)

² Jan Wouters, Jonas Wouters, *Civil Society Participation in Global Governance: The Cases of the United Nations and the European Union*, “Global Policy”, Vol. 6, No. 2, 2015, pp. 148-57

³ Deborah Avant, Oliver Westerwinter, (Eds.), *The New Power Politics: Networks and Transnational Security Governance*, Oxford University Press, Oxford, 2016, pp. 99-122

⁴ Sarah Percy, *Mercenaries: The History of a Norm in International Relations*, Oxford University Press, Oxford, 2007, p.167

⁵ Sebastian von Einsiedel et al, *Op. cit.*, p. 87

⁶ Siba N’Zatioula Grovogui, *Regimes of Sovereignty: International Morality and the African Condition*, University of Chicago Press, 1996, pp. 150-173

Latin America, or the Middle East. The African Union's Ezulwini Consensus and repeated calls from the G4 nations (Germany, Brazil, India, Japan) exemplify the push for expanded membership and regional balance¹. The veto power is another focal point for reform debates. Critics contend that the P5's ability to block substantive action perpetuates major-power privilege and undermines collective responsibility². Proposals such as the French-Mexican initiative to voluntarily suspend the veto in cases of mass atrocity crimes, or the Accountability, Coherence and Transparency (ACT) Group's "Code of Conduct," seek to limit the most egregious abuses of this privilege³.

Beyond the Security Council, calls for inclusivity extend to regional organizations and affected populations. Empirical research demonstrates that peace operations and interventions designed in partnership with regional bodies and local stakeholders are more likely to secure buy-in and achieve sustainable outcomes⁴.

Strengthening Legal Oversight and Accountability

Legitimacy also depends on credible legal oversight and robust accountability mechanisms. International judicial bodies, such as the International Court of Justice (ICJ) and the International Criminal Court (ICC), play an important but often underutilized role in reviewing the legality of institutional actions and providing redress for violations⁵.

Some scholars propose expanding the ICJ's advisory jurisdiction to include questions of Security Council legality, or establishing independent review panels to assess compliance with international humanitarian and human rights law⁶. Within organizations, strengthening internal oversight offices and whistleblower protections, such as the United Nations' Office of Internal Oversight Services (OIOS), can improve transparency and responsiveness⁷.

Accountability is also enhanced by fostering a culture of learning from past failures, including external evaluations of peace operations, commissions of inquiry, and public reporting on lessons learned⁸.

Engaging Civil Society and Non-State Actors

Civil society organizations (CSOs), advocacy networks, and affected populations are increasingly recognized as vital contributors to institutional legitimacy. Formalizing consultative mechanisms, such as observer status, structured dialogue, and public hearings, helps ensure that diverse voices inform decision-making and hold institutions accountable⁹. For example, the annual Arria-formula meetings of the Security Council invite non-governmental experts and local actors to provide perspectives on pressing security issues, albeit outside formal deliberations¹⁰. Expanding and institutionalizing these avenues can bridge the legitimacy gap between high-level decision-makers and those most affected by their choices.

¹ Sebastian von Einsiedel et al, *Op. Cit.*, p. 88

² Ian Hurd, *Op. cit.*, pp. 66-71

³ Security Council Report, *Security Council Vetoes*, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/veto_table.pdf (15.03.2026)

⁴ Tim Murithi, *Op. cit.*, pp. 71-82

⁵ Laurence Boisson de Chazournes, *The International Court of Justice and the Security Council: Disentangling Themis from Ares*, *Columbia Journal of Transnational Law*, Vol. 43, No. 3, 2005, pp. 529-556

⁶ Anne Peters, *Op. cit.*, pp. 1026-47

⁷ United Nations, *Office of Internal Oversight Services (OIOS)*, <https://oios.un.org> (15.03.2026)

⁸ Lise Morjé Howard, *Op. cit.*, Ch. 8

⁹ Jan Wouters and Jonas Wouters, *Op. cit.*, pp.148-57

¹⁰ Security Council Report, *Arria-Formula Meetings*, <https://www.securitycouncilreport.org/un-security-council-working-methods/arrria-formula-meetings.php> (15.03.2026)

Adapting to Digital Governance and Hybrid Threats

As digital technology transforms the nature of security threats, institutions must innovate to remain relevant and legitimate. Policy adaptation may include developing specialized cyber units, updating mandates to address information warfare, and collaborating with multistakeholder initiatives such as the Global Commission on the Stability of Cyberspace¹.

Global South states and civil society actors have called for more inclusive norm-setting in cyberspace governance, warning against the domination of digital rules by a small group of technologically advanced states². Responsive institutions must therefore balance agility with broad-based participation and transparency in shaping new regulatory frameworks. Ultimately, reforms must address both the structural and substantive roots of legitimacy deficits. This includes not only expanding representation and curbing unchecked power but also ensuring that institutions are responsive to the needs, values, and voices of a diverse and interconnected world.³ The future of global security governance depends on principled adaptation, innovative practice, and the consistent pursuit of justice and accountability.

Discussions

Synthesis of Findings: Integrating Law, Practice, and Perception

The preceding analysis demonstrates that the legitimacy of global security institutions is not a static or one-dimensional attribute, but an evolving construct shaped by legal mandates, procedural arrangements, substantive outcomes, and shifting global norms. While international law provides the foundational authority for bodies such as the United Nations Security Council (UNSC), legal compliance alone has proven insufficient for sustaining legitimacy—especially in cases where procedural fairness or meaningful representation is lacking, or where outcomes diverge from humanitarian and justice-based ideals⁴.

Empirical case studies of Kosovo, Libya, and Syria underscore the tension between legality and legitimacy, revealing that both action and inaction can undermine institutional credibility. Kosovo exposed the challenge of balancing moral urgency against formal legal constraints; Libya illustrated the risks of “mandate creep” and the importance of post-intervention accountability; and Syria highlighted the damaging effects of paralysis and selective enforcement rooted in major-power rivalries⁵. Survey data and public opinion research further show that legitimacy is often context-dependent and shaped by the perceptions and participation of affected populations, not just by states or legal experts⁶.

Theoretical Implications: Rethinking Legitimacy and Authority

These findings reinforce the need for a multidimensional, dynamic understanding of legitimacy in international relations. Realist, liberal-institutionalist, and constructivist perspectives each capture important facets of the legitimacy puzzle, but none is sufficient alone.⁷ The interplay between power and procedure, between legal authorization and moral

¹ Global Commission on the Stability of Cyberspace, *Members and Partners*, <https://cyberstability.org/members/> (15.03.2026)

² Elonnai Hickok, *Digital Sovereignty in the Global South: Norms, Challenges, and Opportunities*, Carnegie Endowment for International Peace, 2022, <https://carnegieendowment.org/people/elonnai-hickok> (15.03.2026)

³ Allen Buchanan, Robert O. Keohane, *Op. cit.*, pp. 405–37

⁴ Thomas M. Franck, *Op. cit.*, pp. 706–707

⁵ Nicholas J. Wheeler, *Op. Cit.*, pp. 283–325; Ian Johnstone, *Op. cit.*, pp. 23–27

⁶ Alex Oliver, *Op. cit.*, pp. 7–9

⁷ Robert O. Keohane, *Op. cit.*, Ch. 6

justification, and between global norms and local perceptions, all shape how legitimacy is constructed, challenged, and re-negotiated over time.¹

As the international system becomes more multipolar and complex, the boundaries of legitimate authority are increasingly contested, not only between states, but also among regional organizations, non-state actors, and civil society groups². The growing importance of cybersecurity, humanitarian intervention, and the digital public sphere further complicates the normative landscape, demanding new frameworks for legal and political accountability.

Practical and Normative Implications: Reform, Accountability, and Participation

The practical implications of these findings are clear: for global security institutions to retain legitimacy and effectiveness, they must pursue reforms that address structural imbalances, procedural deficits, and substantive outcomes. This includes expanding representation within decision-making bodies, limiting or reforming the use of the veto, enhancing legal oversight and accountability mechanisms, and creating structured avenues for the participation of affected populations and civil society. Institutions must also invest in learning from past failures, embracing transparency, and adapting to new threats such as cyber conflict and hybrid warfare. The pursuit of legitimacy in this context is not a one-time achievement but a continuous process that requires responsiveness, innovation, and principled engagement³.

Scholarly Contribution: Advancing Debates and Future Research

This paper contributes to the scholarly debate by offering a holistic, comparative analysis of legitimacy in global security governance, bridging legal, political, and sociological perspectives. It challenges reductionist accounts that equate legitimacy with legality or state consent, and instead foregrounds the importance of outcomes, inclusivity, and accountability⁴. Future research should further explore how institutional reforms are implemented in practice, how digital and regional actors shape evolving legitimacy norms, and how legitimacy is perceived and enacted by populations most affected by security interventions. Comparative studies of successful and failed reform initiatives, as well as empirical research on public participation and trust, will be essential for advancing understanding and improving practice.

Conclusions

This paper has critically examined the relationship between international law and the legitimacy of global security institutions, with a particular focus on the United Nations Security Council, NATO, the African Union, and the Organization for Security and Co-operation in Europe. The analysis has demonstrated that legitimacy is not merely a function of legal authority, but rather a multidimensional construct shaped by legal frameworks, procedural fairness, substantive outcomes, and the perceptions of states and affected populations.

Empirical case studies of Kosovo, Libya, and Syria reveal the complex ways in which legality, morality, and politics interact to shape institutional legitimacy. While legal mandates, such as those provided by the UN Charter, are vital for conferring authority, they are not sufficient in the absence of inclusive decision-making, equitable representation, and a

¹ Allen Buchanan, Robert O. Keohane, *Op.cit.*, pp. 411–412

² Sebastian von Einsiedel et al., *Op. cit.*, pp. 5–10

³ Lise Morjé Howard, *Op.Cit.*, Ch. 8, pp. 199–225

⁴ Siba N'Zatioula Grovogui, *Op. cit.*, Ch. 2, pp. 47–70

clear alignment with global values like human rights and justice. Cases of both intervention and inaction highlight the dangers of selective enforcement, power asymmetries, and the exclusion of marginalized voices.

The paper has further argued that new and evolving challenges, such as cyber threats, the proliferation of non-state actors, and growing multipolarity, demand adaptive reforms. These include expanding representation within the Security Council and other bodies, limiting or making the veto more accountable, strengthening legal oversight, and institutionalizing the participation of civil society and affected populations. Only by embracing such reforms can global security institutions retain the legitimacy necessary to secure cooperation, enforce mandates, and contribute meaningfully to international peace and stability. For policymakers and institutional leaders, the findings underscore the urgency of principled adaptation, rooted in both legal tradition and democratic innovation. For scholars, the study advances a holistic framework for understanding legitimacy not as a static attribute, but as an ongoing process of negotiation between law, power, and normative aspiration.

Looking forward, future research should assess the impact of recent and proposed reforms, the role of digital governance and artificial intelligence in security decision-making, and the lived experiences of communities affected by international interventions. As the global order continues to evolve, the legitimacy of security institutions will remain central not only to their effectiveness but to the wider pursuit of a just and sustainable international system.

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