



БЕЛОРУССКИЙ
ГОСУДАРСТВЕННЫЙ
УНИВЕРСИТЕТ

ЖУРНАЛ
БЕЛОРУССКОГО ГОСУДАРСТВЕННОГО УНИВЕРСИТЕТА

МЕЖДУНАРОДНЫЕ ОТНОШЕНИЯ

JOURNAL
OF THE BELARUSIAN STATE UNIVERSITY

INTERNATIONAL RELATIONS

Издается с 2017 г.
Выходит один раз в полугодие

1

2026

МИНСК
БГУ

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INTERNATIONAL RELATIONS

UDC 327(510+6)

CHINA'S ENGAGEMENT IN GLOBAL HEALTH GOVERNANCE THROUGH COOPERATION WITH AFRICAN STATES

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Abstract. The article examines how Chinese health policy has evolved in the context of global governance by focusing on its cooperation with African states. It analyses the historical development of the China's health assistance, the evolution of China – Africa cooperation under the Forum on China – Africa cooperation, the Belt and road initiative, and the concept of the health silk road. The article focuses in particular on the political and institutional dimensions of China's participation in global health governance, including its engagement with the World Health Organisation and regional bodies, especially the African Union. It also reviews the main forms of health cooperation: the deployment of medical teams, the construction and upgrading of health infrastructure, infectious disease control, and support for pharmaceutical production. China's model of health cooperation combines pragmatic foreign policy interests with a discourse of global solidarity and sustainable development. The article concludes that China is expanding health cooperation with African states through multiple frameworks while presenting this engagement as part of its commitment to multilateral cooperation and the achievement of the Sustainable development goals.

Keywords: China; Africa; African Union; Forum on China – Africa cooperation; Belt and road initiative; health silk road; Agenda-2063; World Health Organisation; global health; sustainable development; security; global health governance.

Образец цитирования:

Рубо ОП. Участие Китая в глобальном управлении здравоохранением в контексте сотрудничества со странами Африки. *Журнал Белорусского государственного университета. Международные отношения*. 2026;1:3–9 (на англ.). EDN: KDAKIU

For citation:

Rubo OP. China's engagement in global health governance through cooperation with African states. *Journal of the Belarusian State University. International Relations*. 2026;1:3–9. EDN: KDAKIU

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УЧАСТИЕ КИТАЯ В ГЛОБАЛЬНОМ УПРАВЛЕНИИ ЗДРАВООХРАНЕНИЕМ В КОНТЕКСТЕ СОТРУДНИЧЕСТВА СО СТРАНАМИ АФРИКИ

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Аннотация. Рассматривается эволюция политики Китая в сфере здравоохранения в контексте глобального управления через призму сотрудничества со странами Африки. Анализ охватывает историческое развитие медицинской помощи в Китае, изменение взаимодействия со странами Африки в рамках Форума китайско-африканского сотрудничества, инициативы «Один пояс, один путь» и концепции шелкового пути здоровья. Особое внимание уделяется политическим и институциональным аспектам участия Китая в глобальном здравоохранении, а также работе с Всемирной организацией здравоохранения и региональными структурами, в частности Африканским союзом. Выделяются основные направления медицинского взаимодействия, включая создание медицинских бригад, развитие инфраструктуры здравоохранения, борьбу с инфекционными заболеваниями и поддержку фармацевтического производства. Китайская модель развития сотрудничества в рассматриваемой сфере отражает как прагматические внешнеполитические интересы, так и риторику глобальной солидарности и устойчивого развития. Делается вывод о том, что Китай активно расширяет сотрудничество со странами Африки в сфере здравоохранения в различных форматах и демонстрирует свою приверженность многостороннему подходу и достижению Целей устойчивого развития.

Ключевые слова: Китай; Африка; Африканский союз; Форум китайско-африканского сотрудничества; инициатива «Один пояс, один путь»; концепция шелкового пути здоровья; Повестка дня – 2063; Всемирная организация здравоохранения; глобальное здравоохранение; устойчивое развитие; безопасность; глобальное управление здравоохранением.

Introduction

Global health governance has acquired distinctive importance in 21st century international relations. Expanding trade, migration, and transport links have accelerated the cross-border spread of infectious disease, as the SARS outbreak, the Ebola epidemic, the COVID-19 pandemic, and other public health emergencies of international concern have demonstrated. Stronger international cooperation has therefore become essential both to global health security and to the attainment of the United Nations Sustainable development goals. China has emerged as one of the most active participants in this field, particularly on the African continent. In addition to strengthening national health systems in African states, China – Africa health cooperation also reinforces regional and global preparedness.

The purpose of this study is to elucidate China's participation in global health governance through its cooperation with African states and to assess the role of Chinese initiatives in strengthening African health systems and advancing international cooperation.

The scholarship on Chinese medical diplomacy in Africa reflects a clear shift in analytical emphasis: from the study of humanitarian assistance towards the treatment of health as an instrument of foreign policy and global governance. Among the first to address the subject was G. T. Yu [1] who identified Africa as a significant element of China's foreign policy strategy. M. Chan, J. G. Store, and B. Kouchner [2], J. Jin [3], and I. Kickbusch and M. Ivanova [4] examined the relationship between diplomacy and global health. X. Wang and L. Sun [5] offer

a critical analysis of China's assistance to Africa's health sector, weighing humanitarian motives against political and economic ones. K. A. Grepin, V. Y. Fan, G. C. Shen, and L. Chen [6] assess the scale of Chinese aid, underscoring China's contribution to health development in Africa. O. J. Killeen, A. Davis, J. D. Tucker, and B. M. Meier [7] interpret Chinese health diplomacy in Africa through realist and constructivist lenses. The health silk road has been examined by Aiping Zeng [8], S. A. Rodrigues and P. A. B. Duarte [9], and Huimin Zhang [10]. Ch. U. Freeman and S. L. Boynton [11] and Zhao Na [12] stress the growing role of medical diplomacy in expanding China's international influence, while D. Y. Mangani, M. V. Mutambara, and R. Shambare [13] offer a critical assessment of the altruistic and pragmatic motives underlying China – Africa health cooperation.

From a realist perspective, state behaviour is driven by the pursuit of power: global health diplomacy serves as an instrument for advancing national interests, while disease prevention protects national security and economic strength. Constructivism, by contrast, holds that international relations are shaped not only by state interests but also by shared values, ideas, and norms. Within this framework which has substantially influenced the development of the World Health Organisation (WHO) health is understood as a component of global justice, and human rights and social justice are treated as meaningful goals of international cooperation in their own right. Realist and constructivist theories thus offer distinct but complementary

explanations of the motives underlying global health diplomacy [7].

The concept of soft power occupies a central place within the liberal tradition, which rests on the premise of cooperation among states. The liberal emphasis on positive-sum cooperation provides one of the theoretical foundations of soft-power strategy [13, p. 491]. In J. Nye's formulation, soft power is the capacity of an international actor to influence others through attraction and persuasion rather than sanctions, military pressure, or threats. This capacity depends on the appeal of the instruments of engagement available to the state, including those in the field of health [13, p. 491].

China's soft-power strategy serves its self-positioning as a rising global power and its effort to counter

perceptions of a «China threat». On this reading, Chinese health diplomacy operates as an instrument of international engagement that advances China's national interests while also addressing disease and pandemics in various regions, particularly Africa. The concept of soft power assumes that shared values and norms can orient states towards altruistic objectives alongside the pursuit of national interest. On this reading, China – Africa health cooperation thus functions both as a foreign-policy instrument and as part of a broader project of solidarity and joint development across the Global South [13, p. 491]. Moreover, China's display of responsible international conduct strengthens its soft-power resources and enhances its normative standing in the international community [14, p. 133].

The historical development of China – Africa health cooperation in 1960–90s

External assistance has long played a significant role in strengthening public health systems across Africa. Chinese health diplomacy on the continent dates to 1963, when newly independent Algeria appealed to the international community for support in developing its national health system [10, p. 72].

This mission was the first instance of the China's provision of overseas medical assistance in the modern era and laid the foundation for its later programmes of international medical cooperation. From the outset, the emerging model of cooperation offered greater mutual benefit and more equal terms than had historically defined the continent's relations with Western states¹.

Medical cooperation with Algeria coincided with the first official tour of African countries by a high-level Chinese delegation and reflected Beijing's efforts to expand its political and humanitarian ties across the continent. During visits to ten states, Chinese leaders emphasised the shared experience of China and African nations as developing countries, as well as their common external adversaries – first the European colonial powers, and later the Soviet Union and the United States. China sought to build mutually supportive relationships with African states through appeals to shared development priorities and common positions on sovereignty, economic development, and international peace and security. Medical assistance was one instrument of this strategy that strengthened the China's claim to international legitimacy as the sole lawful representative of China. As the number of postcolonial African states increased, and with it their representation in the United Nations system, support from African countries became increasingly important to Chinese diplomacy [7, p. 4–5].

The rapid expansion of cooperation with African states in the 1960s and 1970s helped lay the political groundwork for recognition of China in place of

the government in Taiwan. In 1971, twenty-six African states supported the United Nations General Assembly resolution restoring the People's Republic of China to China's lawful seat in the United Nations². In 1972, the World Health Assembly likewise voted to recognise the People's Republic of China as the lawful government of China, giving Beijing a new role in multilateral global health diplomacy [15]. Yet even after joining the WHO, the participation of the People's Republic of China in multilateral health cooperation remained limited. Beijing continued to prioritise bilateral engagement, treating health cooperation as an effective and relatively low-cost instrument for advancing its foreign policy objectives [10, p. 73].

From a constructivist perspective, China's early medical assistance to African states rested not only on strategic interests but also on norms of equality, solidarity, and social justice. Unlike Western donors and international financial institutions, China generally did not condition its assistance on political or economic requirements. This helped to shape a model of cooperation oriented towards the needs and priorities of African states. These normative commitments became a significant driver of Chinese health diplomacy alongside realist calculations of foreign policy advantage [7, p. 6].

From the late 1970s through the 1990s, the China's foreign policy priorities changed substantially, and the character of its health activities in Africa transformed accordingly. With the reform and opening-up policy, the Chinese leadership abandoned ideologically driven assistance in favour of external economic cooperation, prioritising trade expansion, service contracts, investment, and deeper engagement with African states [7, p. 7]. This reorientation was a part of China's broader turn toward a more pragmatic foreign policy centred on economic development and mutual benefit.

¹Balazovic T., Li A. Healing agents // China Daily : website. URL: https://www.chinadaily.com.cn/m/chinahealth/2013-08/23/content_21973033.htm (date of access: 17.05.2026).

²Restoration of the lawful rights of the People's Republic of China in the United Nations // United Nations digital library. URL: <https://digitallibrary.un.org/record/192054> (date of access: 17.05.2026).

The political dimensions of the China's medical diplomacy

China's motives for supporting the health sectors of African states have varied with historical and political circumstances. Officially, the Chinese leadership has emphasised the humanitarian purpose of medical assistance, presenting it as a means of improving public health in Africa. A number of studies, however, link this activity closely to foreign policy and geopolitical objectives. The scholarship identifies several strategic functions of medical assistance. First, it strengthened China's position in its competition with Taiwan for diplomatic recognition and support in the United Nations by securing the backing of African states. Second, it served as a vehicle for disseminating socialist ideas and the principles of proletarian internationalism. Third, expanding ties with African states enabled China to mitigate international isolation that intensified after the events of 4 June 1989 [16, p. 33–34, 67–69].

The principle of one state, one vote within the United Nations gave African states considerable influence over international decision-making. Maintaining stable political relations with these countries therefore became an important element of Chinese foreign policy, and medical assistance emerged as one of the most effective instruments for consolidating bilateral cooperation and securing diplomatic support [5, p. 1–2].

Chinese scholars and officials have consistently maintained that the principal aim of medical cooperation is to strengthen partnerships and foster long-term political ties with African states. In this view, medical assistance is a key instrument of trust-building, helping to consolidate diplomatic relations, secure mutual support in international forums, and lay the groundwork for broader intergovernmental cooperation. Although some analyses view medical assistance as serving China's economic interests, the Chinese government insists that any economic benefits are incidental to cooperation rather than its original aim [5, p. 2].

Since the launch of the Global development initiative (GDI) in early 2021, China's approach has evolved. Amid

intensifying great-power competition, Beijing has increasingly relied on soft power instruments, highlighting its role as a responsible actor, its support for global governance, and its provision of international public goods. At the same time, cooperation has become less China-centred and more explicitly multilateral. The organisation of assistance has been repeatedly adjusted in response to the China's changing national priorities. Between 1949 and 1978, coordination rested primarily with the Ministry of Foreign Affairs of the People's Republic of China in cooperation with provincial governments. During the economic reforms of the 1980s, the leading role passed to the Ministry of Health of the People's Republic of China. From 2003, the Ministry of Commerce of the People's Republic of China assumed responsibility for many of these programmes, reflecting the growing importance of trade and economic objectives in China's foreign policy. Under reforms to the foreign-aid system introduced through the GDI, the China International Development Cooperation Agency became the lead agency for coordinating new regulatory and strategic frameworks for international development cooperation [17].

The State Council of the People's Republic of China defines the broad direction of cooperation and concludes bilateral health agreements with African states, while the implementation of specific projects and programmes is carried out largely by provincial and other subnational authorities. This model combines centralised planning with decentralised delivery. Its regulatory framework is shaped mainly by ministerial and agency documents and directives, which gives the system considerable flexibility and allows aid instruments to be adapted quickly to changing foreign policy and economic priorities [18, p. 2].

The main instruments of Chinese health diplomacy in Africa are medical teams, health infrastructure, the supply of medicines and medical equipment to partner countries, and the financing of projects and funds aimed at strengthening national health systems.

China – Africa cooperation and global health governance

Global health diplomacy refers to the process by which state and non-state actors formulate and implement political responses to international health challenges. It includes interstate negotiations, cooperation with international organisations, and interaction among a wide range of stakeholders. Over recent decades, health diplomacy has grown in importance. The United Nations and the WHO have been central platforms for coordinating global efforts in this area [7, p. 4].

The scholarship points to an increasingly close relationship between foreign policy and global health. Public health objectives now form an important part of states' foreign-policy activity, helping to manage transnational challenges while also fostering more durable forms of international cooperation [2, p. 498].

China – Africa cooperation is grounded in the Eight principles for economic aid and technical assistance to other countries (1964) and China's African policy (2006). Together, these texts provided the conceptual foundation for the Forum on China – Africa Cooperation (FOCAC). The 2006 document placed the forum at the centre of efforts to institutionalise and develop China – Africa relations.

Since the establishment of FOCAC in 2000, health has been a regular component of China's commitments to support African states in strategically important sectors. The forum has launched a range of mechanisms designed to strengthen health systems: the African Human Resources Development Fund (2000), the first China – Africa forum on traditional medicine (2002),

the China – Africa Development Fund with capital of 5 bln US dollars (2006), and the first China – Africa ministerial forum on health development (2013), among others. These initiatives collectively reflect the gradual expansion of institutional cooperation and the growing prominence of health in the China – Africa agenda [13, p. 495].

At the FOCAC summit in November 2021, the Chinese leadership reaffirmed its commitment to building a China – Africa community with a shared future, with particular emphasis on health and on addressing the consequences of the COVID-19 pandemic. The leader of the People's Republic of China stated that China would support the African Union's effort to vaccinate 60 % of Africa's population by 2022, and announced China's intention to provide African states with an additional 1 bln doses of COVID-19 vaccines – 600 mln doses as grant assistance and 400 mln doses through joint production arrangements involving Chinese companies³. These priorities were codified in the China – Africa cooperation vision – 2035, which identifies medicine and public health as one of the central areas of engagement. Published by the Ministry of Commerce of the People's Republic of China, the document highlights China's contribution to the development of national health systems through support for infectious-disease prevention and control, the strengthening of medical research capacity, the development of traditional medicine, and improved access to essential medicines⁴.

China's deepening role in global health governance became clear during the international negotiations that led to the revision of the International health regulations and to the adoption of the new text in 2005. The outbreak of SARS in 2002–2003 exposed weaknesses both in China's domestic epidemic-response system and in existing international mechanisms for public health coordination. In response, the Chinese leadership reassessed the country's place in global health and concluded that cross-border health threats could not be managed by states acting alone, but required closer cooperation through international institutions. The revised IHR, adopted in 2005, marked an important step forward in global health governance by broadening the range of diseases and threats subject to international monitoring and strengthening the WHO's coordinating role. For China, participation in these negotiations reflected a broader effort to project itself as a responsible member of the international community while strengthening its influence within the emerging architecture of global health security [19, p. 2–6].

The November 2006 election of a new WHO director general further strengthened China's role in global health governance. Beijing vigorously backed its nominee, winning broad support. The campaign was symbolically important: for the first time since 1971, China had mounted a sustained bid for a senior post in a UN specialised agency. To do so, it invested substantial diplomatic capital in mobilising Executive Board members, especially African states. Shortly before the vote, FOCAC helped consolidate African support [19, p. 118–119]. The campaign showed China's growing ability to use multilateral and regional platforms to advance its interests in global health governance. In her inaugural remarks, M. Chan named the health of African populations and women as a key test of the WHO's effectiveness⁵.

China's Belt and road initiative (BRI), launched in 2013, opened new opportunities for multilateral health cooperation, particularly with African countries. As the initiative developed, China and the WHO moved to integrate health into broader development strategies. The BRI gained a global health framework in 2014, and in 2015 China's National health and family planning commission issued a three-year plan for health exchanges and cooperation [9, p. 3]. It called for closer ties among participating states and more bilateral and multilateral agreements.

The health silk road was institutionalised in 2016 as a distinct track of China's international health cooperation and formally launched at the first Belt and road forum in 2017. There, China and the WHO signed a Memorandum of understanding on BRI health cooperation and an implementation plan. Through this framework, China has worked with BRI partner states on emergency response, infectious-disease control, and traditional medicine⁶, aiming to strengthen global health security and promote health development.

More broadly, China's conduct in global health (particularly its engagement with international organisations and its emphasis on mutual benefit and multilateralism) suggests that China seeks to reinforce and adapt the existing architecture of global health governance, rather than displace it. In this sense, China can be seen less as a power intent on overturning the current order than as one seeking to reform it from within [9, p. 4–5].

The health silk road is framed as a mechanism to support the sustainable development of national health systems in BRI participating states. It promotes multilateral cooperation among state institutions, international organisations, the private sector, and civil society, with the state serving as the central coordinator. It also stresses that effective responses to public health

³Xi announces supplying Africa with additional 1b COVID-19 vaccine doses, pledges to jointly implement nine programs // The National Committee of the Chinese People's Political Consultative Conference : website. URL: https://english.www.gov.cn/news/topnews/202111/30/content_WS61a5733ec6d0df57f98e5bf5.html (date of access: 10.05.2026).

⁴China – Africa cooperation vision – 2035 // Forum on China – Africa cooperation : website. URL: http://www.focac.org/eng/zywx_1/zywj/202201/t20220124_10632442.htm (date of access: 10.05.2026).

⁵Dr Margaret Chan to be WHO's next director general // World Health Organization : website. URL: <https://www.who.int/news/item/09-11-2006-dr-margaret-chan-to-be-who-s-next-director-general> (date of access: 10.05.2026).

⁶The full text of the White paper development of the health sector and progress in human rights protection in China // Xinhua : website. URL: https://russian.news.cn/2017-10/29/c_136713365.htm (date of access: 10.05.2026) (in Russ.).

emergencies depend on adequate financial, material, and technical resources [20, p. 477].

China's concept of a global health community of common destiny has also found expression in several World Health Assembly resolutions. In parallel, China has contributed to the development of international norms and agreements (including the negotiations on the Agreement on pandemic prevention, preparedness and response) while also providing humanitarian and emergency medical assistance in times of crisis⁷.

China's health policy also aligns with the global sustainable development agenda through the integration of the BRI with programmes to strengthen public-health systems. At FOCAC-2024, health was included among the partnership actions for modernisation. China pledged medical personnel, support for medical infrastructure, infectious-disease control, and stronger public-health capacity in African states⁸. These commitments closely track the Sustainable development goals, especially goal 3. They also show China's effort to institutionalise health cooperation by linking bilateral programmes to broader multilateral frameworks, including the WHO and regional bodies.

The WHO has welcomed the integration of health into China's development strategy, viewing China as an increasingly active and responsible actor in global health governance. African states, meanwhile, are advancing their own health agenda. Agenda-2063 sets out a long-term vision of Africa as a leading centre of development, with particular emphasis on a healthy and well-nourished population. To support these goals, the Africa centres for disease control and prevention was established to help African states strengthen health systems and improve the prevention, early detection, and response to public health threats. Because the priorities of the BRI, Agenda-2063, and African national strategies largely converge, demand for stronger health infrastructure and resources remains high, creating space for a greater Chinese role. China and African states thus appear to share an interest in global stability, and China is increasingly seen as having both the capacity and the responsibility to help reduce the vulnerability of African health systems [20, p. 478].

The proposal to build a China – Africa community of health was put forward at the Extraordinary China – Africa summit on solidarity against COVID-19 in June 2020. It comprises several interrelated elements. First, the health silk road makes health cooperation a central pillar of China – Africa engagement. Second, unlike more traditional forms of medical assistance, it is comprehensive in scope and grounded in the principle of health for all: it extends beyond treatment to include prevention, the promotion of healthy lifestyles, and the links between health and socio-economic development, including food security, demographic policy, and environmental governance. Third, it adopts a people-centred approach that treats health as a fundamental human right and a precondition for sustainable development. In this respect, the goals of China – Africa cooperation align with those of Agenda-2063 and the 2030 Agenda for sustainable development of the UN, both of which assume broad public participation. Fourth, in line with the principles of the BRI, the HSR seeks to strengthen political coordination, expand medical infrastructure, increase trade in medical products, finance health projects, and deepen people-to-people ties [8, p. 113].

Concern has grown over shrinking global health funding following the United States' withdrawal from the WHO. Against this backdrop, China has signalled that it will continue to play an important role in the WHO by increasing its financial contributions. It is already among the organisation's largest contributors of assessed contributions. The PRC also emphasises South – South cooperation, presenting itself as an equal partner of developing countries rather than a traditional donor, and has reaffirmed its commitment to multilateralism and the Sustainable development Goals [21, p. 4].

At the May 2025 meeting in Geneva, China agreed to increase its assessed contributions by 20 % and announced 500 mln US dollars in voluntary funding over five years. Speaking on that occasion, Vice Premier Liu Guozhong argued that the spread of unilateralism and power politics was undermining global health security and stressed that stronger multilateral cooperation was the most effective response⁹.

Conclusions

China's health cooperation with African states has evolved from the dispatch of medical teams in the 1960s into a comprehensive system encompassing health infrastructure, personnel training, infectious-disease control, technology transfer, and participation in multilateral health-governance mechanisms. Health diplomacy has thereby become a key instrument of Chinese foreign policy and South – South cooperation.

The analysis suggests that China's motives in global health are complex and are best understood through a combination of realist, constructivist, and liberal perspectives. Medical cooperation strengthens China's international influence, expands its political and economic ties, and helps create a favourable external environment for its foreign policy. At the same time, it reflects China's effort to present itself as a responsible

⁷«Healthy China» initiative: a contribution to global health governance and the advancement of the common well-being of humankind – Ambassador of the People's Republic of China to the Russian Federation // Xinhua : website. URL: <https://russian.news.cn/20260322/3e2facc4af4347a79cdb214793f6a811/c.html> (date of access: 10.05.2026) (in Russ.).

⁸Full text: keynote address by Chinese president Xi Jinping at opening ceremony of 2024 FOCAC summit // China Daily : website. URL: <https://www.chinadaily.com.cn/a/202409/05/WS66d95a04a3108f29c1fca5c0.html> (date of access: 10.05.2026).

⁹China to give \$500 million to WHO in next 5 years, official says // Reuters. URL: <https://www.reuters.com/business/healthcare-pharmaceuticals/china-give-500-million-who-next-5-years-official-says-2025-05-20/> (date of access: 10.05.2026).

actor in global governance and as a partner of developing countries in advancing the Sustainable development goals. Soft power has also played a significant role in reshaping negative perceptions associated with the idea of a «China threat».

In recent years, cooperation has shifted from a predominantly bilateral model towards more institutionalised formats: FOCAC, the BRI, the Health Silk Road, cooperation with the WHO, and support for the Africa centres for disease control and prevention. Particular weight has attached to strengthening national health systems, improving pandemic preparedness, and developing regional mechanisms of epidemiological security.

Important challenges remain. These include limited transparency in some projects, insufficient data on financial flows and programme effectiveness, continued dependence on external assistance in several countries, and the need for greater involvement of local institutions and professionals in implementation. Growing

geopolitical competition may also politicise health cooperation and complicate international coordination.

In this light, China would benefit from expanding multilateral cooperation with international and regional organisations, above all the WHO and the African Union. Greater transparency in financing and in the evaluation of project effectiveness should be a priority in China – Africa engagement, alongside stronger local human-resource capacity, the localisation of pharmaceutical and medical-equipment production in Africa, and deeper research cooperation and technology transfer.

China – Africa health cooperation should therefore be seen as an important part of contemporary global health governance. Its further development could strengthen the resilience of African health systems, advance the Sustainable development goals, and contribute to a more effective global health governance architecture.

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Received by editorial board 18.05.2026.

UDC 327(470+571+476)

SECURITY INITIATIVES OF THE RUSSIAN FEDERATION, THE REPUBLIC OF BELARUS, AND THE PEOPLE'S REPUBLIC OF CHINA: THEORETICAL AND PRACTICAL ASPECTS

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Abstract. This article examines changes introduced since 2022 in the strategic and doctrinal documents of the Russian Federation, the Republic of Belarus, and the People's Republic of China, as well as the practical security initiatives advanced by these states in response to the changing international order and current global situation. The 2023 Foreign policy concept of the Russian Federation introduced new regional categories and revised foreign policy priorities. The 2024 Concept of national security of the Republic of Belarus incorporated new concepts, including «biological security» and «electoral sovereignty». The People's Republic of China, for its part, has put forward the Global security initiative, which is based on cooperation among states, the rejection of bloc confrontation, and the peaceful coexistence of peoples. The article argues that the foundations of the existing international security system require reassessment, given its limited effectiveness and the extent to which it is increasingly disregarded by many international actors. It also evaluates the security initiatives proposed by the Russian Federation, the Republic of Belarus, and the People's Republic of China, considering their prospects for implementation and their potential to gain support from other states.

Keywords: Global security initiative; international security; Eurasian charter of diversity and multipolarity in the 21st century; Russian Federation; Republic of Belarus; People's Republic of China.

ИНИЦИАТИВЫ РОССИЙСКОЙ ФЕДЕРАЦИИ, РЕСПУБЛИКИ БЕЛАРУСЬ И КИТАЙСКОЙ НАРОДНОЙ РЕСПУБЛИКИ В СФЕРЕ БЕЗОПАСНОСТИ: ТЕОРЕТИЧЕСКИЙ И ПРАКТИЧЕСКИЙ АСПЕКТЫ

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Аннотация. Рассматриваются новшества в концептуальных документах Российской Федерации, Республики Беларусь и Китайской Народной Республики, которые были утверждены после 2022 г., а также предложенные данными государствами практические инициативы в сфере безопасности в условиях изменившегося миропорядка и текущей международной ситуации. Так, в Концепции внешней политики Российской Федерации 2023 г. сменились приоритеты, появились новые региональные понятия. В Концепцию национальной безопасности Республики Беларусь 2024 г. были включены понятия «биологическая безопасность», «электоральный суверенитет». В основе Глобальной инициативы в сфере безопасности Китайской Народной Республики лежит сотрудничество и невступление в противоборствующие блоки всех государств, а также мирное существование народов. Делается вывод о том, что необходимо пересмотреть основы существующей системы международной безопасности ввиду ее неэффективности и игнорирования этой

Образец цитирования:

Журавская ОС. Инициативы Российской Федерации, Республики Беларусь и Китайской Народной Республики в сфере безопасности: теоретический и практический аспекты. *Журнал Белорусского государственного университета. Международные отношения.* 2026;1:10–16 (на англ.). EDN: DUEGFR

For citation:

Zhuravskaya OS. Security initiatives of the Russian Federation, the Republic of Belarus, and the People's Republic of China: theoretical and practical aspects. *Journal of the Belarusian State University. International Relations.* 2026;1:10–16. EDN: DUEGFR

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системы многими участниками международных отношений. Оцениваются инициативы Российской Федерации, Республики Беларусь и Китайской Народной Республики в сфере безопасности, потенциал их реализации и поддержки иными государствами.

Ключевые слова: Глобальная инициатива в сфере безопасности; международная безопасность; Евразийская хартия многообразия и многополярности в XXI веке; Российская Федерация; Республика Беларусь; Китайская Народная Республика.

Introduction

In the 21st century, the system of international relations has been undergoing profound transformation, with inevitable consequences for security. In 2025, which marks the 80th anniversary of Victory in the Great Patriotic War and the World War II, questions of peace, conflict resolution, stability and the sustainable development of states have acquired particular salience. Some states still protect their national interests and it may contradict the principles of the Charter of the United Nations, the first universal organisation in 1945 to prevent a recurrence of the World War II and its consequences. As UN Secretary General Antonio Guterres noted in October 2025, the international community faces numerous dangers, including hunger, poverty and climate change, while continuing along a path of division. In his view, it is necessary not only to protect the UN, but also to strengthen it and act collectively. Against this backdrop, the concept of security has broadened: now it encompasses not only traditional domains but also new ones. In an age of expanding technological influence, particularly that of artificial intelligence, information security has become increasingly important, even as military, economic, political, social and environmental security remain central.

Many states support the idea of a multipolar international system. They seek a more equitable world order grounded in international law rather than in particular «rules» serving the interests of Western countries. One early and prominent indication of this shift was V. Putin's Munich speech in 2007. At present, Europe and Ukraine are undergoing extensive militarisation, while a range of arms-control treaties has been dismantled. Under these conditions, the regional status quo must either be restored to de-escalate tensions, or a new balance of power must be established to reflect the rise of new centres of influence and their security initiatives. This article focuses on the ideas advanced by Russia, Belarus, and China, arguing that these three countries constitute a strategic belt of cooperation and partner-

ship on the Eurasian continent that could become a core element of a future international security architecture.

The article examines three approaches, as reflected in the new conceptual documents of Russia, Belarus, and China with particular attention to the Russian-Belarusian initiative «Eurasian charter of diversity and multipolarity in the 21st century», its prospective implementation in international relations, and its implications for the security system.

In Belarusian scholarship, the analysis draws on the 2025 article by M. V. Ryzhenkov [1], which examines the evolution of this initiative, its historical roots and its possible future contribution. O. S. Zhuravskaya has analysed the new Military doctrine of the Republic of Belarus and Concept of national security of the Republic of Belarus, and has assessed NATO's response to the turbulent situation in Europe [2; 3]. In Russian scholarship, several authors have examined the innovations introduced by the Foreign policy concept of the Russian Federation, including O. V. Lebedeva, A. K. Bobrov [4], and M. A. Neimark [5]. To incorporate a Chinese analytical perspective, the author also considers the article by Wang Jinghua [6].

The primary source base for this article consists of the principal official documents of the three states: the Foreign policy concept of the Russian Federation (2023), the Concept of national security of the Republic of Belarus and the Military doctrine of the Republic of Belarus (2024), and China's White paper on security.

The study employs a systemic and structural approach, combined with political and comparative analysis. It also draws on content analysis of a wide range of sources, including official documents, concepts, strategies and programmes.

The question of establishing a new regional security system is particularly salient at present because of the competition between the United States and China for economic primacy and between Russia and the United States for influence in the post-Soviet space.

Conceptual documents of the Russian Federation

First, the 2023 Foreign policy concept of the Russian Federation offers a reassessment of the contemporary international environment. It underscores the importance of the UN as a neutral and independent platform for dialogue and decision-making. It also emphasises the need to uphold the principle of the sovereign equality of states and to restore the role of the UN. Particu-

lar attention is paid to preventing what the document describes as neo-colonial practices by certain Western states. The Concept also addresses nuclear weapons and the risk of war [4].

Second, the concept introduces a number of innovations, including an explicit focus on national interests and their protection as a foreign-policy priority,

as well as the identification of new domains of national interest: the World Ocean, airspace and outer space.

Third, the new concept sets out a revised hierarchy of regional priorities. Before 2023, for example, there were no separate references to the Islamic world or the Eurasian continent. These are now included among the priority areas, alongside the CIS, China and India, the Asia – Pacific region, the Middle East, Africa, Latin America and the Caribbean. The United States and its Anglo-Saxon partners, including Australia, Canada and New Zealand, appear at the end of the list, with future relations made contingent on their respective actions. The Arctic is also highlighted because of its considerable conflict potential, given its vast territory, extensive resources, the opportunities associated with the development of the Northern Sea route, and its potential use for military basing [5, p. 173].

Conceptual documents of the Republic of Belarus

The conceptual documents of the Republic of Belarus also warrant consideration, since they reflect changes in the political and military environment of the 21st century world order. Two documents are particularly important in this regard: the Concept of national security of the Republic of Belarus and the Military doctrine of the Republic of Belarus. These texts set out the official views of the Belarusian state on ensuring security and countering threats. The Military doctrine of the Republic of Belarus also defines the country's military policy and the main directions and measures in the military-political and military-technical spheres. Belarus previously adopted two national security concepts, in 2001 and 2010, and three military doctrines, in 1992, 2002 and 2016.

In April 2024, at the 7th session of the All-Belarusian People's Assembly, which for the first time acted as the highest representative body of popular authority, a new Concept of national security of the Republic of Belarus and a new Military doctrine of the Republic of Belarus were approved. These documents were adopted in response to a changing strategic environment. The emergence of new challenges and threats, new forms of warfare, including hybrid warfare, new diseases with pandemic potential such as COVID-19, and the existence of biological laboratories required a reassessment of security, its constituent domains, and the internal and external sources of threat. As a result, the 2024 Concept of national security of the Republic of Belarus introduced the concepts «biological security» and «electoral sovereignty», the latter being regarded as especially important in the aftermath of the events of August 2020 in Belarus. In addition, the erosion of the arms-control regime was identified as a new trend. Not only the Treaty on intermediate-range and shorter-range missiles is no longer in force, but confidence- and security-building measures linked to the Treaty on conventional armed forces in Europe have also wea-

The deployment of Russian nuclear weapons on the territory of Belarus, together with the security guarantees set out in the 2024 Treaty on security guarantees, is presented as an important deterrent even under conditions of escalating tension. In this context, an attempt to neutralise or damage this arsenal, or to harm Russian military personnel responsible for servicing nuclear weapons, may be regarded as an act of aggression against the Russian Federation and could prompt a military response. At the same time, the presence of nuclear weapons does not in itself eliminate the risk of escalation. On the contrary, this factor increases the significance of unconventional means of aggression, including hybrid operations, which complicate attribution and may confront the leaders of the Union State with difficult choices regarding an appropriate response [5, p. 178].

kened. Accordingly, the risks of nuclear conflict and the danger of the uncontrolled development of other types of weapons of mass destruction are seen as increasing. The documents also refer to new forms of warfare and to smart power instruments used to shape public consciousness and deploy technologies associated with colour revolutions.

These trends are presented even more explicitly in the Military doctrine of the Republic of Belarus. The document states that international organisations and institutions no longer shape geopolitical processes, but instead merely legitimise decisions taken against states viewed as adversarial. It further argues that NATO presents itself as the only effective military-political structure and assumes global responsibility for international peace and security. At the same time, it suggests that the interests of NATO member states do not always coincide with the hegemonic interests attributed to the United States, even though those states are nonetheless compelled to follow the US line.

As an illustration, the Belarusian doctrinal perspective highlights the role of certain European Union member states, particularly Poland and the Baltic states, in intensifying confrontational rhetoric, constructing Belarus as an enemy, and accusing it of escalating regional tensions. According to this view, their regional ambitions are supported by the United States and may at times diverge from the EU's common policy. Poland and the Baltic states are also described as seeking, through various means, to interfere in the internal affairs of Belarus and in the conduct of elections, with the aim of bringing pro-Western political forces to power [2, p. 551].

The new Military doctrine of the Republic of Belarus also refers to the conflict in Ukraine as a source of tension near Belarus' borders. From the perspective set out in the document, Western support for Ukraine, obstruction of a peaceful settlement, and the expansion of indirect participation in the conflict will not bring

peace to the region but will instead aggravate the existing situation. The doctrine also notes the emergence of a new arms race, including in outer space, the Arctic and the information domain.

The dangers identified by the Republic of Belarus are important not only in themselves, but also because they reflect official Belarusian perceptions of the emerging world order and the changing structure of the international system. Among internal military risks, the document includes the propagation of ideas aimed at changing the existing government. Although the ideas are described as usually coming from outside the country, they are said to be spread among citizens in Belarus to fuel anti-government mobilisation and demands for regime change. The document also lists rising crime and illegal migration among the risks, with the November 2021 Polish border crisis presented as an example. It additionally refers to the incitement of hostility and social discord within Belarus, including along political, linguistic, ethnic, or cultural lines. Examples cited include claims about the limited number of Belarusian-language schools and the absence of Belarusian-language place names in public spaces [3, p. 7].

The doctrine uses the term «challenges» to refer to a more serious degree of danger. Under this category, it lists several further concerns, such as the establishment and funding of organisations in Belarus allegedly aimed at preparing, supporting, or encouraging a change of government. These include non-governmental organisations, think tanks, analytical centres, and other intellectual platforms engaged with young people. Additional challenges include calls to seize weapons, incitement to harm security personnel, and the organisation of pickets, flash mobs and mass unrest. According to the document, more serious concerns include the creation and activities of illegal armed groups, including various self-defence units, evasion of service in the Belarusian Armed Forces, including by leaving the country, and ideological confrontation within society. External dangers are presented in the doctrine as evidence of a wider shift in international relations from cooperation and consolidation to confrontation and disorder.

The Military doctrine of the Republic of Belarus identifies 15 risks and 15 challenges, while specifying only five threats at present.

The first category, risks, includes the military activity of states in border areas adjacent to Belarus, the designation of Belarus and its allied states as enemies in doctrinal documents, the introduction of anti-Belarusian issues into the agenda of international organisations, statements by non-state actors about advancing their ideas and interests in Belarus by military means, a decline in transparency in the field of security and defence on the part of NATO member states, and the aspiration

of certain neighbouring states to deploy strategic nuclear weapons, biological weapons and their components on their territories, and to acquire the relevant technologies. Within the logic of the doctrine, these are treated as existing risks and are therefore incorporated into the document.

The doctrine classifies the following as challenges: armed actions undertaken for provocative purposes, demonstrations of military force near the border of the Republic of Belarus, intensified intelligence activity, the establishment of centres designed to carry out malicious informational and technical impacts on critical infrastructure in Belarus, pressure by Western states on Belarus' allied countries, the obstruction of military-political initiatives aimed at strengthening security, and the withdrawal of a state from a military-political association in which Belarus participates, as illustrated by Armenia's declared intention to withdraw from the CSTO.

The Concept of national security of the Republic of Belarus is broad in scope and comprehensive in character, as it addresses not only the military sphere but also eight others: political, economic, demographic, environmental, biological, information, social, and scientific and technological security. Under current international conditions, especially in the environment surrounding Belarus and Russia, the military sphere is presented as the area undergoing the most significant changes and facing the greatest external pressure. It is therefore unsurprising that the two documents were revised simultaneously in order to ensure their coherence [3, p. 8].

Overall, Belarus' updated doctrinal documents widen the range of instruments intended to protect national security and support the strengthening of the Union State. Against the backdrop of a worsening regional military-political environment, measures have been introduced to improve the regulatory framework and review logistical and mobilisation capacities. Training for territorial defence and the people's militia has also intensified. At the same time, the strategic documents of the Republic of Belarus place clear emphasis on continued reliance on the military-political alliance with the Russian Federation and its further consolidation. The Concept of national security of the Republic of Belarus states that the most important component of ensuring Belarus' military security is «strengthening the collective security system through coordinated measures to ensure military security within the framework of the Union State, developing a regional grouping of troops (forces) of the Republic of Belarus and the Russian Federation, and increasing the effectiveness of military command bodies, forces and means of collective security of the CSTO»¹. Chapter 7 of the Military doctrine of the

¹On approval of Concept of national security of the Republic of Belarus : decision of the All-Belarus. People's Assembly, 25 Apr. 2024, No. 5 // National legal internet portal of the Republic of Belarus. URL: <https://pravo.by/document/?guid=12551&p0=P924v0005> (date of access: 10.02.2026) (in Russ.).

Republic of Belarus sets out the official position on the use of tactical nuclear weapons located on Belarusian territory. Such weapons are regarded «as an important component of preventive deterrence of a potential ene-

my from unleashing armed aggression and as a forced response to the non-compliance by Western guarantor countries with the terms of the Memorandum on security guarantees»².

White paper on China's national security in the new era

On 15 April 2014, early in what China describes as the new era, Xi Jinping introduced the Comprehensive national security concept. The concept is presented in Chinese official discourse as drawing on China's traditional culture and consolidating the Communist Party of China's theoretical achievements and practical experience in safeguarding national security. The concept is described as the first major strategic framework to be established as a guiding ideology and as an important contribution by contemporary China to global thinking on security [6, p. 158].

The Comprehensive national security concept is framed as part of the new era of socialism with Chinese characteristics and is presented as addressing both global security challenges and the specific security concerns of China as a major Eastern power. In this formulation, China's pursuit of peaceful development requires it to reconcile national security with common security. The concept therefore offers an institutional framework for national security governance grounded in a holistic understanding of security [6, p. 158].

The contemporary era may be understood as one defined simultaneously by challenges and opportunities. Speaking at the Boao forum for Asia in April 2022, Xi Jinping stated that «changes in the world, our time and history are unfolding like never before»³. In that context, he argued that the international community must preserve peace and stability and that one way to advance these goals would be through the development and adoption of the Global security initiative [6, p. 157].

This initiative extends the Chinese concept of building a community with a shared future for humanity. As the economy of China expanded and the country's international standing strengthened, China increasingly

came to present itself as a proponent of comprehensive security for all.

First, the initiative calls for the preservation of «indivisible security» and the construction of a balanced and sustainable security architecture. It also opposes the strengthening of one state's security at the expense of others, supports common development and security through cooperation, encourages dialogue and consultation as means of resolving disputes, and advocates closer coordination and cooperation in global security governance⁴.

From a theoretical perspective, one interpretation is that, in order to advance its interests and values, China seeks «to transform its concept of regional security into a global security architecture that protects sovereignty, encourages non-interference, promotes multipolarity, and opposes the US-led international order and multilateral treaties. To become a world power, the PRC should expand its influence and project its power in the western Pacific and other regions»⁵.

As V. Putin noted in an article published in the People's Daily newspaper, «Russia and China have consistently worked to create an equitable, open and inclusive regional and global security system that is not directed against third countries. In this regard, we note the constructive role of China's Global security initiative, which is in line with the Russian approaches in this area»⁶. Moreover, the Russian vision of a new international security system is presented as not only compatible with, but also complementary to, the basic principles of the Chinese initiative in the field of global security. Belarus also supports the idea of a greater Eurasian partnership, proposed by V. Putin in 2015. It is therefore necessary to consider the Russian-Belarusian security initiative.

The Russian-Belarusian initiative: Eurasian charter of diversity and multipolarity in the 21st century

In a speech delivered at a high-level international conference in 2023, Minister of foreign affairs S. Aleinik stressed the need both to strengthen existing international organisations and to develop new frameworks

of cooperation, including the EAEU, SCO, BRICS, CSTO and CICA. In this interpretation, these bodies represent a new generation of organisations operating on more equitable principles, in which West-centric approaches

²On approval of Military doctrine of the Republic of Belarus : decision of the All-Belarus. People's Assembly, 25 Apr. 2024, No. 6 // National legal internet portal of the Republic of Belarus. URL: <https://pravo.by/document/?guid=12551&p0=P924v0006> (date of access: 10.02.2026) (in Russ.).

³China released Global security initiative concept // TASS : website. URL: <https://tass.ru/mezhdunarodnaya-panorama/17099845> (date of access: 14.11.2025) (in Russ.).

⁴Ibid.

⁵Ibid.

⁶Vladimir Putin's article for People's Daily newspaper, Russia and China: a future-bound partnership // President of Russia : website. URL: <http://en.kremlin.ru/events/president/news/70743> (date of access: 14.11.2025).

are being replaced by multipolarity and polycentricity. Most states, from this perspective, support diverse paths of development and seek equality in international affairs, with Eurasia occupying a central place in this process. The Belarusian position is that the future lies in Eurasian interconnectedness, grounded in a common security system, stable economic ties, and energy, transport and logistics corridors⁷.

From this standpoint, there is no need to devise new principles of security and peaceful coexistence, since these have long been enshrined in the Charter of the United Nations, the Helsinki final act and other OSCE documents, all of which affirm the principle of the indivisibility of security. According to this argument, however, that principle failed to operate in Europe because certain actors chose to violate it and to strengthen their own security at the expense of others. This, in turn, produced serious adverse consequences. As S. Aleinik argued, Eurasia shows a stronger appreciation of the importance of indivisible security, as well as greater respect for international law and for the national, religious and cultural characteristics of others. In his view, this constitutes the principal foundation for the emergence of a harmonious common security space. Belarus has welcomed and supported initiatives aimed at deepening integration processes in Eurasia, although their further development remains difficult to predict under current conditions. No state currently possesses ready-made solutions for constructing a Eurasian security model. Nevertheless, the present period, in this view, requires leadership: if not a complete concept, then at least the basic elements and contours of such a model must be proposed so that states may subsequently use them as a foundation⁸.

Speaking to representatives of the Ministry of Foreign Affairs of the Russian Federation on 14 June 2024, V. Putin argued that the Euro-Atlantic security system no longer existed and that a new system would need to be built together with partners and all interested states. What, then, is the content of this initiative?

The first element is the establishment of dialogue with all parties, including the European member states of NATO. Since they are situated on the same continent, the argument holds, they must be able to cooperate and work together⁹.

The Russian vision, therefore, is to develop a security system in which all states would have confidence above all in their own security, since insecurity and the absence of mutual trust are seen as characteristic not only of the Eurasian continent but of the wider international system. This is linked both to rising tensions and to the interconnectedness and interdependence of states [5, p. 172].

At the meeting of the foreign ministers of Russia and Belarus in Brest on 22 November 2024, a joint vision of the Eurasian charter of diversity and multipolarity in the 21st century was formulated. Representatives of the two countries signed the document.

The text underscores the significance of the Eurasian continent. Eurasia is presented as the geographical centre and material foundation of the emerging multipolar world [1, p. 78].

A central element in the construction of a new security system, according to this initiative, is resistance to attempts by external forces, especially states outside the continent, to interfere in the affairs of Eurasian countries [1, p. 79].

Another related proposal is the BRICS plus format, advanced at the BRICS summit in Kazan in October 2024. In the interpretation presented here, this framework of cooperation is regarded as one of the most progressive and equitable.

Belarus and Russia jointly presented this Charter in Geneva on 25 February 2026 in order to promote a new concept of Eurasian security and to invite European partners to engage with it. Earlier, on 3 February 2026, five states (Belarus, Iran, Myanmar, North Korea and the Russia) signed the joint declaration «On the way to the Eurasian charter of diversity and multipolarity in the 21st century».

Conclusions

Current developments suggest that Eurasian states may in future seek to build a new continental security system capable of ensuring the stable and sustainable development of the region. Such a development, in turn, could contribute to the emergence of a broader global security system with the potential to reshape international order in the interests of wider humanity. China, Russia and Belarus have advanced different initiatives in this sphere. At the same time, these three states are

presented as sharing several core principles: cooperation in security, consultation in international affairs, humanity, and the indivisibility of peace for all states and nations. For this reason, both the Global security initiative and the Russian-Belarusian initiative, the Eurasian charter of diversity and multipolarity in the 21st century, are presented as open to other countries. Their principal objective is the same: to promote peace and security and to reduce the potential for conflict.

⁷Statement of S. Aleinik, Minister of foreign affairs, at the high-level international conference «Eurasian security: reality and prospects in a transforming world» (26 October 2023, Minsk) // Ministry of Foreign Affairs of the Republic of Belarus : website. URL: https://mfa.gov.by/press/news_mfa/d7371731881f8f54.html (date of access: 14.11.2025) (in Russ.).

⁸Ibid.

⁹Ibid.

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Received by editorial board 07.04.2026.

UDC 327(339.923(1-67)EAЭC+476+470+571)

THE IMPACT OF ARTIFICIAL INTELLIGENCE ON DIGITAL INTEGRATION PROSPECTS IN THE EURASIAN ECONOMIC UNION AND THE UNION STATE

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Abstract. This article examines the geopolitical risks and security risks arising from the rapid deployment of artificial intelligence in the absence of binding international legal standards. As states increasingly apply artificial intelligence in military contexts, it has acquired clear dual-use characteristics, which may intensify geopolitical competition and security dilemmas. For the member states of the Eurasian Economic Union, this trend constitutes a significant contemporary challenge. Because international legal regulation remains fragmented, states are independently developing national regulatory frameworks for artificial intelligence systems. Divergent national approaches, uneven technological development among states, and the acceleration of artificial intelligence related arms competition compound these difficulties. The article analyses the economic, humanitarian, and military risks associated with artificial intelligence and proposes strategies to address these regulatory gaps, contextualised within the national interests of the Republic of Belarus and its partners in regional integration alliances. The author concludes that deeper digital integration and the establishment of a «belt of digital good-neighbourliness» may contribute to sustainable development and the protection of national sovereignty in the contemporary technological landscape.

Keywords: artificial intelligence; Republic of Belarus; international regulation; national security; technological competition; digital sovereignty; United States; Eurasian Economic Union; Eurasian integration; soft power.

ВЛИЯНИЕ ИСКУССТВЕННОГО ИНТЕЛЛЕКТА НА ПЕРСПЕКТИВЫ ЦИФРОВОЙ ИНТЕГРАЦИИ В РАМКАХ ЕВРАЗИЙСКОГО ЭКОНОМИЧЕСКОГО СОЮЗА И СОЮЗНОГО ГОСУДАРСТВА

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Аннотация. Рассматриваются актуальные угрозы, связанные с внедрением технологий искусственного интеллекта, в условиях отсутствия международных правовых стандартов в этой области. Применение искусственного интеллекта в военных целях превращает его в технологию двойного назначения, усиливая геополитическую напряженность, что становится одним из главных вызовов современности для стран – членов Евразийского экономического союза. Пока международное правовое регулирование остается фрагментарным и разрозненным, государствам приходится самостоятельно искать национальные подходы к разработке и внедрению таких систем. Наряду с различиями в национальных подходах проблема усугубляется неравномерным технологическим развитием стран, а также гонкой вооружений на основе искусственного интеллекта. Исследуются экономические, гуманитарные и военные риски, связанные с искусственным интеллектом, и предлагаются перспективные направления для устранения пробелов в регулировании в этой сфере с учетом интересов Республики Беларусь и других стран – участниц интеграционных

Образец цитирования:

Бочков ДА. Влияние искусственного интеллекта на перспективы цифровой интеграции в рамках Евразийского экономического союза и Союзного государства. *Журнал Белорусского государственного университета. Международные отношения*. 2026;1:17–23 (на англ.).
EDN: GVAGFR

For citation:

Bochkov DA. The impact of artificial intelligence on digital integration prospects in the Eurasian Economic Union and the Union State. *Journal of the Belarusian State University. International Relations*. 2026;1:17–23.
EDN: GVAGFR

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объединений. Делается вывод о том, что существует необходимость глубокой цифровой интеграции и формирования «пояса цифрового добрососедства» для обеспечения устойчивого развития и защиты национальных интересов государств в новых технологических реалиях.

Ключевые слова: искусственный интеллект; Республика Беларусь; международное регулирование; национальная безопасность; технологическая гонка; цифровой суверенитет; США; Евразийский экономический союз; евразийская интеграция; мягкая сила.

Introduction

The international community has not yet reached consensus on comprehensive legal frameworks for artificial intelligence (AI). At the same time, individual states, in cooperation with major technology corporations, are actively integrating AI into military planning and operations.

This technology can no longer be viewed solely as a neutral instrument, its recent deployment in Middle Eastern military operations demonstrates its dual-use character. Consequently, the proliferation of AI presents challenges to national security that extend beyond economic competition.

In the absence of unified international legal standards, states are developing independent regulatory frameworks.

Despite heightened attention to these issues and widespread concern surrounding them, there remains a notable lack of substantial foundational research published from the perspective of the EAEU and the national interests of the Republic of Belarus. Much of the existing discussion takes place on online analytical platforms, while the published literature is dominated by survey-based and analytical studies that systematise theoretical approaches and assess broader geopolitical implications.

A number of earlier studies anticipated not only the general trajectory of technological change but also some of its specific consequences, thereby making it possible to identify recurring patterns. For example, K. E. Koktysh from MGIMO University argues that algorithms generate cognitive vulnerability and treats this as a stable feature of contemporary society. He further develops ideas associated with the British futurist J. Lovelock, who identified information as the principal driver of a new era and described the culture emerging from algorithms and artificial intelligence as «algocognitive» [1, p. 50].

The consequences of decisions made by machine intelligence without human involvement are difficult to predict. Questions of responsibility in such cases remain contested and have yet to receive a definitive answer. In this context, J. Barrat proposes treating AI that has escaped meaningful human control as a phenomenon fundamentally distinct from conventional technological accidents [2, p. 45].

Several studies conceptualise AI not merely as a technology, but as a factor reshaping the international environment. They address issues such as information security in diplomacy, personal data protection on social media platforms, and the mitigation of algorithmic bias [3].

Many authors further argue that AI intensifies competition over technological sovereignty and alters prevailing understandings of power. These developments are directly relevant to Eurasian integration projects. Within this framework, scholars analyse the transformative effects of AI on the structure of global geopolitics, where traditional great-power rivalry is acquiring an increasingly pronounced technological dimension [4].

Related scholarship also examines the implications of Industry 4.0 technologies for information security. This line of analysis is consistent with the arguments advanced by K. Schwab, founder and Executive chairman of the World Economic Forum, who characterises the present transition as the Industry 4.0 and identifies AI as one of its core components, alongside ubiquitous mobile internet, compact production technologies, and machine-learning systems [5, p. 16].

In seeking to capture the scale of prospective social transformation, some authors rely on historical analogy. They compare current developments in business to the early 19th-century industrial revolution, when firms that failed to move from manual to mechanised production were outcompeted by more adaptive rivals. From this perspective, contemporary businesses face a comparable strategic choice [6].

In 2014, before AI had become a routine term in everyday public discourse, Massachusetts Institute of Technology professors E. Brynjolfsson and A. McAfee described the period as the 2nd machine age and characterised the emerging global transformation as an epidemic-like surge in which digitalisation would enable the creation of unprecedented things [5].

At the same time, although constructive potential of AI, including its use in theoretical research, medicine, and the replacement of humans in hazardous industrial settings, creates significant opportunities, other dimensions of its development, particularly in the military sphere, give rise to concern. One of the principal risks is the emergence of AI-enabled autonomous weapon systems. In recent years, this issue has received sustained attention in international scholarship. For example, P. Scharre, a Pentagon expert involved in drafting the US directive on weapons autonomy, argues that technological evolution will transform the character of future interstate conflict and stresses the need for strict human control over key military command-and-control systems [7, p. 317]. Similar conclusions appear in an official report by the United Nations Institute for Disarmament Research, which underscores the need to develop

multilateral diplomatic mechanisms capable of preventing an uncontrolled digital arms race. The report also examines in detail the risks of inadvertent escalation associated with autonomous platforms in the absence of global verification standards¹.

Across this body of literature, the principal objectives are generally to improve understanding of the opportunities and risks associated with AI, support the development of trustworthy AI while limiting its uncontrolled proliferation, and strengthen preparedness to mitigate and respond to adverse consequences².

These debates are directly relevant to the EAEU, since digital integration is not feasible without the harmonisation of rules, standards, and shared understandings regarding the acceptable limits of automation. From this standpoint, AI is not simply an auxiliary tool, but a constitutive factor in the integration process [8; 9].

Domestic scholarship has likewise engaged with these questions. In particular, a collective volume edited by N. S. Minko synthesises advanced international experience in the regulation of digital innovation

and examines the challenges involved in aligning legislative approaches within the Eurasian integration framework. The authors place particular emphasis on mechanisms for allocating legal responsibility where autonomous algorithms are used, the legal status of outputs generated through machine creativity, and the protection of national interests within a common digital space [10].

This article aims to identify the principal threats associated with the accelerated deployment of AI in the absence of effective international regulatory mechanisms and to propose key directions for digital integration within the EAEU and the Union State. To that end, it pursues three objectives: to identify the main risks arising from the application of AI and assess their potential gravity; to draw on relevant international experience in the development of legal standards; and, on that basis, to formulate proposals aimed at minimising these risks for the Republic of Belarus and its partners in the region's principal integration frameworks.

Main part

On 28 February 2026, the United States and Israel launched a military operation against Iran in which American forces employed several AI tools. These included the a digital flight management tool «Maven smart system» processing data from more than 150 sources, developed by company «Palantir technologies» and «Claude» an AI tool from Anthropic PBC³.

The speed with which new systems are being introduced into the US armed forces is notable. In March 2024, the US Army contracted company «Palantir technologies» for 178.4 mln US dollars to develop systems «TITAN» (tactical intelligence targeting access node), which utilise AI to accelerate data transfer for situational awareness and weapons control⁴. Reports indicate that two systems were delivered one year later⁵, followed by claims of operational use in an actual conflict against Iran.

The military application of AI remains highly contentious. At the summit «Responsible AI in the military domain» held in Spain on 5 February 2026, major

powers, including the United States and China, declined to endorse the final declaration on technological regulation and accountability. The document was not an international treaty and did not create legally binding rights or obligations. In effect, only 35 of 85 participating states signed a voluntary commitment to observe principles regarding AI⁶.

A pronounced asymmetry in capabilities between states raises questions about how digital transformation affects sovereignty.

Speaking at the open debate of the UN Security Council on «Artificial intelligence, international peace and security» on 25 September 2025, the Minister of foreign affairs of the Republic of Belarus, M. V. Ryzhenkov, referred to a troubling tendency in which «a new curtain is being created, this time not ideological but technological, a silicon curtain, intended to divide the West from the rest of the world, the global majority, and return those countries to a new form of neo-colonialism»⁷. This perspective is reinforced by concerns regarding the

¹Exploring synthetic data for artificial intelligence and autonomous systems: a primer // UNIDIR : website. URL: <https://unidir.org/publication/exploring-synthetic-data-for-artificial-intelligence-and-autonomous-systems-a-primer/> (date of access: 04.04.2026).

²Strategic cooperation on AI: core functions // RAND corporation : website. URL: https://www.rand.org/pubs/research_reports/RRA3849-1.html (date of access: 04.04.2026).

³U.S. military relying on AI as key tool to speed Iran operations // Bloomberg : website. URL: <https://www.bloomberg.com/news/articles/2026-03-05/us-military-relying-on-ai-as-key-tool-to-speed-iran-operations/> (date of access: 04.04.2026).

⁴Army selects Palantir to deliver TITAN next-generation deep sensing capability in prototype maturation phase // Palantir investors : website. URL: <https://investors.palantir.com/news-details/2024/Army-Selects-Palantir-to-Deliver-TITAN-Next-Generation-Deep-Sensing-Capability-in-Prototype-Maturation-Phase> (date of access: 04.04.2026).

⁵Palantir delivers first 2 next-gen targeting systems to Army // Defense news : website. URL: <https://www.defensenews.com/land/2025/03/07/palantir-delivers-first-2-next-gen-targeting-systems-to-army/> (date of access: 04.04.2026).

⁶The US and China have not signed a declaration regulating AI for military purposes // RBC : website. URL: <https://www.rbc.ru/politics/06/02/2026/69857f5e9a794734f104b323> (date of access: 04.04.2026) (in Russ.).

⁷Minister of foreign affairs of Belarus M. Ryzhenkov takes part in the high-level week of the 80th session of the UN General Assembly (third day) // Ministry of Foreign Affairs of the Republic of Belarus : website. URL: https://mfa.gov.by/en/press/news_mfa/d622af9045846cb8.html (date of access: 04.04.2026).

capacity of major technology corporations to exercise extraterritorial control over information flows. The Republic of Belarus has direct experience of such restrictions. For example, in April 2026, videohosting *YouTube* removed the channels of several major Belarusian state media outlets, including ONT, STV, and BelTA, without explanation. The platform maintained this restriction despite objections from Belarusian, Russian, and international journalistic federations citing international freedom of speech norms⁸. Given that *Google* (the owner of *YouTube*), is a major AI developer, there is a possibility that AI models could be used for political censorship or for the creation of curated digital environments that selectively shape users' perceptions of events. In this context, digital diplomacy scholar I. Manor conceptualises AI power as generative capacity of AI to mould user perceptions. He cites research suggesting rising levels of trust in AI as an information source, which in turn indicates the potential for indirect ideological influence through algorithms⁹.

Global technological inequality exacerbates these risks. The International Telecommunication Union reported that, despite a 240-million increase in internet users in 2025, and 2.2 bln people remained offline¹⁰. This digital divide prevents over a quarter of the global population from acquiring essential digital skills, structurally disadvantaging their respective states in technological competition.

Progress toward unified international standards has been limited. Earlier attempts to address regulatory gaps include the Summit of the future convened in September 2024 at the initiative of UN Secretary General A. Guterres, which produced the Pact for the future and the Global digital compact. While these documents aimed to bridge the digital divide, they also introduced contested governance models. Russian deputy Minister of foreign affairs S. V. Vershinin criticised elements of these initiatives, particularly the elevation of non-governmental actors to parity with sovereign states in technological decision-making and the creation of review mechanisms with ambiguous mandates¹¹.

Confronted with multilateral gridlock and intensifying competitive pressures, states are independently

defining the legal and ethical boundaries of sovereign AI development.

The approaches of two leading AI powers (the United States and China) illustrate this dynamic.

In the United States, D. Trump issued an executive order that established a unified approach to AI regulation while limiting state intervention, with the stated aim of maintaining competitiveness. The order states: «To succeed, American artificial intelligence companies must be able to innovate without burdensome regulation»¹². This deregulatory approach primarily benefits major technology corporations such as *OpenAI* and *Google*, as well as venture capital firms such as *Andreessen Horowitz*.

Conversely, China has pursued iterative regulatory development. The Interim measures for the management of generative artificial intelligence services¹³, effective August 2023, prohibit the generation of content that threatens national security or contravenes socialist values, mandate the use of lawful training data, and require the prompt removal of illicit material.

Furthermore, regulations implemented in November 2025 require AI developers to filter politically sensitive information from chatbot training data and systematically label AI-generated content. These norms were reportedly developed jointly by authorities and technology companies, including *Alibaba* and *DeepSeek*. However, analysts suggest that Chinese authorities are reluctant to impose excessive legislative control that might compromise competitive advantages against the United States¹⁴. China's approach therefore appears to balance state control, including national security and ideological requirements, with innovation.

In this competition, which encompasses both technological rivalry and measures such as US restrictions on chip exports to China, a division of responsibilities may eventually emerge: the United States might focus on innovation and advanced solutions, while China might concentrate on scaling products. For example, at the APEC summit in Gyeongju, Xi Jinping proposed a global AI cooperation organisation and committed to collaborating with APEC members to improve

⁸World Federation of Journalists condemned the blocking of Belarusian media on YouTube // BelTA. URL: <https://belta.by/society/view/vsemirnaja-federatsija-zhurnalistov-osudila-blokirovku-belorusskih-smi-v-youtube-773736-2026/> (date of access: 04.04.2026) (in Russ.).

⁹Manor I. AI's country of origin effect // Exploring digital diplomacy : website. URL: <https://digdipblog.com/2025/08/21/ais-country-of-origin-effect/> (date of access: 11.04.2026).

¹⁰Global number of Internet users increases, but disparities deepen key digital divides // International Telecommunication Union : website. URL: <https://www.itu.int/en/mediacentre/Pages/PR-2025-11-17-Facts-and-Figures.aspx> (date of access: 05.04.2026).

¹¹Speech by S. Vershinin, deputy Minister of foreign affairs of Russia, at the Summit for the future // Ministry of Foreign Affairs of the Russian Federation : website. URL: https://www.mid.ru/ru/foreign_policy/news/1970892/ (date of access: 04.04.2026) (in Russ.).

¹²Korzhova D. Trump signed an executive order on a unified AI regulatory framework // Forbes Russia : website. URL: <https://www.forbes.ru/tekhnologii/551834-tramp-podpisal-ukaz-o-edinoj-sisteme-regulirovania-ii> (date of access: 04.04.2026) (in Russ.).

¹³Interim measures for the management of generative artificial intelligence services // Cyberspace administration of China : website. URL: https://www.cac.gov.cn/2023-07/13/c_1690898327029107.htm (date of access: 04.04.2026) (in Chin.).

¹⁴Stu Woo. China is worried AI threatens party rule – and is trying to tame it // The Wall Street Journal : website. URL: https://www.wsj.com/tech/ai/china-is-worried-ai-threatens-party-ruleand-is-trying-to-tame-it-bfdcd2d?mod=hp_lead_pos8 (date of access: 04.04.2026).

digital literacy and bridge the technological gap in the Asia – Pacific region¹⁵.

Improvement of AI legislation is also a concern within the EAEU. Russia provides an important example.

In 2026, Russia significantly intensified its work on AI adoption and regulation. In February, a presidential decree established a commission on AI development¹⁶, tasked with formulating a National plan to integrate AI across critical sectors, including manufacturing, logistics, energy, public administration, and education, by 2030.

On 19 January 2026, the Big Data Association, comprising *Yandex*, *VK*, *Sber*, *Gazprombank*, *T-Bank*, *Rosselkhozbank*, *Tochka Bank*, *Megafon*, *Rostelecom*, *Beeline*, *MTS*, and others, submitted proposals on AI regulation to the Ministry of Digital Development, advocating increased data availability for AI training¹⁷.

Subsequently, in April, V. Putin emphasised that sovereign large language models constitute a foundational cross-cutting technology critical for «sovereign development», and linked domestic models to defence and security objectives¹⁸.

Kazakhstan has also introduced significant initiatives within the EAEU context. It has presented a national AI platform that reportedly provides access to supercomputers, large language models, and 120 state databases¹⁹. At the June 2025 Eurasian economic forum, K.-J. Tokayev announced that Kazakhstan would leverage its 2026 EAEU chairmanship to prioritise digitalisation and AI. He cited projections that by 2030 AI could contribute over 15 trln US dollars to global GDP²⁰.

EAEU discussions have included proposals ranging from a framework agreement on AI to harmonised legal norms, for example, common approaches to delegating decision-making authority from humans to machine systems. This work is likely to reach a new level in 2026.

At the forum «Digital Kazakhstan – 2026» in Chiment on 27 March, the chair of the Board of the Eurasian

Economic Commission, B. Sagintaev, reported that EAEU member states are developing the concept of a «digital union». This framework aims to synchronise regional technological solutions while safeguarding individual member states' digital sovereignty²¹.

At the 3rd Minsk international conference on Eurasian security, A. Lukashenko argued that an uncontrolled AI race could transform AI from a beneficial resource into a weapon, potentially even comparable to weapons of mass destruction. Consequently, Belarus proposed establishing a «belt of digital good-neighbourliness» across Eurasia, grounded in principles of digital sovereignty and neutrality, as part of a proposed Charter of multipolarity and diversity²².

Given the intensity of global technological competition and the potential negative consequences of falling behind, EAEU countries face pressure to move beyond extended conceptual deliberation on forming a unified digital space. Reliance on technological solutions already existing within the union appears practical. The experience of Kazakhstan and Russia could form the core around which both scientific-technical and legal frameworks in AI might develop.

Russia has designated such regional cooperation as a priority. During a meeting on 10 April 2026 with members of a special commission and representatives of leading technology companies, V. Putin identified key areas for the introduction of systemic AI solutions. He specifically stressed the need to promote Russian AI systems and related services in foreign markets and to develop cooperation in this field with partners in the CIS, the SCO, and BRICS²³.

Current trends in AI development and deployment suggest that sovereign capabilities in this field may acquire strategic importance comparable, in some respects, to possession of a nuclear arsenal. Digital integration would therefore involve the transfer not only

¹⁵Full text of Xi Jinping's speech at the 2nd session of the 32nd APEC informal leaders' meeting // China global television network : website. URL: <https://russian.cgtn.com/news/2025-11-01/1984503885328445441/index.html> (date of access: 04.04.2026) (in Russ.).

¹⁶On the Commission under the President of the Russian Federation on the development of artificial intelligence technologies : Decree of the President of Rus. Federation, 26 Feb. 2026, No. 116 // President of Russia : website. URL: <https://static.kremlin.ru/media/events/files/ru/rvxyuQZDJyyRlM5fT2pu8hw43znuHbIU.pdf> (date of access: 11.04.2026) (in Russ.).

¹⁷This is the basis: what amendments to the legislation has been proposed by business for AI development // Forbes Russia : website. URL: <https://www.forbes.ru/tekhnologii/553967-eto-baza-kakie-popravki-v-zakonodatel-stvo-predlozil-biznes-dla-razvitia-ii> (date of access: 04.04.2026) (in Russ.).

¹⁸Meeting on development of AI technologies // President of Russia : website. URL: <https://en.kremlin.ru/events/president/news/79525> (date of access: 11.04.2026).

¹⁹Kazakhstan presents national AI platform // Kapital. Business information centre : website. URL: <https://kapital.kz/tehnology/146318/v-kazahstane-predstavili-nacionalnuyu-platformu-ii.html> (date of access: 11.04.2026) (in Russ.).

²⁰Tokaev: digitalization and artificial intelligence should be an unconditional priority of the EAEU // BelTA. URL: <https://belta.by/economics/view/tokaev-tsifrovizatsiya-iskusstvennyj-intellekt-dolzhen-stat-bezuslovnym-prioritetom-eaes-723246-2025/> (date of access: 04.04.2026) (in Russ.).

²¹Bakytzhan Sagintayev: «The commission and the EAEU states are preparing a Joint statement on the responsible development of artificial intelligence» // Eurasian Economic Commission : website. URL: <https://eec.eaeunion.org/news/bakytzhan-sagintayev-komissiya-i-gosudarstva-eaes-gotovyat-sovmestnoe-zayavlenie-ob-otvetstvennom-raz/> (date of access: 04.04.2026).

²²Participation in the 3rd Minsk international conference on Eurasian security // President of the Republic of Belarus : website. URL: <https://president.gov.by/ru/events/ucastie-v-iii-minskoj-mezhdunarodnoj-konferencii-po-evrazijskoj-bezopasnosti> (date of access: 11.04.2026) (in Russ.).

²³Meeting on development of AI technologies // President of Russia : website. URL: <https://en.kremlin.ru/events/president/news/79525> (date of access: 11.04.2026).

of technologies but also, to some extent, of elements of sovereignty. This requires exceptional trust and structural guarantees between participating states. Shared economic interests, cultural ties, and aligned state values function as important indicators of reliability for such long-term cooperation.

Within this paradigm, the comprehensive integration between Belarus and Russia readily extends to the digital sphere. Joint provision of military security within the Union State²⁴, together with the transfer by Russia to Belarus of tactical nuclear weapons and the latest missile system «Oreshnik», indicates a high level of trust between the two states.

A robust foundation also exists for deeper digital integration with China. This includes the special status of the all-weather strategic partnership between the two states, the membership of Minsk and Beijing in the SCO, and many years of effective cooperation in various fields.

Alignments in historical interpretation further support these strategic partnerships. The 2025 commemorations in Minsk, Moscow, and Beijing marking the 80th anniversary of the conclusion of the World War II functioned not merely as cultural and historical events. The attendance and absence of specific international delegations highlighted differences in diplomatic positioning between Western states and the Global South²⁵. In contemporary international relations, a clear articulation of national historical positions based on documented historical record, together with adherence to the letter and spirit of the UN Charter, appears to be a significant indicator of reliability for long-term cooperation, including in digital integration.

Belarus' diplomatic predictability reinforces its viability as an integration partner. The Eurasian charter of diversity and multipolarity in the 21st century, which Belarus is promoting, merits attention. Minister of foreign affairs M. V. Ryzhenkov has argued that this Charter aims to establish a pan-continental security architecture, fostering regional stability and contribu-

ting to a multipolar global system capable of addressing complex planetary challenges [11].

President of the Republic of Belarus expressed this idea more broadly at the SCO summit in Astana in July 2024, stating that genuine and indivisible global security must be built in the 21st century, with initiative coming from countries of the global majority²⁶.

By positioning itself within this framework, Belarus cultivates the diplomatic trust required for long-term cooperation with primary technological providers.

While these geopolitical considerations may appear tangential to technological research, they are central to modern statecraft. As traditional instruments of soft power evolve, AI is emerging as an important vector of geopolitical influence, conceptualised by scholars as soft power 3.0 [12].

In his inaugural address, the 47th D. Trump, promised to «put America first» and initiated a large-scale political, economic, and ideological audit²⁷. Among the first bodies affected was the United States Agency for International Development. This raises questions about whether soft power, whereby a state attracts others through culture, values, and political institutions, has become obsolete. More precisely, one might ask whether the United States and other major powers are prepared to abandon attempts to spread their influence. More likely, contemporary soft power is undergoing a process of transformation, with a qualitative change in its instruments, particularly AI.

As this research demonstrates, despite AI's potential as a valuable resource, a broad spectrum of associated threats exists.

The deeper source of these concerns lies in the long historical experience of civilisation. Human beings have not only constantly sought and introduced new tools, but have also repeatedly turned inventions into weapons. It is impossible to know in advance how an intelligence more powerful than our own would act, only assumptions can be made.

Conclusions

The principal risks arising from the rapid deployment of AI in the absence of effective international regulatory frameworks may be grouped into three broad categories.

Military risks. Pronounced asymmetries in states' technological capabilities, combined with the growing use of AI in ongoing armed conflicts, require a reconsideration of how global digital transformation is reshaping sovereignty and security. These developments

also strengthen the case for strict human control over critical military command-and-control systems. In the EAEU context, this implies a need for coordinated legislative and regulatory approaches that preserve national interests within a common digital space.

Economic risks. If EAEU member states remain passive in international competition over AI, they risk not only a decline in technological competitiveness but also

²⁴Belarus ratified the treaty with Russia on security guarantees // President of the Republic of Belarus : website. URL: <https://president.gov.by/ru/events/belarus-ratificirovala-dogovor-s-rossiej-o-garantiah-bezopasnosti> (date of access: 04.04.2026) (in Russ.).

²⁵How a parade was held in Beijing to mark the 80th anniversary of Victory in World War II // TASS. URL: <https://tass.ru/mezhdunarodnaya-panorama/24925065> (date of access: 05.04.2026) (in Russ.).

²⁶Participation in the Shanghai Cooperation Organisation Council of heads of states meeting in Astana // President of the Republic of Belarus : website. URL: <https://president.gov.by/ru/events/ucastie-v-sammite-sanhajskoj-organizacii-sotrudnicstva> (date of access: 11.04.2026) (in Russ.).

²⁷The inaugural address // The White House : website. URL: <https://www.whitehouse.gov/remarks/2025/01/the-inaugural-address/> (date of access: 11.04.2026).

substantial long-term economic losses. Failure to respond to major technological trends would effectively push the economies of the Union State and the EAEU towards the periphery of global capital flows. At the same time, uneven digital development within the EAEU may generate relations of dependency, whereby less technologically advanced member states become reliant on AI platforms developed by the union's leading economies. Such asymmetries would hinder the emergence of a unified digital market and obstruct the realisation of integration synergies, which depend on a more balanced distribution of relevant capabilities across the integration space. In addition, rapid automation and the replacement of human labour by AI systems in key sectors such as transport, logistics, and services may lead to large-scale labour displacement for which the union's labour markets are not yet institutionally or economically prepared.

Humanitarian and societal risks. New technologies may exclude significant social groups from participation in the production of goods and services, thereby intensifying existing debates over rights and freedoms in contemporary society. A further risk lies in a potential crisis of trust in digital institutions: algorithmic bias in AI-assisted governmental and administrative decision-making may result in hidden discrimination, violations of fundamental rights, and increased social tension within the integration grouping. Of particular concern is the possibility that external actors may use AI-enabled tools, including generative models, deep-fakes, and recommender systems, to manipulate public opinion and conduct disruptive information operations in the media environments of the EAEU and the Union State, thereby undermining humanitarian security and sovereignty. Finally, the allocation of legal responsibility remains unresolved, particularly with regard to who should bear liability when an algorithmic error causes harm to a citizen's health or property.

In light of these challenges, the Republic of Belarus, together with its EAEU partners and within the framework of the Union State, should intensify efforts both to develop relevant technologies and to establish common approaches to their deployment and legal regulation. Such measures would make it possible to use AI's economic potential more effectively while strengthening the protection of national sovereignty.

The key directions of digital integration may be outlined as follows.

Interaction within the EAEU. A concept «digital union» should be adopted to align the best technological solutions available across member states while preserving the digital sovereignty of each of them. The accelerated harmonisation of national approaches could be supported through the creation of a Eurasian technological core built on existing systems and models, including those already functioning in the Russia.

Interaction within the Union State. For Belarus, digital integration with Russia appears to be a practical necessity, given the institutional, economic, and political interdependence established within the Union State framework. Belarus should not be viewed solely as a recipient of technology. Its scientific base, modern industrial capacity, and substantial energy resources suitable for the location and operation of data centres could support joint programmes. In this context, it would be advisable to establish an intergovernmental commission responsible for overseeing deep digital integration between Belarus and Russia, including workforce development, AI deployment, and the legal regulation of the resulting relations.

Given the pace of AI development, it is important not only to identify the risks involved but also to recognise its constructive potential. The speed and depth of AI diffusion across social and economic life are increasingly compelling the international community to seek an appropriate trajectory for contemporary scientific and technological development.

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Received by editorial board 15.04.2026.

UDC 327(456.31+6)

VATICAN AND AFRICA IN THE 21st CENTURY: STRATEGY, INSTITUTIONAL PRESENCE AND PASTORAL POLICY

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Abstract. This article analyses the Holy See's relationship with Africa in the 21st century. It investigates the Vatican's institutional presence and the demographic and pastoral potential of African Catholicism. Furthermore, the study evaluates the church's peacekeeping and humanitarian efforts and the role of African clergy in the Holy See's global papal policies. The paper highlights Pope Francis' strategy and the potential for policy continuity under his successor, Leo XIV, including engagement with the African episcopate, institutional appointments, and priorities for global social justice. Ultimately, the analysis demonstrates the reciprocal influence between Africa and the Vatican and underscores Africa's central role in the church's pastoral, diplomatic, and institutional activity.

Keywords: Vatican; Africa; Pope Francis; Pope Leo XIV.

ВАТИКАН И АФРИКА В XXI в.: СТРАТЕГИЯ, ИНСТИТУЦИОНАЛЬНОЕ ПРИСУТСТВИЕ И ПАСТЫРСКАЯ ПОЛИТИКА

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Аннотация. Анализируется взаимодействие Святого престола со странами Африканского континента в XXI в. Рассматриваются институциональное присутствие Ватикана, потенциал католицизма в Африке, миротворческая и гуманитарная деятельность церкви, а также роль африканского клира в глобальной политике Святого престола. Особое внимание уделяется стратегии папы Франциска и возможной преемственности политики нового понтифика Льва XIV, в том числе работе с африканским епископатом, а также институциональным назначениям и приоритетам глобальной социальной справедливости. Анализ позволяет выявить взаимовлияние Африки и Ватикана и определить значимость Африканского континента как ключевого центра пастырского, дипломатического и институционального присутствия церкви.

Ключевые слова: Ватикан; Африка; Папа Римский Франциск; Папа Римский Лев XIV.

Образец цитирования:

Нагибарова ЮА. Ватикан и Африка в XXI в.: стратегия, институциональное присутствие и пастырская политика. Журнал Белорусского государственного университета. Международные отношения. 2026;1:24–33 (на англ.).
EDN: TBKFVO

For citation:

Nagibarova YuA. Vatican and Africa in the 21st century: strategy, institutional presence and pastoral policy. *Journal of the Belarusian State University. International Relations.* 2026;1:24–33.
EDN: TBKFVO

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Introduction

Recently, Africa has assumed an increasingly significant position in the modern geopolitical landscape. Economic, demographic, and strategic factors drive this shift. Consequently, leading global actors (including the United States, the European Union, China, and Russia) have shown growing interest in the region.

Belarus likewise views Africa as a significant and promising area of international cooperation and an essential component of its multilateral foreign policy. The Belarusian Head of State has repeatedly stressed the strategic value of strengthening ties with African nations¹ in both official discourse and diplomatic practice, as evidenced by more than a dozen high-level meetings with representatives of African states in the past two years². Such sustained engagement reflects Minsk's systemic, long-term approach to the region, aimed at enhancing its geo-economic standing and affirming Africa's status as a promising partner amid changing global and regional conditions.

Within this framework, the Holy See's engagement with African states merits particular attention. Africa represents a priority for the Vatican, serving as a source of sustained growth for the Catholic faithful, clerical vocations, and institutional expansion. The constructive, multi-layered relations between Belarus and the Holy See create additional opportunities for Minsk. Belarus can use this foreign policy dimension to advance its national interests across the continent, primarily in diplomatic and humanitarian spheres.

Belarusian historiography explores the Holy See's policies and international relations through scholars such as V. A. Matskevich [1], E. S. Yarmusik [2], and D. S. Shnitkova [3]. While academically valuable, these

studies focus predominantly on Holy See – Belarus relations and do not address the Vatican's engagement with African countries.

Notable contributions within Russian academia have been made by scholars such as S. A. Gorokhov, R. V. Dmitriev, M. M. Agafoshin [4; 5], and I. A. Zakharov [6], who have contributed significantly to understanding the diplomatic, cultural, and symbolic activities of the Holy See across the African continent.

Among foreign researchers, the works of D. Philippe [7], Th. A. Sarr [8], and M. Matthew [9] stand out. They examine how the church influences African nations and the political and social processes within them.

This study aims to identify the principal priorities and characteristics of the Vatican's policy toward Africa. The research examines the institutional and symbolic presence of the Roman Catholic Church there. It evaluates pastoral, humanitarian, and peacemaking efforts. Furthermore, it considers the reciprocal impact of the African factor on Vatican ecclesiastical and governmental practices.

A comprehensive analysis of relations between the Holy See and African countries (one that captures both the nature and scale of the Vatican's influence and the continent's impact in return) requires attention to the institutional dualism of the Holy See. On the one hand, it acts as a subject of international law and a sovereign state; on the other, it functions as the global religious and spiritual centre of the Roman Catholic Church. The analysis must also account for the Vatican's peacekeeping and humanitarian missions and examine the position of the new Pontiff, Leo XIV, regarding the continent.

The Holy See in Africa: institutional and social challenges for the Catholic Church

Sustained growth in the number of believers defines African Catholicism today. In the past 125 years, the continent's Christian population has multiplied 78.5 fold³: from 9.6 mln people in 1900 to nearly 754 mln people in 2025, of whom approximately 281 mln people are Catholics⁴. This figure represents roughly 20 % of the global Catholic community. Pew Research Center projections indicate that by mid-century, one in four Christians worldwide will be African⁵.

High religious engagement marks a second important characteristic of African Catholicism. Approximately 90 % of Africans view faith as central to their social and personal identity. This figure significantly exceeds averages in other parts of the world [4, p. 104]. In countries such as Nigeria, the Democratic Republic of the Congo, and Uganda, Catholic parishes often hold multiple Sunday services, with regular mass attendance reaching 70–90 %.

¹Meeting on the development of cooperation with African countries // President of the Republic of Belarus : website. URL: <https://president.gov.by/ru/events/sovesanie-po-voprosam-razvitiya-sotrudnicstva-so-stranami-afriki> (date of access: 03.11.2025) (in Russ.).

²Events // Ibid. URL: <https://president.gov.by/ru/events> (date of access: 03.11.2025) (in Russ.).

³Growth of church in Africa is staggering // Living eternal now : website. URL: <https://livingeternal.net/2025/05/29/growth-of-church-in-africa-is-staggering/> (date of access: 15.08.2025).

⁴New church statistics reveal growing Catholic population, fewer pastoral workers // Vatican News : website. URL: <https://www.vaticannews.va/en/vatican-city/news/2025-03/pontifical-yearbook-2025-priests-religious-statistics.html> (date of access: 20.05.2025).

⁵Masci D. Christianity is poised to continue its shift from Europe to Africa // Pew Research Center : website. URL: <https://www.pewresearch.org/fact-tank/2015/04/07/christianity-is-poised-to-continue-its-southward-march/> (date of access: 20.05.2025).

Yet despite this widespread presence, no African country has granted Catholicism the status of state religion. Consequently, the Vatican employs alternative instruments, particularly concordats. These long-term agreements regulate the entire spectrum of church-state relations. By 2025, such treaties were signed by 17 African states⁶. Concordats formalise the legal status of the Catholic Church and secure material benefits. They also cement its distinctive position within national religious systems. Analysts argue that these agreements do more than protect believers: they generate political and economic advantages in exchange for supporting state policies⁷. This creates a unique combination of spiritual influence and institutional privilege.

Although widely diffused, Christianity continues to face competition from both established traditions, such as Islam, and new religious movements, notably Pentecostalism.

Islam maintains considerable influence through historical presence and robust socio-cultural institutions. In countries with Muslim majorities, Christians often face structural inequalities in exercising religious and civil rights. Restrictions manifest directly through laws based on Islamic jurisprudence and indirectly through bureaucratic barriers and unequal access to social resources. In Morocco, for example, Christian communities remain extremely small, and proselytism carries criminal penalties⁸. Egyptian Copts, despite constitutional protections, endure lengthy bureaucratic delays when building churches, while apostasy from Islam often constitutes treason⁹. Sudanese authorities closed over two dozen churches in 2018, simultaneously tightening laws that restrict religious freedom¹⁰. Comparable pressures exist in Tunisia, Algeria, and Mauritania.

In more unstable regions, weak institutions and legal vacuums allow religion to become an instrument of armed conflict. Christian communities face targeted violence from radical Islamist groups that exploit religious identity for territorial control, social mobilisation, and legitimising extremism. Persecution thus becomes systemic, extending far beyond local disputes and generating transregional security threats.

The African Centre for Strategic Studies¹¹ reports that Islamist armed groups killed 22 307 people across the continent in 2024. Over the past decade, the death toll from such factions has exceeded 150 000, predominantly affecting Christian populations. In June 2025, extremists murdered approximately 200 Christian civilians in Benue State (Nigeria). Pope Leo XIV condemned these actions as acts of «extreme cruelty»¹². Furthermore, in the Democratic Republic of the Congo, militants from the Allied Democratic Forces (an Islamic State affiliate) slaughtered over 100 believers during worship services in the Komanda and Ituri districts between June and July 2025.

Within a broader regional context, Christians remain highly vulnerable to the rise of jihadist and radical insurgencies. In Somalia, al-Shabaab systematically assassinates religious minorities and destroys religious infrastructure. Meanwhile, the standoff between the Seleka and Anti-Balaka in the Central African Republic injects a persistent sectarian and ethno-political dimension into the conflict. Similar trends appear in Nigeria, Mali, and Burkina Faso. There, regular attacks, compounded by institutional failures, fuel a protracted humanitarian crisis.

Pentecostal movements present a further contemporary challenge, expanding rapidly across Africa. The limited adaptability of dogmatic and institutional models to sociocultural realities hinders Catholicism's growth. Inculturation proves complex, and official teachings often clash with everyday practices. Dogmatic rigidity limits the integration of traditional beliefs, while positions on marriage and contraception often conflict with social practices. For example, over 40 % of Catholics in the Democratic Republic of the Congo and Uganda accept contraceptive use, despite its prohibition in encyclical letter «Humanae Vitae»¹³. As a result, Protestant churches exhibit the highest growth rates. Pentecostals, representing less than 5 % of Africa's population in 1970, now account for roughly 12 % of population¹⁴. In countries like Mozambique, Pentecostal churches have become the second-largest Christian denomination and now far outnumber Catholics.

⁶Bilateral treaties of the Holy See // Ius canonicum congregatio : website. URL: https://www.iuscangreg.it/accordi_santa_sede.php?lang=EN (date of access: 12.01.2025).

⁷Quotes on concordats // Concordat watch : website. URL: <https://www.concordatwatch.eu/quotes-on-concordats--t38341> (date of access: 12.02.2025).

⁸2023 report on international religious freedom: Morocco // US Department of State : website. URL: <https://www.state.gov/reports/2023-report-on-international-religious-freedom/morocco/> (date of access: 12.03.2025).

⁹Egypt country update // US Commission on international religious freedom : website. URL: <https://www.uscirf.gov/publications/egypt-country-update> (date of access: 16.04.2026).

¹⁰Sudan: ongoing imprisonment and intimidation of church leaders, confiscation and destruction of church property // World Evangelical Alliance : website. URL: <https://un.worldea.org/wp-content/uploads/2020/09/HRC39-Sudan.pdf> (date of access: 16.04.2026).

¹¹Africa surpasses 150,000 deaths linked to militant Islamist groups in past decade // Africa Center for Strategic Studies : website. URL: <https://africacenter.org/spotlight/en-2025-mig-10-year/> (date of access: 20.10.2025).

¹²Angelus, Piazza San Pietro, Domenica, 15 June 2025 // The Holy See : website. URL: <https://www.vatican.va/content/leo-xiv/it/angelus/2025/documents/20250615-angelus.html> (date of access: 13.08.2025).

¹³Humanae Vitae and global health // Catholics for choice : website. URL: <https://www.catholicsforchoice.org/resource-library/humanae-vitae/humanae-vitae-and-global-health/> (date of access: 28.04.2025).

¹⁴Overview: Pentecostalism in Africa // Pew Research Center : website. URL: <https://www.pewresearch.org/religion/2006/10/05/overview-pentecostalism-in-africa/> (date of access: 15.05.2025).

A combination of institutional, doctrinal, and sociocultural factors drives this expansion. One of Pentecostalism's defining features is its dual character: although it retains universalist rhetoric, it increasingly acquires an ethnoconfessional dimension and functions as a means of self-identification and differentiation, first from colonial structures and then from other ethnic and religious groups [10; 11]. The idea of divine chosenness and global evangelisation combines religious mobilisation with projects of national economic and technological development.

Network flexibility and the absence of rigid hierarchies characterise the Pentecostal organisational model. This intensifies inter-church competition and allows congregations to multiply rapidly. «Megachurches» form around charismatic leaders claiming unique spiritual gifts. This phenomenon ensures internal cohesion and solidifies authority across specific social and territorial segments [9, p. 16; 12]. Media branding also matters. The active use of television, social media, and advertising turns religious communities into recognisable public actors and directly supports their growth.

A holistic worldview and the «prosperity gospel» provide the doctrinal foundation for this expansion. This theology interprets material wealth as a gift from the Holy Spirit [13, p. 52]. Amid economic instability, such teachings hold immense social relevance, as they connect religious devotion to expectations of personal and national enrichment. Emphasis on healing, prophecy, and spiritual warfare also preserves cultural continuity with traditional beliefs and increases believers' emotional involvement.

Finally, the integration of Pentecostal structures into political and economic life serves as a powerful mechanism of consolidation. Support from some governments, the participation of church representatives in public policy, and the concentration of infrastructure in more developed regions all help make Pentecostalism a marker of social mobility and a component of a new elite [13, p. 62]. Together, these factors explain its rapid institutional and demographic growth across African countries.

Any study of the Catholic Church in Africa must examine the relationship between the local episcopate and the Roman centre, together with the degree of autonomy African bishops exercise in pastoral and organisational matters. The African episcopate is expanding rapidly; by 2025, the continent hosted 771 Catholic bishops, comprising 14.2 % of the global total¹⁵. During Pope Francis' pontificate, interactions have exhibited a blend of strategic rapprochement and managed tension. Francis has notably strengthened the church's regional standing. He has fostered demographic growth, encouraged decentralisation, promoted inculturation, and engaged the youth. These efforts secured highly positive interactions with many local hierarchs. However, persistent theological and cultural differences, especially concerning moral teaching, reveal limits to the Holy See's universalist approach and highlight the growing autonomy of the African episcopate.

This tension erupted visibly following the 2023 declaration «Fiducia Supplicans», which permitted the blessing of same-sex couples under certain conditions¹⁶. The document provoked sharp criticism from a significant portion of the African clergy, who regarded it as incompatible with the cultural and moral context of the continent¹⁷. This disagreement culminated in a collective five-page statement sent to the Pope on 11 January 2024, in which the Symposium of episcopal conferences of Africa and Madagascar (SECAM) declared the norms of *Fiducia Supplicans* inapplicable on the continent. On 13 January 2024, the Pope effectively endorsed this position, stating that the document's provisions would not be implemented in Africa on grounds of cultural unacceptability¹⁸.

In several African states, the church's socio-political influence derives not only from religious authority but also from its substantial social role. By providing basic public services, including maternal and child protection and literacy programmes, church institutions command a high level of public trust. This, in turn, gives them stable channels of communication and privileged access to political and administrative elites.

The Holy See's policy in Africa: the state and diplomatic dimension

Africa holds a prominent place in the contemporary institutional dynamics of the Holy See. The Vatican maintains a permanent presence through apostolic

nunciatures in more than 40 African states¹⁹. Depending on the importance of a given country, the Vatican either establishes a full diplomatic mission locally or

¹⁵New church statistics reveal growing Catholic population, fewer pastoral workers // Vatican News : website. URL: <https://www.vaticannews.va/en/vatican-city/news/2025-03/pontifical-yearbook-2025-priests-religious-statistics.html> (date of access: 20.05.2025).

¹⁶Declaration *Fiducia Supplicans* on the pastoral meaning of blessings, 18 December 2023 // Libreria Editrice Vaticana : website. URL: https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_dff_doc_20231218_fiducia-supplicans_en.html (date of access: 12.03.2025).

¹⁷*Kaihu M.* «Bad timing»: SECAM president says *Fiducia Supplicans* «damaging» to Synodal process // ACI Africa : website. URL: <https://www.aciafrica.org/news/10120/bad-timing-secam-president-says-fiducia-supplicans-damaging-to-synodal-process> (date of access: 12.03.2025).

¹⁸*Onyalla F. D. B.* «Culture does not accept it»: Pope Francis on Africa's opposition to *Fiducia Supplicans* // Ibid. URL: <https://www.aciafrica.org/news/10028/culture-does-not-accept-it-pope-francis-on-africas-opposition-to-fiducia-supplicans> (date of access: 12.03.2025).

¹⁹Apostolic nunciatures // Giga-Catholic information : website. URL: <https://gatholic.org/dioceses/nunciatures.htm> (date of access: 03.12.2025).

accredits an apostolic nuncio concurrently from another state. For example, the apostolic nuncio to Equatorial Guinea, Archbishop Jose Avelino Bettencourt, is concurrently accredited to Malabo while residing permanently in Cameroon.

Conversely, several countries (such as the Comoros and Somalia) lack any form of papal diplomatic representation. This absence results from missing formal ties, severe political instability, or stringent legal restrictions that prohibit comprehensive bilateral engagement.

African nations also maintain foreign missions to the Holy See. Just over a dozen have dedicated embassies in Rome, including Angola, Cameroon, Egypt, Morocco, Nigeria, and Senegal²⁰. Others accredit ambassadors based in other European capitals.

Another targeted instrument of interstate cooperation is the exchange of visits at high and highest levels. These include papal visits to Africa, visits by African leaders to the Vatican, and audiences with the pontiff or senior officials of the Secretariat of State.

During his pontificate, Pope Francis completed five apostolic visits to the continent. These tours covered ten countries across various subregions: Kenya, Uganda, the Central African Republic, Egypt, Morocco, Mozambique, Madagascar, Mauritius, the Democratic Republic of the Congo, and South Sudan.

Analysis of his meetings, public addresses, and official statements during these visits reveals that his engagement with the continent was systematically structured around three interconnected strategic priorities, blending pastoral mission with the Holy See's broader political agenda.

First, he prioritised promoting peace and interreligious harmony amid growing instability and radicalisation. Francis consistently rejected any equation of Islam

with violence, while also insisting on the need to protect vulnerable Christian communities in conflict zones. Second, support for the poorest and most marginalised groups reinforced Pope Francis' moral authority far beyond the Catholic faithful. Third, environmental concerns ran through his African agenda and were framed, in line with encyclical letter «Laudato Si»²¹, as a moral and social challenge. He noted that its consequences disproportionately affect African countries, despite their minimal contribution to global climate change.

These visits served as instruments of both symbolic and practical engagement, consolidating the pontiff's reputation as one of the most consistent and authoritative international voices articulating African concerns at the global level.

The institution of legation is another important element in the Holy See's external relations. It involves the pontiff sending a special representative (the Papal Legate) to a foreign country or international event for a specific and usually important occasion. The legate acts in the Pope's name within a strictly defined mandate. Such missions may be linked either to positive events, including anniversaries and major church or state ceremonies, or to crises and conflicts. For example, in October 2025, Pope Leo XIV appointed Cardinal Wilfrid Fox Napier as a special envoy for the 75th anniversary celebrations of the Ghanaian archdioceses²². They may equally respond to crises or conflicts.

These institutional mechanisms (visits, legations, and nunciatures) are inextricably linked to the rapid growth of the Catholic population in Africa. This trajectory compels the Holy See to treat Africa not only as a space of diplomatic presence, but also as one of the key centres of its long-term pastoral and strategic attention.

Peacekeeping and humanitarian missions as the foundation of the Holy See's activities in Africa

Peacekeeping constitutes a fundamental component of the Holy See's spiritual and diplomatic presence. It reflects the Vatican's commitment to peace, justice and humanitarian assistance.

The Pope plays the leading role in these peacemaking endeavours. His soft power allows him to influence political processes, de-escalate conflicts, and draw attention to urgent social problems. This distinct toolkit provides direct, prompt, and highly effective influence.

The next institutional tier is the Dicastery for promoting integral human development. Its operations

concentrate on justice and stability, utilising a strategy of preventive peacebuilding. The dicastery works to address the root causes of conflict (such as poverty and injustice) before violence breaks out [5, p. 75].

The Vatican also enlists lay movements in its peace mission. These operate under the auspices of the Dicastery for laity, family and life and are guided by spiritual leaders among senior Vatican officials. The most notable example is the Community of Sant'Egidio, which has worked to resolve intercommunal and political conflicts in Burundi, the Democratic Republic of the Congo, Mozambique, Algeria, and Togo.

²⁰All foreign embassies in Vatican // Embassy worldwide : website. URL: <https://www.123embassy.com/city.php?c=Vatican> (date of access: 01.08.2025).

²¹Laudato Si: encyclical letter on care for our common home // The Holy See : website. URL: https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html (date of access: 15.07.2025).

²²Letter of the Holy Father to the Special Envoy to the celebrations for the 75th anniversary of the erection of the Archdiocese of Cape Coast & Dioceses of Accra, Keta, Kumasi and Tamale, Ghana // Ibid. URL: <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2025/10/18/251018g.html> (date of access: 20.12.2025).

Pope Francis' interventions in South Sudan and the Central African Republic represent the most visible successes of papal diplomacy. In 2019, the pontiff shocked South Sudanese leaders by kneeling to kiss their feet. This gesture helped seal a peace agreement following a civil war that claimed over 400 000 lives [14, p. 41]. In 2015, at the height of the armed conflict between the Seleka and Anti-Balaka, he visited places then closed to Christians and demonstratively refused security. By meeting with both Muslim and Christian clerics, and appealing directly to residents of the Central African Republic, he facilitated crucial interfaith reconciliation and a subsequent peace accord.

The Vatican's humanitarian presence in Africa displays strong institutional continuity and a long-term orientation, setting it apart from the short-term, project-based approaches characteristic of many state and non-state donors.

Humanitarian work centres on the figure of the Pope, who acts as initiator, coordinator, and source of aid. In March 2019, for example, he donated 150 000 euro to victims of the cyclone in Mozambique, Zimbabwe, and Malawi²³.

Three main bodies coordinate these initiatives: the Dicastery for evangelisation, the Dicastery for the service of charity, and the Dicastery for promoting integral human development, with emphasis on healthcare and education. In 2025, the Vatican assisted Sudanese refugees in camps in Chad and directed resources to address drought and epidemics in Malawi, Zambia, and Zimbabwe.

Additional funding flows from a range of foundations and other non-governmental organisations, both regionally focused and global in scope. The Solidarity Fund for the Church in Africa, for example, allocated US 2.6 mln US dollars in 2024 for 96 pastoral and humanitarian projects across 32 African countries²⁴. Since its creation, the John Paul II Fund for the Sahel has supported 3200 projects worth over 37 mln US dollars in Burkina Faso, Cape Verde, Chad, Gambia, Guinea-Bissau, Mali, Mauritania, Niger, and Senegal²⁵.

Aid to the Church in Need (ACN) allocated 31.5 % of its total aid to Africa in 2022, the largest regional share in its global activity²⁶. According to ACN's 2024 report, Africa again received the largest share of the

foundation's support, accounting for around 30.2 % of all projects and allocations²⁷.

In most cases, the bulk of funds provided by Vatican-linked donors is channelled through the national branches of Caritas Africa, the regional arm of Caritas Internationalis, which consists of 46 Catholic organisations.

The Sovereign Order of Malta further strengthens Catholic institutional reach. As the world's largest charitable entity, it contributes massively to regional humanitarian efforts. It has *de jure* status as an independent subject of international law while remaining *de facto* under the control of the Roman Curia. The order runs an extensive network of diplomatic missions across the continent. It has secured bilateral agreements with several states including Liberia, Morocco, Kenya, Mali, Guinea, and the Republic of the Congo [4, p. 101]. These treaties provide a legal basis for providing medical assistance and implementing humanitarian programmes on the ground.

In healthcare, the church is the largest non-governmental provider in sub-Saharan Africa and delivers up to a quarter of all medical care. Its network includes approximately 14 000 institutions, nearly 5000 outpatient clinics, 1600 hospitals, and about 200 leprosy facilities, which together account for 36 % of the global hospital capacity of Catholic medicine [5, p. 74]. Catholic medical organisations have been instrumental in combating HIV – AIDS, Ebola, and the COVID-19 pandemic.

The Vatican is also highly active in education, an area of particular importance for Africa's young population. According to the Fides agency (October 2025), Catholic institutions on the continent operate over 21 000 kindergartens (serving 2.9 mln children), more than 45 000 primary schools (21 mln pupils), and 18 000 secondary schools (7 mln students)²⁸. In total, these structures encompass roughly 84 000 educational establishments reaching over 30.9 mln people and making the church the largest operator of education in the region.

Some ten Catholic universities serve the continent, training both theologians and secular professionals. These institutions attract students from various faiths and rank among the region's leaders in educational quality.

Moreover, the Holy See is committed to raising educational standards further. In June 2023, Pope

²³Rep. Dem. Congo. I primi medici specializzati del Progetto «Africae Munus» // Dicastero per il Servizio dello Sviluppo Umano Integrale : website. URL: https://www.humandevlopment.va/it/progetti/africae_munus_project.html (date of access: 18.12.2025).

²⁴Watkins D. US bishops reiterate concrete solidarity with the church in Africa // Vatican news : website. URL: <https://www.vaticannews.va/en/church/news/2025-09/usccb-bishops-solidarity-christians-africa.html> (date of access: 03.12.2025).

²⁵Meeting of the Management Board of the John Paul II Foundation for the Sahel // The Holy See : website. URL: https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2017/02/21/170221c.html?utm_source=chatgpt.com (date of access: 15.04.2025).

²⁶Africa listed as top beneficiary of 2022 Aid to the Church in Need donations // ACI Africa : website. URL: <https://www.aciafrica.org/news/8710/africa-listed-as-top-beneficiary-of-2022-aid-to-the-church-in-need-donations> (date of access: 03.12.2025).

²⁷Annual report – 2024 // Aid to the Church in Need : website. URL: <https://www.churchinneed.org/wp-content/uploads/2025/08/ACN-2024-AnnualReport-Digital.pdf> (date of access: 13.10.2025).

²⁸Vatican – Catholic Church statistics – 2025 // Agenzia fides : website. URL: <https://www.fides.org/en/stats> (date of access: 03.11.2025).

Francis endorsed the African education pact²⁹ which is an initiative to forge a common vision uniting governments, churches, foundations, and civil society around a continent-wide education strategy. The pact

focuses on long-term financing, quality improvement, and digitalisation, drawing on public and private funding as well as the potential of the African diaspora.

Africa and the Holy See: reciprocal impact on the Vatican's Church and state practices

As of May 2025, Africans held 29 seats in the College of Cardinals and came from 23 countries³⁰. Pope Francis appointed 19 of them.

The continent's growing institutional representation was also visible during the May 2025 conclave, where 19 African cardinals out of 135 held the right to vote. Several (cardinals Peter Turkson (Ghana), Fridolin Ambongo (DRC), and Ignace Bessy Dogbo (Côte d'Ivoire)) were widely regarded as credible candidates for the papal throne, underscoring Africa's rising symbolic and political weight within the Catholic Church³¹.

These gains have not, however, been matched by a comparable expansion of managerial influence. No dicastery of the Roman Curia is currently headed by an African cardinal, and the continent's share of personnel in Vatican governing structures does not, by most estimates³², exceed 5 %.

It would nonetheless be premature to treat this imbalance as fixed. Over the medium term, it may well shift not least under the influence of the soft power that African clergy increasingly exert.

An inversion of the traditional European missionary model defines the early 21st century. Dioceses increasingly deploy African clerics to Europe and the United States to alleviate local clergy shortages. This process often termed «reverse mission» is both sustained and institutionalised.

France provides the clearest example: more than 650 priests from African countries serve there, out of just over 1300 foreign clergy in total. Italy, Germany, and Spain each host between 300 and 500 African clergy. In the United States, their number is estimated at 700–800, mainly from Nigeria, Ghana, and Kenya [5, p. 72].

There are also grounds to expect a further substantial increase in Africa's pastoral presence in Western countries. At a time when vocations are declining in many parts of the world, the number of seminarians in Africa continues to grow. As of 2025 data, 34 924 senior seminarians out of 106 495 seminarians (nearly one in three) are studying on the continent, with the sharpest annual increase, exceeding 2000, recorded in junior seminaries³³.

Pope Leo XIV and the African Continent: institutional and social perspectives

The current Pontiff, Leo XIV, elected in May 2025, has repeatedly declared his intention to continue the course set by Pope Francis, including a commitment to «social justice for the Global South» [15]. This may be read as a signal of sustained attention to the African Continent and the development of local church initiatives.

Before his election, Leo XIV travelled extensively throughout the region. These visits granted him a deep understanding of Africa's unique challenges. He visited the Democratic Republic of the Congo in 2009, Kenya in 2011, and Nigeria no less than nine times between

2001 and 2016. A ten-day pilgrimage is planned for April 2026, with the Bishop of Rome set to visit Algeria, Cameroon, Angola, and Equatorial Guinea from 13 to 23 April³⁴. In duration, this visit matches the large-scale African journey of John Paul II in 1985, when that Pontiff undertook pastoral visits to seven countries over eleven days – a comparison that underscores its intensity and geographic scope.

Nevertheless, the new Pope confronts an array of persistent challenges. First, Africa remains underrepresented in the governing bodies of the Roman Curia.

²⁹Pope: we look at Africa with great hope // Vatican news : website. URL: <https://www.vaticannews.va/ru/pope/news/2023-06/papa-my-smotrim-na-afriku-s-bolshoj-nadezhdoj.html> (date of access: 03.12.2025) (in Russ.).

³⁰Diouf A. Is the future of the Catholic Church being decided in Africa? // TV5 Monde : website. URL: <https://information.tv5monde.com/afrique/lavenir-de-leglise-catholique-se-joue-t-il-en-afrique-2771138> (date of access: 20.10.2025).

³¹Coulibaly L., Bruce E., Nyemba B. Africans root for first black pope in modern history // Reuters : website. URL: <https://www.reuters.com/world/africa/africans-root-first-black-pope-modern-history-2025-04-22/> (date of access: 07.12.2025).

³²Chu Ilo S. Pope Leo must elevate African voices in the Roman Church // Voice Afrique : website. URL: <https://voiceafrique.org/pope-leo-must-elevate-african-voices-in-the-roman-church/> (date of access: 03.12.2025).

³³Vatican – Catholic Church statistics – 2025 // Agenzia fides : website. URL: <https://www.fides.org/en/stats> (date of access: 03.11.2025).

³⁴Pope Leo XIV to visit Africa and Europe // Vatican news : website. URL: <https://www.vaticannews.va/ru/pope/news/2026-02/papa-lev-xiv-posetit-afriku-i-evropu.html> (date of access: 26.02.2026) (in Russ.).

Second, the shortage of clergy is growing³⁵: on average, one bishop in Africa serves 365 000 Catholics, far above the global average of 259 000. Third, the Catholic Church faces mounting competition from Pentecostalism, widely regarded as the fastest-growing Christian movement in Africa. Fourth, the Holy See must manage tensions with African clergy over Rome's broader recognition of LGBT rights. Finally, it must respond to demands from African actors for reparations for historical abuses, including the church's role in the transatlantic slave trade.

Concrete steps are already underway to address some of these issues. In June 2025, Leo XIV approved the appointment of five African hierarchs to the Dicastery for institutes of consecrated life and societies of apostolic life³⁶, one of the key decision-making bodies for religious life worldwide.

The Pope has also publicly reaffirmed the region's importance as a source of growth in the Catholic flock and as a centre for forming a new generation of clergy, both strategically important for the global dynamics of the church. He has noted that Africa gives the

world hope, as well as «many young witnesses of the faith»³⁷.

An analysis of public addresses of Leo XIV also shows his systematic attention to developments in Africa and confirms that African issues rank among the priorities of his pontificate. During the first seven months of his ministry, he referred repeatedly to African affairs in official speeches and audiences. He placed particular emphasis on security and humanitarian instability in Mozambique, Sudan, the Democratic Republic of the Congo, South Sudan, Mali, Burkina Faso, and Tanzania.

Simultaneously, the Holy See endeavours to repay its «moral debt», including indirectly, by promoting conditions that could improve Africa's financial position. In June 2025, the Vatican-commissioned jubilee report was published – an action plan to overcome the debt crisis and reform the global debt system, which disproportionately burdens African nations. The report advocates systemic reforms: ending net transfers from debt-laden countries, expanding debt suspension initiatives, establishing a global climate fund, and promoting South – South financial integration³⁸.

Conclusions

At the beginning of the 21st century, African Catholicism presents a dynamic picture: rapid demographic growth, high levels of religious engagement, and increasing institutional significance coexist with deep external and internal challenges. The continent has become a central hub of global Christianity, comprising roughly one-fifth of the world's Catholic population and thus commanding special attention from the Holy See. Lacking the status of state religion, the Vatican consolidates Catholicism's influence through concordats that institutionalise the church's special standing. At the same time, Catholicism contends with intense competition from Islam and Pentecostal movements, as well as systemic pressure and violence in conflict zones. A further factor is the expanding size and autonomy of the African episcopate, reflected in sharpening theological and cultural disagreements with Rome and signalling the emergence of a more polycentric model of Vatican – African church relations.

Diversified diplomatic formats characterise the Holy See's institutional presence across Africa. These range from permanent representation through apostolic nunciatures to deployment of soft power, including papal

visits and special legates. Substantively, this activity centres on the triad of peace, social justice, and ecology, enabling the Vatican to position itself as a universal moral actor on the African stage.

The Holy See's main comparative advantage, and the basis of its deep influence, lies in its exceptional humanitarian and social presence. Through its broad network of ecclesiastical structures and affiliated bodies, including Caritas, the Sovereign Order of Malta, and specialised foundations, the Vatican operates as the largest non-governmental provider of basic healthcare and education. This long-term, institutionally rooted activity builds durable social capital and confers unique legitimacy, transforming the Holy See from a purely religious institution into a significant political and humanitarian actor on the continent.

Nevertheless, despite a growing African presence in the College of Cardinals and increased electoral weight, Africa's institutional influence in key structures of the Roman Curia remains limited. Yet active «reverse mission», the rising number of African clergy and seminarians, and their role in sustaining churches in Europe and the United States are creating the

³⁵New statistics reveal the Catholic Church // Catholic news world : website. URL: <https://www.catholicnewsworld.com/2025/03/breaking-new-statistics-reveal-catholic.html> (date of access: 09.08.2025).

³⁶A new dawn: Africa's voice grows stronger in the Vatican // The African Mirror : website. URL: <https://theafricanmirror.africa/news/a-new-dawn-africas-voice-grows-stronger-in-the-vatican> (date of access: 03.12.2025).

³⁷Holy Father: hope breaks the chain of evil // Vatican news : website. URL: <https://www.vaticannews.va/ru/pope/news/2025-11/papa-nadeyatsya-znachit-svidetelstvovat.html> (date of access: 11.12.2025) (in Russ.).

³⁸A jubilee report: a blueprint for tackling the debt and development crises and creating the financial foundations for a sustainable people-centered global economy // Initiative for policy dialogue : website. URL: https://ipdcolumbia.org/wp-content/uploads/2025/06/Jubilee-report_veryfinal.pdf (date of access: 03.12.2025).

preconditions for a gradual redistribution of the continent's symbolic, personnel, and political-institutional weight in global Catholicism.

The pontificate of Leo XIV suggests continuity in the Holy See's policy towards Africa, especially in its commitment to social justice. However, deeper engagement will depend on how effectively the Vatican addresses a complex set of institutional and sociocultural challenges, including underrepresentation in the Curia, personnel shortages, confessional rivalry, and tensions between traditional values and liberal trends.

The Vatican's response is multidimensional. It combines targeted local measures, such as appointments to dicasteries, with attempts to shape the global economic order, as seen in the jubilee report. This signals a shift away from a paternalistic model of support towards a strategy aimed at strengthening the agency of the African continent and the Catholic communities within it. Ultimately, this approach aims to consolidate the church's position in an important region.

The Holy See's engagement with African states offers a case study in building a sustainable presence with limited material resources but high institutional and symbolic legitimacy. Belarus can interpret this success not in confessional terms, but from an institutional-diplomatic perspective – as a model for combining humanitarian, educational, cultural, and political-diplomatic instruments in the pursuit of national interests.

First, Belarus could draw on the principle of long-term humanitarian and social investment, mirroring the Holy See's development of educational, medical, and charitable institutions across Africa. In the Belarusian context, this could be expressed through expanding training programmes for African specialists at Belarusian universities, transferring medical expertise, and

institutionalising cooperation in agricultural technology and engineering education. A positive image built through socially significant initiatives can provide a durable channel for political dialogue. Second, the practice of establishing bilateral framework agreements that set a cooperative foundation while allowing the gradual implementation of specific projects is instructive. For Belarus, this model minimises political risks and enables relations with African states grounded in pragmatism and non-interference, with a focus on economic and technological cooperation.

Third, the deployment of soft power through a cultural and value-based presence is crucial. By appealing to a universalist agenda (peace, social justice, and the protection of vulnerable groups) the Holy See builds platforms of trust in relations with African societies. Belarus could adapt this approach by promoting sustainable development and food security as a contribution to achieving pan-African goals, aligned with African Union initiatives.

Fourthly, Vatican practice demonstrates the effectiveness of personal diplomacy and symbolic high-level visits, which serve not only as political signals but also as institutional anchors for a country's regional presence. For Minsk, this implies intensifying contacts at the level of heads of state and government, alongside parliamentary and inter-agency diplomacy.

Drawing on the institutional flexibility, humanitarian focus, and value-oriented rhetoric that the Holy See has tested in Africa, Belarus could develop a sustainable model for its own continental presence. From a strategic perspective, this will not only diversify foreign economic relations but also strengthen Minsk's political and diplomatic standing within the emerging multipolar international order.

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Received by editorial board 12.05.2026.

UDC 327.8(510+6)

THE EVOLUTION OF CHINA'S APPROACH TO AFRICA: TOWARDS A COMMUNITY WITH A SHARED FUTURE FOR MANKIND

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Abstract. This article examines the historical evolution of China's engagement with African states and its progression towards building a community with a shared future for mankind. The analysis focuses on two main questions: how China's approach to Africa has changed over time, and how the shared future vision has been advanced in practice on the continent. The study identifies four stages in the evolution of China – Africa relations: political support and assistance, economic cooperation and joint development, institutionalised cooperation, and the current focus on building of China – Africa community with a shared future. The article further shows that this vision has been advanced in Africa primarily through regional China – Africa cooperation and only subsequently through bilateral relations. This process has already produced substantial results in the political, economic and social spheres. Ultimately, the movement of China and Africa towards a shared future represents an important practical contribution to the consolidation of the Global South and to strengthening its role in global governance.

Keywords: China – Africa relations; evolution of the China's approach to Africa; community with a shared future for mankind; Forum on China – Africa cooperation; Global South.

ЭВОЛЮЦИЯ ПОДХОДОВ КИТАЯ К ВЗАИМОДЕЙСТВИЮ СО СТРАНАМИ АФРИКИ: НА ПУТИ К ПОСТРОЕНИЮ СООБЩЕСТВА ЕДИНОЙ СУДЬБЫ ЧЕЛОВЕЧЕСТВА

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Аннотация. Рассматривается эволюция форм взаимодействия Китая со странами Африки. Анализируется способ последовательного развития данного процесса для построения сообщества единой судьбы человечества. Выделяются следующие основные направления в данной сфере: трансформация подходов Китая к взаимодействию со странами Африки и практика продвижения построения сообщества единой судьбы человечества в африканском регионе. В результате исследования устанавливается, что китайско-африканское взаимодействие прошло четыре ключевых этапа: этап политической поддержки и помощи, этап экономического сотрудничества и совместного развития, этап институционализации сотрудничества, этап формирования китайско-африканского сообщества единой судьбы. Определяется, что продвижение концепции сообщества единой судьбы человечества в Африке реализуется преимущественно через развитие китайско-африканского взаимодействия на региональном уровне с последующим распространением на двусторонние отношения (таким образом были получены положительные результаты

Образец цитирования:

Ань Нань. Эволюция подходов Китая к взаимодействию со странами Африки: на пути к построению сообщества единой судьбы человечества. *Журнал Белорусского государственного университета. Международные отношения.* 2026;1:34–41 (на англ.).
EDN: VQUSZS

For citation:

An Nan. The evolution of China's approach to Africa: towards a community with a shared future for mankind. *Journal of the Belarusian State University. International Relations.* 2026;1:34–41.
EDN: VQUSZS

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в политической, экономической и гуманитарной сферах). Делается вывод о том, что стремление Китая и стран Африки к построению сообщества единой судьбы человечества представляет собой важную практику консолидации стран Глобального Юга и их совместного участия в глобальном управлении.

Ключевые слова: китайско-африканские отношения; эволюция подходов Китая к взаимодействию в Африке; сообщество единой судьбы человечества; Форум китайско-африканского сотрудничества; Глобальный Юг.

Introduction

The concept of a «community with a shared future for mankind» has become a central element of China's contemporary foreign policy. It is presented as a model of global governance that differs from traditional Western-centred approaches. The concept emphasises extensive consultation, joint contribution and shared benefits. By advocating a more equitable and rational international order, it has found particular resonance among states of the Global South.

As a priority region in China's foreign policy, Africa plays an important role in the practical realisation of this vision. At the 2024 Beijing summit of the Forum on China – Africa cooperation (FOCAC), Xi Jinping announced that China's bilateral relations with all its African diplomatic partners would be elevated to the level of strategic partnership. He also stated that China – Africa relations would be raised to the level of an all-weather community with a shared future in the new era¹. This was the first time China had elevated the concept to the continental level and framed it in terms of «all-weather» cooperation.

Solidarity and cooperation with Africa have long been priorities of China's foreign policy. Since the Bandung conference in the mid-1950s, China – Africa engagement has deepened steadily.

Four broad stages can be identified in this evolution: 1) political support and economic assistance; 2) economic cooperation and joint development; 3) institutionalised engagement; 4) the building of a China – Africa community with a shared future.

This historical trajectory reflects not only changes in China's broader strategic outlook but also shifts in the global political and economic order and Africa's growing demand for deeper engagement with Beijing.

In Belarusian scholarship, dedicated studies of China – Africa relations remain limited. Existing work addresses China's foreign policy strategy, its engagement with African states and international organisations, and the shared future concept. For example, R. O. Yesin and O. P. Rubo note that the building of a China – Africa community with a shared future in the new era is becoming an increasingly important strategic direction for Beijing [1]. J. I. Malevich examines the early stage of China – Africa cooperation [2], while O. P. Rubo analyses the mechanisms of China's engagement with the African Union in multilateral formats [3]. I. A. Chuvilov, in turn,

offers a broader assessment of the shared future concept within contemporary Chinese foreign policy strategy [4]. A. V. Selivanov emphasises Africa's importance for Belarus' own international cooperation, underlining the need for deeper regional expertise [5, p. 22]. Other scholars, including A. M. Baichorov [6] and Jiang Yumeng [7], explore various aspects of China's strategy in Africa and provide essential context for the present study.

Chinese scholarship on China – Africa relations is more extensive and systematic. Li Anshan, a leading specialist in the field, argues that China's policy in Africa is integral to its global strategic positioning [8, p. 52]. Zhang Zhongxiang offers a systematic interpretation of the China – Africa shared future framework [9, p. 224]. Meanwhile, Zhang Ying and Pan Jingguo compare Chinese and Western approaches to humanitarian aid in Africa in order to highlight the distinctive features of the China – Africa model [10].

African scholars have also devoted considerable attention to the subject, often from a more critical perspective. Ghanaian researchers N. K. Nkrumah and D. D. Kipo-Sunyehzi analyse China – Africa engagement through the lens of South – South cooperation and observe that structural imbalances persist despite significant developmental potential [11]. R. Aidoo from Ghana and S. Hess from the United States examine the evolution of Beijing's principle of non-interference in Africa and conclude that it has gradually adapted to complex local political realities [12]. In addition, a volume edited by A. Oqubay from Ethiopia and J. Yifu Lin from China brings together African, Chinese and Western perspectives on China's role in Africa's economic transformation [13].

Although the existing literature provides a solid theoretical foundation, most studies focus on specific aspects or sectors. What remains lacking is a comprehensive account of how China's overall approach to engagement with Africa has evolved over time.

This article seeks to address that gap by systematising the main stages of this evolution and analysing, from a political science perspective, the practical implementation of the shared future concept across the African continent.

More specifically, the article aims to identify the principal stages in the evolution of China – Africa engagement and to examine the regional and bilateral practices through which this vision has been advanced.

¹Main speech by Chairman Xi Jinping at the opening ceremony of the China – Africa forum in Beijing (full text) // Ministry of National Defence of the People's Republic of China : website. URL: https://www.mod.gov.cn/gfbw/sy/tt_214026/16336248.html (date of access: 20.03.2026) (in Chin.).

Results

A retrospective analysis of China – Africa relations reveals four main stages. The first stage (1955–1978) was defined by political support and economic assistance. During this period, China's cooperation with African states focused primarily on supporting national liberation movements in Asia and Africa, consolidating the sovereignty of newly independent states, and providing economic and technical assistance within its limited means.

In the early years of the People's Republic of China, the country faced diplomatic isolation as a result of Western containment policies. Strengthening solidarity and cooperation with African states therefore became an important priority of Chinese foreign policy. Africa, meanwhile, was undergoing the rapid collapse of the colonial order, and newly independent states faced the urgent tasks of consolidating statehood and advancing economic development. Under these conditions, China and African states gradually developed political ties grounded in shared experiences of anti-colonial struggle and resistance to external pressure.

The 1955 Asian-African conference in Bandung (Indonesia) is widely regarded as the starting point of modern China – Africa relations [14, p. 279]. There, Chinese Premier Zhou Enlai presented the five principles of peaceful coexistence: 1) mutual respect for sovereignty and territorial integrity; 2) mutual non-aggression; 3) non-interference in internal affairs; 4) equality and mutual benefit; 5) peaceful coexistence [15, p. 27].

These principles became a cornerstone of Beijing's diplomacy. After the Asian-African conference, China's diplomatic ties with African countries expanded steadily. In May 1956, Egypt became the first African state to establish diplomatic relations with China. As decolonisation advanced across Africa in the 1950s, 1960s and 1970s, China had established official diplomatic relations with 41 of the 48 independent African states by the end of 1976 [16, p. 27].

Beijing's operational principles for engagement with Africa [15] also took clearer shape during this period. During Zhou Enlai's visits to African countries between December 1963 and February 1964, he set out the five principles guiding relations between China and African and Arab countries and the eight principles for China's foreign economic and technical assistance.

The five principles guiding relations between China and African and Arab countries included the following points:

- support for the peoples of Africa and the Arab world in their struggles against imperialism and colonialism and in their efforts to achieve and defend national independence;
- support for policies of peaceful neutrality and non-alignment;
- support for the aspirations of African and Arab peoples to achieve unity and solidarity along development paths of their own choosing;

- support for the peaceful resolution of disputes;
- affirmation of the sovereignty of African and Arab states and the inadmissibility of external interference.

The eight principles for China's foreign economic and technical assistance stated, among other things, that aid should be based on equality, oriented towards joint development, and free of political conditions [15, p. 28].

In 1974, Mao Zedong's three worlds theory explicitly placed Africa within the third world [17, p. 605], thereby underlining the strategic political significance of China – Africa relations. This framework provided an ideological basis for cooperation grounded in sovereignty and condition-free partnership.

China adhered to these principles consistently over an extended period. Between 1956 and 1977, China provided African states with economic assistance totalling more than 2.476 bln US dollars, approximately 58 % of its total foreign aid [18, p. 14], despite serious domestic economic difficulties.

The most emblematic project of this era was the Tanzania – Zambia Railway, which helped overcome the legacy of the colonial economic system and became a powerful symbol of solidarity and cooperation between China and African countries.

African states, in turn, provided crucial support for the restoration of the seat of the People's Republic of China in the UN and for the defence of China's core interests. Despite external pressure, many newly independent African countries repeatedly sponsored resolutions in the UN General Assembly calling for the restoration of China's legitimate rights. In October 1971, when the relevant resolution finally passed, 26 African states voted in favour, accounting for nearly a third of the supporting bloc. As Mao Zedong acknowledged, it was «the African brothers who helped China enter the UN» [19, p. 36].

China – Africa relations at this stage had several distinctive features. First, both sides developed a shared commitment to peaceful coexistence and to seeking common ground while reserving differences, which formed the diplomatic basis of the relationship. Second, political support was the core of cooperation: China – Africa relations rested on a shared political identity shaped by resistance to colonial domination and external pressure.

In sum, the early model of political support and economic assistance laid the groundwork for the later development of a China – Africa community with a shared future.

The second stage (1978–2000) was characterised by economic cooperation and joint development. As China deepened its reform and opening-up policy, and as most African countries consolidated their political independence, China – Africa cooperation increasingly focused on promoting economic development on both sides.

In 1983, on his visit to 11 African states, Premier Zhao Ziyang set out the four principles of China's economic

and technical cooperation with African countries: 1) equality and mutual benefit; 2) emphasis on practical results; 3) diversity of forms of cooperation; 4) joint development [15, p. 54].

These principles reflected China's adaptation of its approach to Africa under new domestic and international conditions and marked a shift from solidarity-driven assistance towards a stronger emphasis on mutual development.

During this period, China – Africa relations retained the tradition of mutual political support. On human rights issues in the UN, African states generally supported China's positions, reflecting broadly convergent approaches to international affairs. Between 1990 and 2001, during ten major diplomatic confrontations between China and the United States, African states formed Beijing's most reliable voting bloc [20, p. 36–38]. The deepening economic dimension of China – Africa relations did not displace political trust, rather, the two reinforced one another.

The ideological content that had been prominent in the first stage lost much of its earlier salience. Economic cooperation moved to the forefront, as reflected clearly in trade figures.

During this period, bilateral trade between China and African countries increased² from 0.78 bln US dollars in 1978 to 10.6 bln US dollars in 2000. This growth reflected the increasing emphasis on mutually beneficial economic cooperation, a reorientation that proved foundational for the later stages.

The third stage (2000–2013) centred on the institutionalisation of cooperation. The beginning of the 21st century saw an increasingly multipolar international system, which heightened Africa's need for coordinated collective action in the context of globalisation. China's cooperation with Africa expanded across multiple sectors, creating a need for a unified platform capable of coordinating increasingly complex political, economic and social initiatives.

The establishment of FOCAC in 2000 provided this institutional framework, moving China – Africa relations towards a more coordinated model.

In 2006, Beijing published its first policy paper on Africa, formally committing itself to a new type of strategic partnership across the continent. The document

set out the goal of building such a partnership on the basis of political equality and mutual trust, mutually beneficial economic cooperation, and cultural exchange and mutual learning³. Cooperation was no longer limited to traditional aid or trade. It increasingly took place through institutional platforms that coordinated activity across different fields. This improved the effectiveness of cooperation and helped move China – Africa relations towards a more comprehensive model.

FOCAC thus emerged as the principal platform for coordinating China – Africa cooperation and subsequently as the main vehicle through which the shared future vision was advanced.

The fourth and current stage (2013–2026) centres on the building of a China – Africa community with a shared future. Rooted in traditional Chinese philosophical ideas such as great unity and harmonious co-existence, the shared future concept was introduced internationally by Xi Jinping in a 2013 speech at MGIMO University in Russia⁴.

In the years that followed, the concept was further elaborated and applied at different levels of cooperation, including bilateral, subregional and regional formats.

Also in 2013, during a visit to Tanzania, Xi Jinping stated that China and African countries had always formed a community with a shared future. This formulation gave the idea more specific meaning in the context of China – Africa relations and presented it as a framework for regional cooperation. During the same period, Xi Jinping also articulated the core principles of China's Africa policy. These included the approach of «sincerity, real results, amity and good faith» and the idea of «upholding justice while pursuing shared interests, with priority given to justice»⁵. These formulations set out the foundations of China's contemporary Africa policy.

Within this framework, strategic ties continued to deepen. The 2015 FOCAC summit in Johannesburg established a comprehensive strategic and cooperative partnership. The 2018 Beijing summit set the goal of building a closer China – Africa community with a shared future⁶. In 2024, the Beijing summit of FOCAC redefined China – Africa relations as an «all-weather China – Africa community with a shared future in a new era», thereby consolidating this vision as the strategic framework of China's Africa policy⁷.

²China – Africa economic and trade cooperation has achieved positive results, 2023 // Ministry of Commerce of the People's Republic of China : website. URL: <https://m.mofcom.gov.cn/article/bg/200312/20031200158324.shtml> (date of access: 19.03.2026) (in Chin.).

³China's African policy // State Council of the People's Republic of China : website. URL: https://www.gov.cn/gongbao/content/2006/content_212161.htm (date of access: 20.03.2026) (in Chin.).

⁴Full text of Xi Jinping's speech at Moscow State Institute of International Relations // Ministry of Foreign Affairs of the People's Republic of China : website. URL: https://www.mfa.gov.cn/web/gjhdq_676201/gj_676203/oz_678770/1206_679110/1209_679120/201303/t20130324_9337073.shtml (date of access: 20.01.2026) (in Chin.).

⁵Xi Jinping's speech at the Nyerere International Conference Centre in Tanzania (full text) // Ibid. URL: https://www.fmprc.gov.cn/web/gjhdq_676201/gj_676203/fz_677316/1206_678574/1209_678584/201303/t20130325_9325510.shtml (date of access: 10.03.2026) (in Chin.).

⁶China – Africa cooperation in the new era // State Council of the People's Republic of China : website. URL: https://www.gov.cn/zhengce/2021-11/26/content_5653540.htm (date of access: 10.03.2026) (in Chin.).

⁷On the Beijing declaration «On jointly building an all-weather China – Africa community with a shared future for the new era» (full text) // Ministry of Foreign Affairs of the People's Republic of China : website. URL: https://www.gov.cn/yaowen/liebiao/202409/content_6972562.htm (date of access: 11.09.2025) (in Chin.).

This conceptual framing also functions as a response to external criticism. As cooperation has deepened, some outside observers have characterised China's presence in Africa in terms of neo-colonialism or unequal exchange. In this context, the China – Africa community with a shared future serves both as a policy concept and as a discursive framework through which Beijing defines the principles of its engagement. As T. L. Deitch notes, soft power plays an important role in shaping China's

international image and in responding to the notion of a «China threat» [21, p. 45].

Overall, the evolution of China's Africa policy mirrors China's broader transition from relative international isolation to a more active role in global governance. In pursuing a shared future with Africa, Beijing has moved beyond conventional bilateral and regional formats and increasingly frames its continental engagement as one of the foundations of a wider international order.

The practice of building a community with a shared future for mankind in Africa

Significant differences among states in levels of development, cultural traditions and foreign policy orientation make it necessary to advance the shared future vision gradually and strategically, taking regional and sectoral specificities into account. Chinese scholar Luo Jianbo argues that the most effective approach is to cultivate bilateral and regional partnerships first with states that already maintain stable and friendly ties with Beijing [22, p. 54]. This can generate a positive demonstration effect and encourage other states to join the process. In this sense, Africa, with its long record of stable and friendly cooperation with China, is one of the key regions for the practical implementation of this vision.

At the 2018 Beijing summit of FOCAC, Xi Jinping stated China's readiness to work with African peoples to build a closer China – Africa community with a shared future that could serve as a model for broader global efforts⁸. This position reflects Africa's high priority in China's foreign policy strategy.

However, managing relations with more than 50 highly diverse African states requires an institutional framework. A purely bilateral approach can be fragmented and vulnerable to external pressure. FOCAC therefore serves as the central coordinating mechanism. The 2024 Beijing summit's declaration of an all-weather community further confirmed Africa as the principal region in which this model is being implemented at the continental level⁹.

Against this regional backdrop, the shared future framework has also been extended to bilateral relations. As of 2026, China is developing bilateral engagement under this concept with a number of African states, including Egypt, South Africa, Zimbabwe, Nigeria, Senegal, the Republic of the Congo and Kenya.

In practical terms, these bilateral relationships take three main forms: 1) formal codification in official diplomatic documents, such as joint statements and action plans; 2) public declaration by heads of state at summits; 3) articulation at ministerial level or through diplomatic contacts [23, p. 2].

Strictly speaking, only the first category involves fully formalised bilateral relationships of this type, while the other two remain transitional. Given the rapid development of Chinese diplomacy in this area, however, these forms of cooperation may subsequently evolve into formally codified arrangements [23, p. 2].

According to this classification, Egypt falls into the third category. During the China – Egypt strategic dialogue in January 2020, the two foreign ministries expressed an intention to explore a bilateral shared future community¹⁰.

The other six countries belong to the first category, in which the relevant provisions are embedded in official diplomatic documents. For example, during Xi Jinping's visit to South Africa in August 2023, a joint statement formally committed the two sides to building a high-level China – South Africa community with a shared future¹¹.

In September 2024, China and Zimbabwe issued a Joint statement on further deepening and raising the level of the comprehensive strategic partnership and building a high-level China – Zimbabwe community with a shared future. The statement affirmed the goal of creating a model of cooperation in political relations, economic and trade ties, security, people-to-people exchanges and international cooperation. The parties also expressed their intention to promote modernisation and to contribute to the broader advancement of a shared

⁸On jointly building a community with a shared future and promoting common development – keynote speech at the opening ceremony of the 2018 Beijing summit of the Forum on China – Africa cooperation // Ministry of Foreign Affairs of the People's Republic of China : website. URL: https://www.mfa.gov.cn/web/ziliao_674904/zyjh_674906/201809/t20180903_9870267.shtml (date of access: 21.03.2026) (in Chin.).

⁹On the Beijing declaration «On jointly building an all-weather China – Africa community with a shared future for the new era» (full text) // Ibid. URL: https://www.gov.cn/yaowen/liebiao/202409/content_6972562.htm (date of access: 21.03.2026) (in Chin.).

¹⁰Wang Yi and Egyptian foreign minister Shoukry jointly held the China–Egypt strategic diplomatic dialogue (full text) // Ibid. URL: https://www.mfa.gov.cn/web/wjbzhd/202001/t20200109_360263.shtml (date of access: 10.03.2026) (in Chin.).

¹¹Joint statement of the People's Republic of China and the Republic of South Africa (full text) // Ibid. URL: https://www.fmprc.gov.cn/zyxw/202308/t20230823_11130465.shtml (date of access: 10.03.2026) (in Chin.).

future for mankind¹². China subsequently signed comparable joint statements with Nigeria, Senegal, the Republic of the Congo and Kenya¹³.

Even among formally codified bilateral relationships, differences in priorities and political positioning remain. Notably, in April 2025 China and Kenya published a Joint statement on building a model China – Africa community with a shared future in the new era of all-weather character, designating China – Kenya relations as a model for implementing the concept. This wording illustrates the flexibility with which the framework is applied in practice, adapted to the particular features of each bilateral relationship.

China's promotion of a China – Africa community with a shared future appears to follow a model in which regional cooperation is established first through FOCAC, with bilateral frameworks subsequently developing on that basis. This approach differs from China's promotion of a China – ASEAN community with a shared future, where bilateral relations served as the starting point for the subsequent development of regional cooperation. Nevertheless, both approaches are based on the principle of gradualism, ensuring that regional and bilateral levels of engagement remain interconnected and mutually reinforcing.

In operational terms, this vision is advanced through platforms such as FOCAC and the Belt and road initiative (BRI). African states have responded positively to the BRI. By the end of 2024, China had signed memorandums of understanding on BRI cooperation with 52 African countries and the African Union Commission¹⁴.

The outcomes of China – Africa cooperation and of the joint effort to build a shared future are visible in the political, economic and social spheres.

In the political sphere, high-level diplomatic exchanges and inter-party dialogue have deepened mutual

trust. Meetings between leaders address both bilateral relations and major international and regional issues, providing political support for cooperation at all levels. Inter-party and inter-parliamentary exchanges have also expanded. FOCAC continues to strengthen the partnership and promote comprehensive cooperation.

China's coordination with the African Union and subregional organisations such as Economic Community of West African States and Sudden Arrhythmia Death Syndrom Foundation has also deepened¹⁵. China and African states frequently coordinate positions within the UN, BRICS and the G20 in order to advocate the right to development, broader African representation and closer cooperation among countries of the Global South.

In the economic sphere, cooperation continues to advance. China has remained Africa's largest trading partner for 16 consecutive years since 2009. In 2024 according to data of Chinese ministry of commerce¹⁶, Chinese exports to Africa reached 178.8 bln US dollars, up 3.5 %, while imports from Africa reached 116.8 bln US dollars, up 6.9 %.

In investment, China's accumulated direct investment in Africa stood at 42.115 bln US dollars by the end of 2023, compared with 1.595 bln US dollars in 2005, representing an average annual growth rate of 27.43 %. China ranks among the leading developing-country investors in Africa, with more than 3000 Chinese enterprises operating on the continent¹⁷.

In infrastructure, Chinese companies have signed contracts in Africa worth more than 700 bln US dollars over the past decade, with completed works exceeding 400 bln US dollars¹⁸, covering transport, energy and social infrastructure. China also supports the development of industrial parks, the expansion of investment, and trade policy reform in order to advance industrialisation

¹²Joint statement of the People's Republic of China and the Republic of Zimbabwe on further deepening and elevating the comprehensive strategic partnership and building a high-level China – Zimbabwe community with a shared future (full text) // Ministry of Foreign Affairs of the People's Republic of China : website. URL: https://www.fmprc.gov.cn/zyxw/202409/t20240904_11484698.shtml (date of access: 10.03.2026) (in Chin.).

¹³Joint statement of the People's Republic of China and the Federal Republic of Nigeria on establishing a comprehensive strategic partnership and building a high-level China – Nigeria community with a shared future (full text) // Ibid. URL: https://www.mfa.gov.cn/web/ziliao_674904/1179_674909/202409/t20240904_11484700.shtml (date of access: 10.03.2026) (in Chin.); Joint statement of the People's Republic of China and the Republic of Senegal on deepening the comprehensive strategic partnership and building a high-level China – Senegal community with a shared future (full text) // Ibid. URL: https://www.mfa.gov.cn/web/ziliao_674904/1179_674909/202409/t20240904_11485222.shtml (date of access: 10.03.2026) (in Chin.); Joint statement of the People's Republic of China and the Republic of the Congo on deepening the comprehensive strategic partnership and building a high-level China – Congo community with a shared future (full text) // Ibid. URL: https://www.mfa.gov.cn/web/ziliao_674904/1179_674909/202409/t20240906_11486777.shtml (date of access: 10.03.2026) (in Chin.); Joint statement of the People's Republic of China and the Republic of Kenya on building a model of an all-weather China – Africa community with a shared future for the new era (full text) // Ibid. URL: https://www.mfa.gov.cn/web/ziliao_674904/1179_674909/202504/t20250424_11603289.shtml (date of access: 15.03.2026) (in Chin.).

¹⁴Report of the Advisory Committee of the Belt and road forum for international cooperation for 2025 // Ibid. URL: https://www.mfa.gov.cn/web/wjbxw_new/202601/P020260128557870720024.pdf (date of access: 21.03.2026) (in Chin.).

¹⁵China – Africa cooperation in the new era // State Council of the People's Republic of China : website. URL: https://www.gov.cn/zhengce/2021-11/26/content_5653540.htm (date of access: 15.03.2026) (in Chin.).

¹⁶China has remained Africa's largest trading partner for 16 consecutive years // Ministry of Commerce of the People's Republic of China : website. URL: https://www.mofcom.gov.cn/tj/sjtj/art/2025/art_74ba4ff41e634c20bafd5c99fd84e8f4.html (date of access: 21.03.2026) (in Chin.).

¹⁷Statistical Bulletin of China's Outward Foreign Direct Investment for 2023 // Ibid. URL: https://cif.mofcom.gov.cn/cif/html/upload/20240926142744007_2023%E5%B9%B4%E5%BA%A6%E4%B8%AD%E5%9B%BD%E5%AF%B9%E5%A4%96%E7%9B%B4%E6%8E%A5%E6%8A%95%E8%B5%84%E7%BB%9F%E8%AE%A1%E5%85%AC%E6%8A%A5.pdf (date of access: 21.03.2026) (in Chin.).

¹⁸The State Council Information Office of the People's Republic of China held a press conference on trade, economic and development cooperation in the framework of the 2024 Beijing summit of the Forum on China – Africa cooperation // China International Development Cooperation Agency : website. URL: <https://www.cidca.gov.cn/20240820/8b994ec886c04a6f8a75218572fb63a3/c.html> (date of access: 20.03.2026) (in Chin.).

and strengthen African states' capacity for autonomous development.

To further expand access for African products to the Chinese market, a ministerial meeting in Changsha in June 2025 introduced an initiative granting zero-tariff treatment on 100 % of tariff lines for the 53 African states maintaining diplomatic ties with Beijing¹⁹.

In the humanitarian sphere, deepening societal ties provide the foundation for this new model of relations. China actively promotes educational and cultural exchange²⁰ through vocational training programmes, Luban workshops and Confucius institutes, the latter numbering 79 across 49 African countries as of October 2025. In public health, China – Africa cooperation has similarly evolved from traditional medical aid towards structural capacity-building. During the COVID-19 pandemic,

in addition to supplying vaccines and epidemic-control materials, China pledged to provide African states with 1 bln vaccine doses and supported the expansion of local production. China also announced ten health projects and the deployment of 1500 medical personnel and public health experts to Africa²¹. The designation of 2026 as the year of China – Africa people-to-people exchanges is intended to strengthen this cooperation further and broaden its social foundations.

Finally, the growing Chinese diaspora in Africa provides an additional source of grassroots momentum. Through everyday commercial and cultural interactions connected with the BRI, these communities build durable people-to-people networks, bridge cultural divides and strengthen the societal ties necessary for a shared future.

Conclusions

This article has systematically analysed the evolution of China's Africa policy alongside the practical implementation of the community with a shared future concept on the continent. It has identified four stages in this evolution: political support and economic assistance, economic cooperation and joint development, the institutionalisation of ties, and the contemporary drive towards a shared future. This progression reflects the deepening of China – Africa relations and suggests that, under current conditions, the community building project has become one of the central strategic orientations of their cooperation.

This trajectory is consistent with China's broader foreign-policy transformation. Moving from relative diplomatic isolation to a more active international role, Beijing has increasingly presented itself as a peaceful and responsible power committed to defending the interests of the Global South.

Building a community with a shared future for mankind is a long and complex process. China's relations with African states in this area are developing gradually. Regional cooperation within FOCAC constitutes the ini-

tial level, creating the conditions for the expansion of bilateral cooperation. Bilateral relations framed by this vision vary in scope and degree of formalisation, which demonstrates the flexibility of the concept in practice.

Ultimately, the joint Sino-African pursuit of a shared future represents an important strategy for consolidating the Global South and amplifying its voice in global governance. Further development of China – Africa engagement can therefore be expected across an expanding range of fields.

China's experience in Africa is also of interest to Belarus, which seeks to diversify the directions of its foreign policy. Belarus can make use of multilateral platforms, including those created with China's support, to deepen its engagement with African partners. For Belarusian ministries and other state institutions, it may be practically valuable to develop partnerships with African states gradually, drawing on existing experience of institutionalised cooperation through FOCAC. Belarus may also consider opportunities for trilateral cooperation with China in Africa. This would broaden its participation in cooperation among Global South states.

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¹⁹On the Changsha declaration «On supporting solidarity and cooperation among Global South countries by China and Africa» (full text) // Ministry of Foreign Affairs of the People's Republic of China : website. URL: https://www.mfa.gov.cn/web/zili-ao_674904/1179_674909/202506/t20250611_11645706.shtml (date of access: 21.03.2026) (in Chin.).

²⁰Confucius Institute. Global network of Confucius institutes – Africa // China Foundation for International Chinese Language Education : website. URL: <https://www.ci.cn/qwvllabelId=C-Africa> (date of access: 10.03.2026) (in Chin.).

²¹Acting together and carrying forward the past, jointly building a China – Africa community with a shared future for the new era – keynote speech at the opening ceremony of the 8th Ministerial conference of the Forum on China – Africa cooperation // Ministry of Foreign Affairs of the People's Republic of China : website. URL: https://www.fmprc.gov.cn/web/zyxw/202111/t20211129_10458568.shtml (date of access: 10.03.2026) (in Chin.).

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Received by editorial board 08.04.2026.

UDC 341.61

NEGOTIATIONS AS A NON-JUDICIAL MEANS OF SETTLING INTERNATIONAL DISPUTES: THEORETICAL AND PRACTICAL ISSUES

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Abstract. This article examines the theory and practice of direct negotiations as a non-judicial means of settling disputes concerning the interpretation and application of treaties. It considers the place and function of negotiations in the contemporary system of international dispute settlement, particularly given the growing practice of treating negotiations as a preliminary step before recourse to international judicial bodies. The author analyses in detail the case law of the International Court of Justice and other international courts and tribunals on whether the parties have engaged in good-faith negotiations before seizing an international judicial body. Drawing on international jurisprudence and doctrinal writing, the article highlights the advantages of negotiations, the legal criteria for assessing their quality, and their principal standards and stages. It concludes that direct negotiations remain an important means of settling disputes between states, as well as disputes involving states and foreign natural or legal persons. At the same time, it emphasises the need to avoid a merely formal approach to negotiations when addressing disputes concerning the interpretation and application of treaties before referring to international adjudication.

Keywords: international dispute settlement; diplomatic means; direct negotiations; international courts and tribunals.

Образец цитирования:

Попков АН. Переговоры как внесудебное средство разрешения международных споров: теоретические и практические вопросы. *Журнал Белорусского государственного университета. Международные отношения*. 2026;1:42–55 (на англ.).
EDN: WHAUJI

For citation:

Popkov AN. Negotiations as a non-judicial means of settling international disputes: theoretical and practical issues. *Journal of the Belarusian State University. International Relations*. 2026;1:42–55.
EDN: WHAUJI

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ПЕРЕГОВОРЫ КАК ВНЕСУДЕБНОЕ СРЕДСТВО РАЗРЕШЕНИЯ МЕЖДУНАРОДНЫХ СПОРОВ: ТЕОРЕТИЧЕСКИЕ И ПРАКТИЧЕСКИЕ ВОПРОСЫ

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Аннотация. Рассматриваются теоретические и практические аспекты использования прямых переговоров как внесудебного средства разрешения споров, возникающих в связи с применением и толкованием международных договоров. Определяются место и роль переговоров в современной системе разрешения международных споров с учетом расширения практики использования переговоров в качестве предварительного механизма урегулирования разногласий до передачи споров в международные судебные учреждения. Исследуется практика Международного суда ООН и других международных судебных органов, которая касается оценки добросовестности проведения спорящими сторонами переговоров до обращения в международные судебные учреждения. С помощью анализа международной судебной практики и доктринальных подходов отмечаются преимущества переговорного процесса, выделяются его основные стадии и правовые критерии оценки его качества. Делается общий вывод о том, что на современном этапе прямые переговоры сохраняют свою значимость как инструмент разрешения споров между государствами, а также споров с участием государств и иностранных физических и юридических лиц. Подчеркивается важность исключения формального отношения со стороны государств к переговорам при разрешении споров о применении и толковании международных договоров до обращения в международные суды.

Ключевые слова: разрешение международных споров; дипломатическое средство; прямые переговоры; международные судебные органы.

In contemporary dispute-settlement practices involving states, negotiations and other non-judicial means are given less importance, particularly in disputes over the interpretation and application of treaties. Some disputing parties tend to resort quickly to international courts or arbitral tribunals rather than committing in good faith to the other means stipulated in Art. 33 of the UN Charter and in other international legal instruments¹. As a consequence, non-judicial means of settlement are increasingly seen as a formality. States sometimes use them not to resolve differences, but to demonstrate a general commitment to diplomatic procedures of dispute settlement or to meet a formal precondition for bringing proceedings before international judicial bodies².

Direct negotiations have been traditionally regarded as the most universally applicable non-judicial means

of settling international disputes. During negotiations, states or other parties to an alleged dispute engage directly through their representatives to discuss the matters of mutual concern, clarify the relevant facts, and reconcile their divergent positions in order to reach a settlement. The parties to an alleged dispute retain full control over a negotiation process at every stage, which most fully reflects their free will and creates conditions for a fair and durable settlement³.

The obligation to settle disputes peacefully through negotiations is enshrined in numerous treaties⁴. Article 33(1) of the UN Charter also mentions negotiation among the diplomatic means that states are to employ first of all. The significance of negotiation as an indispensable, flexible, and effective means of dispute settlement is emphasised in a variety of resolutions and declarations of the UN General Assembly, including the

¹Declaration on principles of international law concerning friendly relations and cooperation among states in accordance with the Charter of the United Nations // United Nations digital library. URL: <https://digitallibrary.un.org/record/202170> (date of access: 01.06.2026) ; Final act of the Conference on security and cooperation in Europe // Organisation for Security Co-operation in Europe : website. URL: https://cdn.osce.org/sites/default/files/f/documents/5/c/39501_1.pdf (date of access: 01.06.2026) ; Manila declaration on the peaceful settlement of international disputes (further – Manila declaration) // Audiovisual library of international law. URL: <https://legal.un.org/avl/ha/mdpsid/mdpsid.html> (date of access: 01.06.2026).

²In this article, «international judicial bodies» refers to permanent international courts, international arbitral tribunals, and any international organs or institutions exercising judicial or quasi-judicial functions.

³Popkov A. N. Dispute resolution mechanism in international law // Public international law. General part : textbook / A. F. Douhan (ed.). Minsk : BSU, 2023. P. 354–355 (in Russ.) ; Tolstykh V. L. International law course : textbook. M. : Prospect, 2021. P. 465 (in Russ.).

⁴Convention for the suppression of unlawful acts against the safety of civil aviation of 23 September 1971 // United Nations : website. URL: <https://treaties.un.org/doc/Publication/UNTS/Volume%20974/volume-974-I-14118-English.pdf> (date of access: 01.06.2026) ; Convention for the pacific settlement of international disputes of 18 October 1907 // Permanent Court of Arbitration : website. URL: <https://docs.pca-cpa.org/2016/01/bd7626f1-1907-convention-for-the-pacific-settlement-of-international-disputes.pdf> (date of access: 01.06.2026) ; United Nations Convention against corruption of 31 October 2003 // United Nations : website. URL: https://treaties.un.org/doc/Treaties/2003/12/20031209%2002-50%20PM/Ch_XVIII_14p.pdf (date of access: 01.06.2026) ; Convention on transit trade of land-locked states of 8 July 1965 // Ibid. URL: https://treaties.un.org/doc/Treaties/1967/06/19670609%2002-19%20AM/Ch_X_03p.pdf (date of access: 01.06.2026) ; United Nations Convention against transnational organized crime of 15 November 2000 // Ibid. URL: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf> (date of access: 01.06.2026).

Declaration on principles of international law concerning friendly relations and cooperation among states in accordance with the Charter of the United Nations of 24 October 1970, and the Manila declaration.

Paragraph 10 of section I of the 1982 Manila declaration stresses that, without prejudice to the right freely to choose means of settlement, states should bear in mind that direct negotiations are a flexible and effective means of peaceful settlement of their disputes. The declaration also calls on states to negotiate meaningfully in order to arrive at an early settlement acceptable to the parties, while showing an equal preparedness to seek the settlement of their disputes by the other means.

The reluctance of some states to use properly negotiations as a non-judicial means of dispute settlement underscores the relevance of examining their true place and role in international dispute settlement and of their relationship with adjudication and arbitration. These matters are also of practical importance for the Republic of Belarus and many other CIS States, since many of their bilateral and multilateral treaties provide for the sequential use of negotiations and judicial means to resolve disputes over the interpretation and application of those treaties. The international legal nature of negotiations, and the general theoretical aspects of their organisation and conduct have been examined by such scholars as A. Kh. Abashidze, A. M. Solntsev⁵, M. E. Achurra-Zavala [1], R. Bilder [2], Yu. V. Dubinin⁶, B. D. Krivokapich [3], W. Lane [4], J. Merrills [5; 6], M. Rudolf [7], and M. Shaw [8; 9]. However, the problem remains understudied in both domestic and foreign international legal doctrines, which requires further comprehensive analysis. The purpose of this article is to identify, on the basis of an analysis of international jurisprudence and doctrinal approaches, the main current trends in using negotiations as a preliminary means of dispute resolution or ensuring the application of other non-judicial methods before bringing disputes to adjudication as well as to highlight the key stages of the negotiation process, its legal characteristics, problems, advantages and disadvantages.

Any analysis of negotiations must firstly consider the nature of international disputes and the extent to which courts and arbitral tribunals can resolve them effectively and conclusively by applying rules of international law.

In this respect, R. Jennings, the distinguished international lawyer and former judge of the International

Court of Justice, tried to draw attention to the cases when some categories of disputes can be better addressed in non-judicial format and on the basis of different factors which may include not only legal aspects but some political considerations in order to build a compromise between disputing parties. He observed: «It is important to appreciate that there are large and important areas of international relations where what is wanted is not a decision based upon the law, but a decision based upon political wisdom, or even expediency, and the lessons of political or administrative experience» [10, p. 78].

So based on the above words, it can be noted that negotiations seem to be a right method allowing some flexibility in addressing disputes not only within a strict legal framework and legal procedures for the sake of a quick and mutually acceptable solution between parties.

The need for closer attention to a non-judicial means was also underlined by M. N. Shaw: «disputes may be resolved or alleviated using a variety of mechanisms, so that recourse to law cannot therefore be regarded as the sole or exclusive factor, but merely one of a number of relevant facilities» [9, p. 70].

Many other scholars have similarly argued that not every category of dispute is best resolved by judicial means⁷ [3, p. 55–58; 8, p. 18–19; 11; 12, p. 693–694; 13, p. 302–304]. They point out that virtually every dispute has political dimensions, and that in some disputes those dimensions prevail. This does not, certainly, mean that international courts and tribunals are incapable of isolating the legal elements of a dispute and assessing them under international law.

The International Court of Justice (here and further the Court) has repeatedly made clear that it will not decline to adjudicate a legal question merely because that question forms part of a broader set of political issues in inter-state relations. It has heard cases and given advisory opinions on legal matters within a significant political context, *inter alia*, in such cases as Military and paramilitary activities in and against Nicaragua⁸, United States diplomatic and consular staff in Tehran⁹, and the advisory opinion on the accordance with international law of the Unilateral declaration of independence in respect of Kosovo¹⁰. In this regard, the United States diplomatic and consular staff in Tehran case is especially noteworthy. In its judgment in the case, the Court noted that «yet never has the view been put forward

⁵Abashidze A. Kh., Solntsev A. M. International law. Peaceful resolution of disputes. M.: Yurait, 2019. 221 p. (in Russ.).

⁶Dubinin Yu. V. Negotiation skills: textbook. M.: Mezhdunarodnye otnosheniya, 2023. 320 p. (in Russ.).

⁷Boczek B. A. International law: dictionary. Lanham: Scarecrow Press, 2005. P. 362; Boczek B. A. Historical dictionary of international tribunals. London: Scarecrow Press, 1994. P. 137–139.

⁸Military and paramilitary activities in and against Nicaragua (Nicaragua v. United States of America): Judgement of 27 June 1986// International Court of Justice: website. URL: <https://www.icj-cij.org/sites/default/files/case-related/70/070-19860627-JUD-01-00-EN.pdf> (date of access: 30.05.2026).

⁹United States diplomatic and consular staff in Tehran (United States of America v. Iran): Judgement of 24 May 1980// Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/64/064-19800524-JUD-01-00-EN.pdf> (date of access: 30.05.2026).

¹⁰Accordance with international law of the Unilateral declaration of independence in respect of Kosovo: Advisory opinion of 22 July 2010// Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/141/141-20100722-ADV-01-00-EN.pdf> (date of access: 25.05.2026).

before that, because a legal dispute... is only one aspect of a political dispute, the Court should decline to resolve for the parties the legal questions at issue between them»¹¹.

However, the automatic adoption of the above-mentioned approach in all cases may have an impact on the confidence in the Court and the credibility of its decisions. This concern is strongest where the applicable general rules of international law are difficult to identify and political considerations dominate both the dispute itself and the interpretation or application of the relevant legal rules. In such circumstances, states may wish to limit the jurisdiction of international judicial institutions to the extent possible in order to remove sensitive issues, public and wide discussion of which could lead to external interference and pressure by third parties, thereby preventing the disputing parties from determining the acceptable ways of their solution on their own. Such situations can be avoided if both courts and states encourage more active use of negotiation and other diplomatic means in the pre-adjudicative phase, so that parties can explore avenues for mutual understanding. The disputes brought before international courts and tribunals would then more likely be those that are most urgent and predominantly legal in character.

A view shared by some international legal scholars in the doctrine is that the role of permanent international courts and tribunals in dispute settlement should be strengthened, which simultaneously implies decline in the importance of non-judicial means, including direct negotiations¹² [1; 13, p. 300–305; 14]. Proponents argue that, given the globalisation of contemporary international relations, international law should transcend the negotiation technique, developing institutionalised mechanisms of settlement with the involvement of impartial third parties, and in particular international judicial bodies, in order to reduce subjectivity in the application of international law and secure its supremacy.

In this respect, it seems appropriate to take a more balanced view of the proposed direction for the development of dispute-settlement mechanisms. This view should take into account the actual state of affairs in international relations, existing level of international legal consciousness, distinctive features of different states' international legal policies, as well as the degree of their confidence in the system of international justice and in the effectiveness of third-party dispute settlement methods. Furthermore, within the framework of an international legal order based on the principles and rules of the UN Charter, including the principles of sovereign equality of states and peaceful settlement

of international disputes, direct negotiation continue to be the most valuable method in efforts to resolve differences in a flexible and non-confrontational manner through mutual concessions. It should also be borne in mind that international judicial proceedings may, on the one hand, provide for the resolution of disputes through a qualified application of international legal rules if all standards of international justice are respected; and, on the other hand, may cause further deterioration of inter-state relations if political considerations prevail and diplomatic means have not been properly exhausted by the parties.

A former president of the International Court of Justice E. Jiménez de Aréchaga, gave particular prominence to the role of direct negotiations. He emphasised that «...parties almost always turn first to direct negotiations, since these are the best means of establishing the existence of disagreements, clarifying the points at issue, and reaching agreement on possible methods of settlement» [15, p. 219]. J. Merrills, one of the leading Western scholars of international dispute settlement, expressed a similar view [5, p. 27; 6, p. 54–65].

The advantages of negotiations over other means of settlement were also outlined by I. I. Lukashuk. He indicated their effectiveness, the relative ease of organising them, the absence of substantial costs, and, above all, their lack of adverse effects on relations between the parties¹³. His opinion has been supported by many contemporary scholars, in particular, by A. Kh. Abashidze, A. M. Solntsev¹⁴, and B. D. Krivokapich [3, p. 204–205]. The absence of serious negative consequences for relations between disputing parties was likewise noted by A. Cassese, who observed that «...the goal of negotiation is to achieve agreement over the conflicting claims, a further and more important element is that there will be no loser and no winner, for both parties should derive some benefit from the diplomatic exchange» [16, p. 279].

The examples given above show that the value of negotiation and its use in the early stages of a dispute is recognised in various legal systems and schools of international law. Nevertheless, it cannot be concluded that general international law imposes obligations to negotiate in every case, although some scholars have expressed positive views on the matter in legal doctrine¹⁵ [1, p. 460–464; 13, p. 275; 17, p. 1168–1169].

During the period of functioning of the League of Nations, the need to enter into direct negotiations as soon as possible in order to reach an agreement between the disputing parties was indicated in its decisions by the Permanent Court of International Justice, notably in the 1931 advisory opinion on railway traffic between

¹¹ Accordance with international law of the Unilateral declaration of independence in respect of Kosovo : Advisory opinion of 22 July 2010 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/141/141-20100722-ADV-01-00-EN.pdf> (date of access: 25.05.2026).

¹² Boczek B. A. International law... P. 379.

¹³ Lukashuk I. I. International law. Special part : textbook for students. M. : Walters Kluwer, 2008. P. 264 (in Russ.).

¹⁴ Abashidze A. Kh., Solntsev A. M. International law... P. 32–33 (in Russ.).

¹⁵ Ibid.

Lithuania and Poland¹⁶. The case law of the International Court of Justice, however, is equivocal on this point. In some earlier judgments – for example, North Sea continental shelf¹⁷ and Fisheries jurisdiction¹⁸ – the Court has recognised the customary obligation to negotiate in specific contexts, taking into account the particular nature of the legal relations at issue, such as the delimitation of the continental shelf or a situation where the rights of states overlap and are mutually defined and limited [7, p. 153–157]. The Court currently follows a general approach, which is taken literally within the meaning of Art. 33 of the UN Charter and encompasses the principle of peaceful settlement of disputes, which by its nature includes the free choice of means. Under this approach the parties usually decide by mutual consent whether to commence negotiations. The Court emphasised in the case concerning the Obligation to negotiate access to the Pacific Ocean, where it held that neither Art. 33 of the UN Charter nor other universal treaties and instruments establish a general legal duty to negotiate¹⁹. Nevertheless, recourse to negotiations may be mandatory under dispute settlement clauses in treaties, in particular, when negotiations operate as a first step of a settlement procedure before differences are referred to international judicial bodies [5, p. 18; 13, p. 275].

States enter into negotiations at a certain stage in virtually every international dispute, and they may choose other means of settlement during the course of those negotiations or must use them after the capacity for negotiation has been exhausted. In this respect, especially important is the correlation of negotiation as a preliminary stage and adjudication or arbitration. Prior negotiations not only facilitate settlement but also help the parties understand the substance of their disagreements and balance the use of diplomatic and judicial means. The legitimacy and admissibility of submitting the dispute to an international court or arbitral tribunal may therefore depend on whether the parties negotiated in good faith, and whether recourse to adjudication was

indeed justified. When negotiating under the dispute settlement clauses in a treaty, the parties should seek first and foremost to resolve their disagreements on the basis of the treaty's substantive provisions.

Since negotiations are usually the first method used by the parties to resolve an international dispute, they cannot be regarded as a purely formal preliminary process. The parties to any alleged dispute should make genuine attempts to address their differences and reach a compromise on the matters of concern, using all available options. In practice, however, this does not always take place. States frequently engage in negotiations *pro forma* and wait for a convenient moment to shift responsibility for their failure to the other side, with a view to expediting recourse to judicial remedies.

At the jurisdictional stage, or when assessing preliminary objections, international courts and arbitral tribunals do not always scrutinise with sufficient rigor whether the proceedings are admissible, and whether prior negotiations were faithful – either under specific treaty provisions or against the broader background of Art. 33 of the UN Charter. In adopting a more permissive line of conduct, they expand their own jurisdiction in fact. In a number of recent cases, the Court rejected the preliminary objections of the defendant state that the requirements governing negotiations as a precondition for bringing an application to the Court had not been fully met. For example, in the case concerning Application of the International convention for the suppression of the financing of terrorism and the International convention on the elimination of all forms of racial discrimination²⁰, the Court did not support the arguments of insufficient compliance with the requirements for negotiations as a precondition for filing the case and affirmed its jurisdiction²¹.

Among the recent cases, in which the Court found that a prior negotiation requirement had not been met is the case concerning Application of the International convention on the elimination of all forms of racial discrimination²².

¹⁶Railway traffic between Lithuania and Poland : Advisory opinion of Permanent Court of International Justice, 1931, No. 42 // Permanent Court of International Justice : website. URL: https://www.worldcourts.com/pcij/eng/decisions/1931.10.15_railway_traffic.htm (date of access: 30.05.2026).

¹⁷The North Sea continental shelf case : Judgment of 20 Feb. 1969 // International Court of Justice : website. URL: <https://icj-cij.org/sites/default/files/case-related/52/052-19690220-JUD-01-00-EN.pdf> (date of access: 30.05.2026).

¹⁸Fisheries jurisdiction (the UK v. Iceland) : Judgment of 25 July 1974 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/55/055-19740725-JUD-01-00-EN.pdf> (date of access: 28.05.2026).

¹⁹Obligation to negotiate access to the Pacific Ocean (Bolivia v. Chile) : Judgment of 24 Sept. 2015 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/153/153-20150924-JUD-01-00-EN.pdf> (date of access: 25.05.2026).

²⁰Allegations of genocide under the Convention on the prevention and punishment of the crime of genocide (Ukraine v. Russian Federation) : Provisional measures, Order of 16 March 2022 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/182/182-20220316-ord-01-00-en.pdf> (date of access: 25.05.2026) ; Allegations of genocide under the Convention on the prevention and punishment of the crime of genocide (Ukraine v. Russian Federation) : Preliminary objections, Judgement of 2 Feb. 2024 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/182/182-20240202-jud-01-00-en.pdf> (date of access: 26.05.2026) ; Application of the International convention for the suppression of the financing of terrorism and of the International convention on the elimination of all forms of racial discrimination (Ukraine v. Russian Federation) : Judgement of 31 Jan. 2024 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/166/166-20240131-jud-01-00-en.pdf> (date of access: 25.05.2026).

²¹Application of the International convention for the suppression of the financing of terrorism and of the International convention on the elimination of all forms of racial discrimination (Ukraine v. Russian Federation) : Judgement of 31 Jan. 2024 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/166/166-20240131-jud-01-00-en.pdf> (date of access: 25.05.2026).

²²Application of the International convention on the elimination of all forms of racial discrimination (Georgia v. Russian Federation) : Preliminary objections, judgement of 1 Apr. 2011 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/140/140-20110401-JUD-01-00-EN.pdf> (date of access: 25.05.2026).

In particular, the applicant state suggested that international law imposed no requirement to follow a specific procedure or format of negotiations. It further stated that even very brief informal discussions in either bilateral or multilateral settings involving, for example, a simple communication of protest to a silent or intractable party, would suffice to constitute negotiations. It also contended that the parties' exchanges did not need to refer expressly to the convention or its substantive provisions, a general reference to the subject matter of the dispute (racial discrimination, the treaty's central theme) was noted to be enough²³.

Within the scope of Art. 22 of the International convention on the Elimination of all forms of racial discrimination of 7 March 1966, the Court could not find that the parties had properly conducted the negotiations on the substance of implementation of the Convention's obligations. It therefore declined to proceed to the merits²⁴.

The Court's decision in that case sparked the comments from some researchers who criticised the Court for its conservative approach to negotiations and compliance with the preconditions set out in multilateral treaties for bringing cases before the Court [1; 4]. They argued for lowering the «threshold» for finding such preconditions satisfied and for moving away from a literal interpretation of the relevant treaty provisions, including compromissory clauses. In their view, the strict applying of the standard on negotiation may result in a denial of justice or in perpetuation of an international conflict requiring a prompt solution [1, p. 479–481; 4, p. 46–47].

However, the proposed vision is difficult to reconcile with dispute settlement clauses in treaties and with the legitimate expectations held by states parties, when they express their consent to be bound by appropriate treaties, that these clauses will be applied in good faith. If international judicial bodies do not properly assess how the parties sought to comply with the preconditions for preliminary non-judicial settlement and negotiations, and do not require them to comply faithfully, the system of international justice will become more susceptible to bias and unilateralism. In all circumstances, interna-

tional courts and arbitral tribunals should remain guided by the importance of easing tensions in inter-State relations in accordance with the purposes and principles of the UN Charter and, where appropriate, emphasise the advantages and potential of direct negotiations.

To exhaust the negotiating resource, it would not be enough to negotiate to show that a compromise is impossible and thus the parties are unwilling to abandon their positions regarding the legal and factual circumstances of a disagreement. Negotiations cannot be regarded as having genuinely taken place where there has been no more than an exchange of written claims and objections between parties. As mentioned above, states may from the outset seek to gradually derail negotiations with a view to bringing an application before an international court or arbitral tribunal as soon as possible.

A merely formal attitude to negotiations is not in conformity with prevailing international judicial and arbitral practices [2, p. 22–23; 4; 5, p. 18–23; 8]. In a number of decisions, the Court has called upon states to make more active, purposeful and good-faith efforts to settle disputes through negotiations before initiating judicial proceedings, *inter alia*, in the North Sea continental shelf case²⁵ and in its advisory opinion on the legality of the threat or use of nuclear weapons²⁶.

In the North Sea continental shelf case, the Court stressed that the parties to an alleged dispute «are under an obligation to enter into negotiations with a view to arriving at an agreement, and not merely to go through a formal process of negotiation as a sort of prior condition», and that negotiations must be «meaningful which will not be the case when either of them insist upon its own position without contemplating any modification of it»²⁷. In the Lac Lanoux arbitration, the arbitral tribunal interpreted the duty to negotiate in similar terms, observing that negotiations must be «genuine, must comply with the rules of good faith and must not be mere formalities»²⁸.

In other decisions, the Court noted that «the obligation to negotiate» does not imply an obligation to reach an agreement on a settlement²⁹. At a minimum,

²³Application of the International convention on the elimination of all forms of racial discrimination (Georgia v. Russian Federation) : Preliminary objections, Judgement of 1 Apr. 2011 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/140/140-20110401-JUD-01-00-EN.pdf> (date of access: 25.05.2026).

²⁴Ibid.

²⁵The North Sea continental shelf case : Judgment of 20 Feb. 1969 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/153/153-20150924-JUD-01-00-EN.pdf> (date of access: 25.05.2026).

²⁶Legality of the threat or use of nuclear weapons : Advisory opinion of 8 July 1996 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/95/095-19960708-ADV-01-00-EN.pdf> (date of access: 30.05.2026).

²⁷The North Sea continental shelf case : Judgment of 20 Feb. 1969 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/153/153-20150924-JUD-01-00-EN.pdf> (date of access: 25.05.2026).

²⁸Lake Lanoux arbitration (France v. Spain) : Decision of 16 Nov. 1957 // Internat. Law Reports. 1961. Vol. 24. P. 101, 119.

²⁹Application of the International convention on the elimination of all forms of racial discrimination (Georgia v. Russian Federation) : Preliminary objections, Judgement of 1 Apr. 2011 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/140/140-20110401-JUD-01-00-EN.pdf> (date of access: 25.05.2026) ; Application of the International convention for the suppression of the financing of terrorism and of the International convention on the elimination of all forms of racial discrimination (Ukraine v. Russian Federation) : Judgement of 31 Jan. 2024 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/166/166-20240131-jud-01-00-en.pdf> (date of access: 25.05.2026) ; Obligation to negotiate access to the Pacific Ocean (Bolivia v. Chile) : Judgment of 24 Sept. 2015 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/153/153-20150924-JUD-01-00-EN.pdf> (date of access: 25.05.2026) ; Questions relating to the obligation to prosecute or extradite (Belgium v. Senegal) : Judgment of 20 July 2012 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/144/144-20120720-JUD-01-00-EN.pdf> (date of access: 28.05.2026).

negotiations require a genuine attempt by one party to engage the other in discussions aimed at settling a dispute [3, p. 207–208]. In Application of the International Convention on the elimination of all forms of racial discrimination, the Court pointed out that «negotiations are distinct from mere protests or disputations... entail more than the plain opposition of legal views or interests between two parties, or the existence of a series of accusations and rebuttals, or even the exchange of claims and directly opposed counter-claims»³⁰.

Negotiations will be considered as genuine ones, provided that states make all necessary good-faith efforts to find solutions to the problems at issue, rather than repeatedly breaking off of discussions, delaying or regularly refusing to give consideration to proposals on possible solutions without any explanation³¹ [5, p. 19; 8, p. 920].

To meet a treaty-based precondition in a dispute-settlement clause, negotiations must concern the subject matter of that treaty. A prior negotiation requirement is fulfilled only when negotiations have failed, or when they have objectively become futile or reached an impasse³² [14, p. 756].

Even where it is clear that the controversies cannot be eliminated without recourse to an international court or arbitral tribunal, states should continue negotiating in order to define their disagreement more precisely. In some judgments, for example, in the judgment on the classic case of *Mavrommatis Palestine concessions*, it was observed that «before a dispute can be made the subject of an action at law, its subject matter should have been clearly defined by diplomatic negotiations»³³. Meeting this requirement may subsequently simplify arbitral or judicial proceedings and expedite their course.

In each case, the Court determines whether the prior negotiation requirement has been met. In making that assessment, it takes into account of the parties' arguments and of generally accepted international standards governing negotiations [5, p. 18–20].

Based on this analysis of international judicial and arbitral practices, and in light of the relevant doctrinal approaches³⁴ [5, p. 18–23; 8, p. 918–921; 14], direct

negotiations under treaties should be viewed in three dimensions:

1) in the functional aspect as a means of peaceful settlement (negotiations serve as a flexible diplomatic method of resolving disagreements between states);

2) in the procedural aspect as a process for defining the content of the dispute (direct negotiations help to demonstrate the existence of a dispute and identify its subject matter by specifying the points of disagreement between the parties);

3) in the organisational aspect as a means of determining the order in which other methods of settlement are to be used (through negotiation, the parties may agree to resort to the third-party dispute settlement methods, *inter alia*, good offices, mediation, or conciliation; they may likewise arrange for the establishment of an arbitral tribunal under a treaty's compromissory clause, or settle the procedural details of possible judicial proceedings, such as forming an ad hoc chamber of the International Court of Justice or consenting jointly to submit the case for adjudication).

Negotiations do not require the parties to come to the understanding about the existence of a dispute or to concur on its content. On the contrary, they are intended both to help address the underlying problems and to provide material evidence of the existence of a legal dispute and clarify its constituent elements [12, p. 458]. A disagreement may be regarded as a dispute once it has reached a point of a sufficient definition and specificity – that is, once it has a clearly defined subject matter reflecting the substance of the conflicting positions of the parties [2, p. 4; 18, p. 494–495]. Where there is political will, direct negotiations may also help identify common ground for settlement.

Recourse to international judicial bodies depends, first and foremost, on the existence of an international dispute between the parties. Such bodies shall not consider disagreements unless they determine that the disagreement amounts to a «dispute» satisfying specific international legal criteria. This requirement is reflected throughout the case law of the International Court of Justice, including the advisory opinions in interpretation of peace treaties with Bulgaria, Hungary and Romania³⁵ and on the applicability of the

³⁰Application of the International convention on the elimination of all forms of racial discrimination (Georgia v. Russian Federation) : Preliminary objections, Judgement of 1 Apr. 2011 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/140/140-20110401-JUD-01-00-EN.pdf> (date of access: 25.05.2026).

³¹Tolstykh V. L. International law course... P. 466–467 (in Russ.).

³²Application of the International convention on the elimination of all forms of racial discrimination (Georgia v. Russian Federation) : Preliminary objections, Judgement of 1 Apr. 2011 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/140/140-20110401-JUD-01-00-EN.pdf> (date of access: 25.05.2026).

³³*Mavrommatis Palestine concessions case* // Permanent Court of International Justice : website. URL: https://www.icj-cij.org/sites/default/files/permanent-court-of-international-justice/serie_A/A_02/06_Mavrommatis_en_Palestine_Arret.pdf (date of access: 30.05.2026).

³⁴Abashidze A. Kh., Solntsev A. M. International law... P. 32–43 (in Russ.).

³⁵Interpretation of peace treaties with Bulgaria, Hungary and Romania : Advisory opinion of 18 July 1950 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/8/008-19500330-ADV-01-00-EN.pdf> (date of access: 30.05.2026).

Obligation to arbitrate under section 21 of the United Nations Headquarters Agreement of 26 June 1947³⁶, and the judgment in East Timor case³⁷.

International jurisprudence has developed several basic criteria for establishing the existence of a dispute, although these are neither exhaustive nor always understood by the parties and the Court in the same way. The most authoritative point of reference remains the definition of an «international dispute» given by the Permanent Court of International Justice in *Mavrommatis Palestine concessions case*³⁸. According to this definition, an international dispute exists where there is a genuine disagreement, at a minimum between two subjects of international law, concerning factual or legal issues relating to the application of legal rules, or a conflict of interests that may arise in a wide variety of international contexts³⁹.

International law does not regulate the conduct of negotiations in detail. Nevertheless, some fundamental principles and standards of negotiation have emerged from international jurisprudence and other practices as well as in the doctrine of international law, a number of which are customary in origin, most notably the principle of good faith (*bona fide*) [4; 19, p. 54–55]. The fundamental principles of international law apply fully to negotiations, in particular the sovereign equality of states [3, p. 206–207]. The negotiations conducted in violation of these principles and during which the parties are subjected to threats, coercion or other forms of pressure cannot effectively resolve disputes because they do not create conditions conducive to agreement and are contrary to international law.

The principal standards applicable to negotiations are summarised in the UN General Assembly resolution 53/101 of 8 December 1998 «Principles and guidelines for international negotiations»⁴⁰. Under para 2 of the resolution, negotiations are to be conducted in accordance with international law in a manner conducive

to achieving their stated purpose. They must also comply with a number of guidelines, including good faith, due regard for the substantial (vital) interests of third states and, where necessary, their involvement in the process, compliance with the principles and rules of international law, including the UN Charter, adherence to any mutually agreed framework for conducting negotiations, maintenance of a constructive atmosphere and refraining from any conduct which might undermine the negotiations and their progress, remaining focused throughout on the main objectives of the negotiations, and using the best endeavours to continue to work towards a mutually acceptable and just solution in the event of an impasse in negotiations.

Treaties rarely prescribe specific time-limits for negotiations, except for negotiations to constitute an arbitral tribunal or a conciliation commission. In the treaties that set time-limits, they usually do not exceed six to nine months, as in Art. 16 of the Convention on transit trade of land-locked states⁴¹. Some treaties provide only that the dispute is to be «settled through negotiation within a reasonable time» as, for instance, in Art. 20 of the International convention for the suppression of terrorist bombings⁴², Art. 24 of the International convention for the suppression of the financing of terrorism⁴³, and Art. 35 of the United Nations Convention against transnational organised crime⁴⁴.

International judicial decisions likewise contain no precise time-frames for what constitutes a «reasonable period» for negotiations. International judicial bodies tend instead to focus on the quality of the process, in particular, on its meaningfulness and content. They decide whether the time-frames of negotiations was reasonable and appropriate in each case, in light of the circumstances of a negotiation process. In the case concerning questions relating to the Obligation to prosecute or extradite, the Court considered a three-year history of negotiations sufficient for the purposes

³⁶Applicability of the Obligation to arbitrate under section 21 of the United Nations Headquarters Agreement of 26 June 1947 : Advisory opinion of 26 Apr. 1988 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/77/077-19880426-ADV-01-00-EN.pdf> (date of access: 25.05.2026).

³⁷East Timor (Portugal v. Australia) : Judgment of 30 June 1995 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/84/084-19950630-JUD-01-00-EN.pdf> (date of access: 28.05.2026).

³⁸*Mavrommatis Palestine concessions case* // Permanent Court of International Justice : website. URL: https://www.icj-cij.org/sites/default/files/permanent-court-of-international-justice/serie_A/A_02/06_Mavrommatis_en_Palestine_Arret.pdf (date of access: 30.05.2026).

³⁹Popkov A. N. Dispute resolution mechanisms in international law... P. 346–347.

⁴⁰Principles and guidelines for international negotiations // United Nations digital library. URL: <https://digitallibrary.un.org/record/265687> (date of access: 29.05.2026).

⁴¹Convention on transit trade of land-locked states of 8 July 1965 // United Nations : website. URL: https://treaties.un.org/doc/Treaties/1967/06/19670609%2002-19%20AM/Ch_X_03p.pdf (date of access: 01.06.2026).

⁴²International convention for the suppression of terrorist bombings of 16 December 1997 // Ibid. URL: https://www.unodc.org/cld/uploads/res/treaties/definitions/treaty/international_convention_for_the_suppression_of_terrorist_bombings_1997_html/Terrorist_Bombing_Convention_English.pdf (date of access: 29.05.2026).

⁴³International convention for the suppression of the financing of terrorism of 9 December 1999 // Ibid. URL: <https://www.un.org/law/cod/finterr.htm> (date of access: 29.05.2026).

⁴⁴United Nations convention against transnational organized crime of 15 November 2000 // Ibid. URL: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf> (date of access: 01.06.2026).

of establishing jurisdiction over the merits⁴⁵. The negotiations in the case involved an exchange of notes and several meetings, and were concerned primarily with the interpretation of various provisions of the applicable treaty⁴⁶.

Negotiations are most often held on an *ad hoc* basis, but where their likely duration so requires, the parties may institutionalise the process by establishing special negotiating groups, delegations, or mixed commissions. International law does not regulate the conduct of negotiations, the sequence of their stages, or other organisational and procedural matters. General surveys of the rules and practical techniques for organising and conducting negotiations, including with reference to particular subject areas, can be found in a range of scholarly writings. The practical research of the problem was made by A. Kh. Abashidze, A. M. Solntsev⁴⁷, R. B. Bilder [2, p. 22–23], B. D. Krivokapich [3, p. 211–219], J. Merri-lls [5, p. 8–17], and M. N. Shaw [8, p. 918–921; 9], Y. Nazarkin, J. Woodworth [20], Yu. V. Dubinin⁴⁸, V. Kotlyar [21; 22]. Useful guidance is also provided in reference materials prepared by the UN Secretariat⁴⁹.

Due to an analysis of the above-mentioned works and international practices, at least seven successive stages of negotiation can be identified to resolve disagreements over the implementation of treaties as follows:

- proposal to negotiate with specific and reasonable claims of one party to a treaty against another for breach of its obligations under the treaty;
- response to the initiative expressing willingness to enter into negotiations with a possible preliminary reaction to the claim or the filing of counterclaims;
- reaching a mutual understanding on the format, place, timing and level of negotiations, as well as forming their negotiating delegations by each party. This preparatory stage is particularly important because it lays part of the groundwork for successful negotiations. A key element is the composition of each delegation, which should include not only diplomats and specialists in international law, but also highly qualified experts from state bodies and other institutions working in the fields covered by the negotiations;
- holding preliminary consultations (pre-negotiations or «negotiation talks») to agree on the organisational aspects of the negotiation process. At this stage, parties agree on and adopt rules of procedure. The rules should address the preparation of the negotiations, the manner in which they are to be conducted, the working languages, the sequence and timing for drafting final records or minutes, measures to protect confidential information and the personal data of affected individuals,

the degree of transparency to be observed, the possible use of audio or video recording, and other technical and procedural matters;

- presentation of positions by the parties. This stage of direct negotiations includes the agreeing on agendas for each round and the determination of the sequence and timing of claims presentation, introduction of the positions of the parties in the form of exchange of information and evidence in written or oral form on the circumstances of disagreements, search for a common basis for resolving disagreements. At this stage, each round of negotiations is summed up in minutes which are signed by the heads of negotiating delegations;

- reaching an agreement by the parties on the way to resolve an alleged dispute or acknowledging that their differences cannot be overcome;

- discussing of the next stage of resolving disagreements if negotiations have not produced a settlement. This stage may cover the agreeing on the establishment of an arbitral tribunal or conciliation commission, or preparing to submit the case to an international court. At this stage, the parties also identify the principal points of disagreement that constitute the subject matter of the dispute and confirm its existence.

The essential elements of the negotiating process are the exchange of detailed information on the substance of the disagreement and the presentation of materials supporting the alleged breaches of international obligations. At different stages, these matters are often a principal source of divergence between the parties, particularly as regards the manner in which information is presented, its quality, and its assessment. Even so, the success of negotiations depends to a considerable extent on these matters and on the parties' willingness to examine them objectively.

Despite all the obvious advantages of direct communication between disputing parties during negotiations, negotiations do not always provide a full clarification of the facts underlying a disagreement or a well-founded legal characterisation of those facts. The parties may encounter difficulties in establishing certain facts or obtaining independent technical expertise relevant to an underlying problem. This may be partially due to the disputing parties' caution regarding a possible judicial process, as well as their subjective approach to gathering information and presenting it during negotiations.

Given the nature of negotiations, which more easily resolve disagreements through mutual concessions grounded in equity and according to what, under the circumstances, is just and fair (*ex aequo et bono*),

⁴⁵Questions relating to the obligation to prosecute or extradite (Belgium v. Senegal) : Judgment of 20 July 2012 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/144/144-20120720-JUD-01-00-EN.pdf> (date of access: 28.05.2026).

⁴⁶Ibid.

⁴⁷Abashidze A. Kh., Solntsev A. M. International law... P. 32–38 (in Russ.).

⁴⁸Dubinin Yu. V. Negotiation skills : textbook. M. : Mezhdunarodnye otnosheniya, 2023. 320 p. (in Russ.).

⁴⁹Handbook on the peaceful settlement of disputes between states. New York : United Nations, 1992. P. 27–50.

the evidentiary demands applicable in negotiations are not as strict, as those governing international arbitral or judicial proceedings (evidences *prima facie*) [23]. The application of *ex aequo et bono* enables the parties, by mutual consent, to move to some extent beyond the existing law in order to achieve a settlement, while remaining fully bound by the generally recognised principles of international law and other peremptory norms⁵⁰ [24].

At the same time, the parties should exchange evidentiary materials relevant to an alleged dispute in conformity with the standards applied by international courts and derived from general principles of law common to national legal systems. The burden of proof initially lies with the party alleging breaches of international obligations and advancing the claim (*onus probandi actori incumbit*), it may then shift to the other party when rebutting those claims (*reus in exceptione fit actor*), or simply be allocated between the parties in light of the facts each asserts [25, p. 280–285; 26, p. 156; 27, p. 646–647]. The observing of the above standards helps the parties verify one another's assertions, establish facts jointly, draw reasoned conclusions and identify possible solutions. In the course of negotiations, the parties may also decide to undertake joint fact-finding, including inquiries involving experts appointed by each party or independent experts⁵¹.

The legal literature also notes disadvantages of negotiations as a means of settling international disputes⁵² [2, p. 23; 3, p. 219–222; 5, p. 23–27; 13, p. 275]. A frequently cited concern is that negotiations allow a powerful State, or cohesive external actors pursuing their own interests – non-governmental organisations, transnational corporations, or major foreign business interests – to pressure the more vulnerable party into outcomes that are advantageous but neither fair nor legally grounded. More generally, because effective negotiation requires concessions – and even reasonable concessions by a national government can provoke sharp criticism and undermine confidence in it – negotiations are especially susceptible to domestic political and public pressures [2, p. 23]. In some cases, these shortcomings cannot be overcome without recourse to the third-party

dispute-settlement mechanisms, particularly international arbitration.

Direct negotiations, as a non-judicial means of settling international disputes, are in principle not subject to fixed time-limits and may continue even after the parties have initiated international arbitral or judicial proceedings⁵³.

Many contemporary multilateral treaties restrict the parties' freedom to choose among peaceful means of settlement by privileging compulsory third-party procedures, such as arbitration and proceedings before the International Court of Justice⁵⁴ [13, p. 275]. Such treaties may prescribe specific periods within which the parties must attempt to settle the dispute through negotiations or other diplomatic means before resorting to compulsory legal procedures.

Under many UN multilateral treaties, recourse to arbitration after unsuccessful negotiations typically precedes an application to the International Court of Justice. Such provisions appear, for example, in Art. 14 of the Convention for the suppression of unlawful acts against the safety of civil aviation (the Montreal Convention)⁵⁵, Art. 16 of the International convention against the taking of hostages⁵⁶, Art. 66 of the United Nations Convention against corruption⁵⁷, and Art. 23 of the International convention for the suppression of acts of nuclear terrorism⁵⁸.

These treaties limit the parties' freedom to choose peaceful means of settlement by prescribing the following sequence: first, negotiations, then, if they fail within a reasonable time, arbitration, and, if the states cannot agree on the organisation of the arbitration within six months or another prescribed period, either party may bring the dispute before the International Court of Justice. A notable weakness of these clauses is that they often contain no clear provisions on the constitution of the arbitral tribunal or on the applicable arbitral rules. If arbitral clauses are to operate effectively, treaties should include not only the general conditions for recourse to arbitration but also at least certain elements of the arbitral procedure, including rules on the constitution of the tribunal, or should incorporate generally recognised arbitral rules by reference.

⁵⁰Boczek B. A. International law... P. 7–8 ; Boczek B. A. Historical dictionary... P. 361.

⁵¹Abashidze A. Kh., Solntsev A. M. International law... P. 43–49 (in Russ.).

⁵²Popkov A. N. Dispute resolution mechanism in international law... P. 357 (in Russ.).

⁵³Aegean Sea continental shelf (Greece v. Turkey) : Judgment of 19 Dec. 1978 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/62/062-19781219-JUD-01-00-EN.pdf> (date of access: 25.05.2026) ; Tolstykh V. L. International law course... P. 467 (in Russ.).

⁵⁴Popkov A. N. Dispute resolution mechanism in international law... P. 353 (in Russ.).

⁵⁵Convention for the suppression of unlawful acts against the safety of civil aviation of 23 September 1971 // United Nations : website. URL: <https://treaties.un.org/doc/Publication/UNTS/Volume%20974/volume-974-I-14118-English.pdf> (date of access: 01.06.2026).

⁵⁶International convention against the taking of hostages of 17 December 1979 // Ibid. URL: <https://treaties.un.org/doc/db/terrorism/english-18-5.pdf> (date of access: 25.05.2026).

⁵⁷United Nations Convention against corruption of 31 October 2003 // Ibid. URL: https://treaties.un.org/doc/Treaties/2003/12/20031209%2002-50%20PM/Ch_XVIII_14p.pdf (date of access: 01.06.2026)

⁵⁸International convention for the suppression of acts of nuclear terrorism of 13 April 2005 // Ibid. URL: https://treaties.un.org/doc/source/RecentTexts/English_18_15.pdf (date of access: 25.05.2026).

These well-known shortcomings of arbitration clauses have discouraged recourse to arbitration in disputes over the interpretation and application of substantive treaty provisions. Even where a treaty already embodies consent to compulsory arbitration, the parties must negotiate the organisation of the proceedings in good faith – an obligation they often fail to discharge, treating the stage as a mere formality before referring a case to the Court. In its more recent cases, the Court has applied a relatively low threshold when assessing whether attempts to constitute an arbitral tribunal were sufficiently thorough and made in good faith. One or more exchanges of proposals concerning the tribunal's establishment, made before the expiry of the six-month or other defined period, may be treated as sufficient⁵⁹.

A clear example is Questions relating to the Obligation to prosecute or extradite. Belgium requested the respondent to organise an arbitration under Art. 30 of the 1984 Convention against torture and other cruel, inhuman or degrading treatment or punishment⁶⁰, but put forward no detailed proposals concerning the issues to be submitted or the organisation of the proceedings. Nevertheless, the Court held that the precondition (that «the parties are unable to agree on the organisation of the arbitration») had been met⁶¹. Senegal's failure to signal any readiness to proceed was, in the Court's view, sufficient to satisfy it⁶².

This interpretation of the obligation to negotiate the organisation of the arbitration has indirectly opened the way to various forms of manipulation by applicants in later cases seeking to avoid substantive discussion of the practical arrangements for constituting an arbitral tribunal. There is no need, and no legal basis, to wait for an official reply on whether arbitration is acceptable before submitting concrete proposals on the consti-

tution of the tribunal and other procedural aspects of the arbitration. To do so may mislead the other party as to the nature of the arbitral obligations already assumed. Article 30 of the Convention against torture is clear in providing for compulsory arbitration: the dispute is to be referred to arbitration «at the request of one of the states parties», not by mutual consent⁶³ [28; 29, p. 573]. At the same time, however, the Convention provides no institutional framework for the arbitration, whether as regards the constitution of the tribunal or the applicable procedure. A request to organise arbitration should therefore, above all, contain concrete procedural proposals, if the applicant is acting in good faith, the request cannot be reduced to a mere inquiry into the other party's willingness to arbitrate. Similar provisions appear in many other treaties.

Various model arbitral rules, optional arbitral rules, and treaty provisions on international arbitral procedure provide guidance for negotiations on the organisation of arbitration. Particularly important are chapters I–IV of Part IV of the Convention for the pacific settlement of international disputes (the 1907 Hague convention)⁶⁴, chapter III of the Revised general act for the pacific settlement of international disputes⁶⁵, the Model rules on arbitral procedure prepared by the international law commission and recommended for use by UN General Assembly resolution 1262 (XIII)⁶⁶, the 2012 Permanent Court of Arbitration arbitration rules⁶⁷, and the 1992 Permanent Court of Arbitration optional rules for arbitrating disputes between two states⁶⁸.

In light of these instruments, a fair and legally sound approach to the constitution of an arbitral tribunal should include: a formal request for arbitration by diplomatic note, referring to the specific treaty provision that makes arbitration a procedural precondition to seising

⁵⁹Allegations of genocide under the Convention on the prevention and punishment of the crime of genocide (Ukraine v. Russian Federation) : Provisional measures, Order of 16 March 2022 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/182/182-20220316-ord-01-00-en.pdf> (date of access: 25.05.2026) ; Application of the International convention for the suppression of the financing of terrorism and of the International convention on the elimination of all forms of racial discrimination (Ukraine v. Russian Federation) : Judgement of 31 Jan. 2024 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/166/166-20240131-jud-01-00-en.pdf> (date of access: 25.05.2026).

⁶⁰Convention against torture and other cruel, inhuman or degrading treatment or punishment of 10 December 1984 // United Nations : website. URL: <https://treaties.un.org/doc/publication/unts/volume%201465/volume-1465-i-24841-english.pdf> (date of access: 30.05.2026).

⁶¹Questions relating to the obligation to prosecute or extradite (Belgium v. Senegal) : Judgment of 20 July 2012 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/144/144-20120720-JUD-01-00-EN.pdf> (date of access: 28.05.2026).

⁶²Ibid.

⁶³Schlochauer H. J. Arbitration // Encyclopedia of public international law / R. Bernhardt (ed.). Amsterdam : North Holland, 1981. P. 13.

⁶⁴Convention for the pacific settlement of international disputes of 18 October 1907 // Permanent Court of Arbitration : website. URL: <https://docs.pca-cpa.org/2016/01/bd7626f1-1907-convention-for-the-pacific-settlement-of-international-disputes.pdf> (date of access: 01.06.2026).

⁶⁵Revised General act for the pacific settlement of international disputes of 28 April 1949 // United Nations : website. URL: <https://treaties.un.org/doc/Publication/UNTS/Volume%2071/volume-71-I-912-English.pdf> (date of access: 30.05.2026).

⁶⁶Model rules on arbitral procedure recommended for use by UN General Assembly resolution 1262 (XIII) of 14 November 1958 // Ibid. URL: https://legal.un.org/ilc/texts/instruments/english/draft_articles/10_1_1958.pdf (date of access: 30.05.2026).

⁶⁷Permanent Court of Arbitration arbitration rules // Permanent Court of Arbitration : website. URL: <https://docs.pca-cpa.org/2015/11/PCA-Arbitration-Rules-2012.pdf> (date of access: 30.05.2026).

⁶⁸Permanent Court of Arbitration Optional rules for arbitrating disputes between two states // Ibid. URL: https://docs.pca-cpa.org/2016/01/Optional-Rules-for-Arbitrating-Disputes-between-Two-States_1992.pdf (date of access: 30.05.2026).

the Court, a proposal for a workable arbitral framework, a reasonable period for the other party to reply and constructive negotiations on these matters.

A formal request for arbitration should, at a minimum, address the following: a statement of intention to submit the dispute to arbitration, the legal basis for arbitration, the subject matter of the dispute to be referred to arbitration, and an indication of the specific arbitral rules that the tribunal should follow (Art. 2(1) of the 1958 Model rules).

The compromis (arbitration agreement) may also specify the rules and principles of law to be applied by the tribunal, authority to make recommendations to the parties, authority for the tribunal to determine its own procedure, the time-limit for rendering the award, and other elements important to the effective conduct of arbitration (Art. 2(2) of the 1958 Model rules). This list is illustrative rather than exhaustive. The degree to which procedural issues are addressed in compromis will necessarily vary from case to case and depends on the parties' decision.

If the states cannot agree on the organisation of the arbitration, either party may bring a dispute before the Court or another competent international court or tribunal. The Court will ordinarily satisfy itself that attempts were made to negotiate the organisation of the arbitration and that the six-month period, or such other period as the treaty may prescribe, has elapsed, and will then treat the relevant precondition to its jurisdiction as fulfilled⁶⁹. Even so, insufficient attention is often paid to whether the parties negotiated in good faith and properly discharged their obligations under the dispute-settlement clauses of the treaties by which they are bound.

In particular, where the parties to a treaty have accepted arbitration as a compulsory means of settling disputes over its application or interpretation – thereby incorporating an element of a compromise – but cannot agree on how to organise that arbitration, they should turn to the relevant provisions of the 1907 Hague convention, provided they are bound by this treaty. Under Art. 51 of the 1907 Hague Convention, the provisions of chapter III governing arbitral procedure then apply as between the states parties.

The difficulties discussed above are not confined to proceedings before the Court. They may also arise before other judicial and arbitral mechanisms, including those operating within the CIS and the EAEU.

For example, a dispute will not be entertained by the Court of the Eurasian Economic Union unless the applicant has first approached the member state or the Eurasian Economic Commission to settle the matter out of court through consultations, negotiations, or other permissible means. If the member state or the commission takes no steps to settle the matter within three months of receiving the applicant's request, the applicant may submit an application instituting proceedings to the Court (paras 43–44 of the Statute of the Court of the Eurasian Economic Union, annex No. 2 to the Treaty on the Eurasian Economic Union of 29 May 2014)⁷⁰.

Likewise, most treaties and other international legal instruments recognising the jurisdiction of the CIS Economic Court require the parties, before seising that Court, to hold mutual consultations or negotiations concerning disputes over their interpretation or application – approximately 40 instruments in all⁷¹. These include important treaties for the development of economic cooperation, such as the Treaty on a free trade area of 18 October 2011 (Art. 19)⁷² and the Agreement on free trade in services, establishment, operation and investment of 8 June 2023 (Art. 40)⁷³.

Given these features of recourse to the CIS Economic Court and the Court of the EAEU, those courts, in determining their jurisdiction, should not only verify compliance with the treaty provisions on prior negotiations (or consultations), but also apply the international standards governing that requirement set out above.

The settlement of disputes between states, and of disputes involving states and foreign natural or legal persons – particularly those arising under international investment protection agreements and free trade agreements – also commonly entails a pre-adjudicatory phase of negotiations. Such treaties typically require negotiations or consultations as a preliminary step before the interested parties may proceed to arbitration or to international judicial or quasi-judicial bodies.

⁶⁹Allegations of genocide under the Convention on the prevention and punishment of the crime of genocide (Ukraine v. Russian Federation) : Provisional measures, Order of 16 March 2022 // International Court of Justice : website. URL: <https://www.icj-cij.org/sites/default/files/case-related/182/182-20220316-ord-01-00-en.pdf> (date of access: 25.05.2026) ; Application of the International convention for the suppression of the financing of terrorism and of the International convention on the elimination of all forms of racial discrimination (Ukraine v. Russian Federation) : Judgement of 31 Jan. 2024 // Ibid. URL: <https://www.icj-cij.org/sites/default/files/case-related/166/166-20240131-jud-01-00-en.pdf> (date of access: 25.05.2026).

⁷⁰Treaty on the Eurasian Economic Union of 29 May 2014 // United Nations : website. URL: https://www.un.org/en/ga/sixth/70/docs/treaty_on_eeu.pdf (date of access: 30.05.2026).

⁷¹List of treaties and other international legal acts containing the compromissory clauses on the jurisdiction of the Economic Court of the Commonwealth of Independent States // Economic Court of the Commonwealth of Independent States : website. URL: <https://sudsg.org/about/legal-activities/> (date of access: 29.05.2026) (in Russ.).

⁷²Treaty on a free trade area of 18 October 2011 // Executive Committee of the Commonwealth of Independent States : website. URL: https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Frtais.wto.org%2Frtadocs%2F762%2FTOA%2FEnglish%2FFTA%2520CIS_Text%2520with%2520protocols.docx&wdOrigin=BROWSELINK (date of access: 30.05.2026).

⁷³CIS Agreement on free trade in services, establishment, operation and investment of 8 June 2023 // World Trade Institute : website. URL: <https://edit.wti.org/document/show/71b83283-db70-4889-bf63-10613d5eee4e?text=BlockId=bff02b12-d355-4bde-8368-da52201ec012&page=1> (date of access: 29.05.2026).

Investment treaties usually establish a period of six or three months for attempts to settle the dispute before arbitration or recourse to domestic courts – the so-called cooling-off period. Thus, where an investment dispute is not resolved by negotiation or by other alternative means, the investor may submit it either to the competent court of the host state or to international investment arbitration [30, p. 387–388; 31, p. 50–52]. Investment arbitral tribunals constituted under the ICSID Convention (the Convention on the settlement of investment disputes between states and nationals of other states) have repeatedly addressed compliance with the precondition that the parties negotiate, or pursue some other means of settlement, for a prescribed period before an investor may submit a dispute to arbitration⁷⁴.

In most cases, investment tribunals have treated observance of the six-month period for seeking settlement as a jurisdictional requirement rather than a merely procedural one. As the awards in *Goetz v. Burundi*⁷⁵ and *Enron and Ponderosa assets v. Argentine Republic*⁷⁶ show, the foreign investor must act in good faith during this period of engagement with the host state, including by giving proper notice of its intention to initiate investment arbitration.

Several general conclusions may be drawn from the foregoing analysis of negotiations, particularly in the context of disputes concerning the interpretation and application of treaties.

Among the various means of settling international disputes, negotiations remain an important instrument for resolving disagreements between states, as well as those between states and foreign natural and legal persons. They offer clear advantages to disputing parties: a prompt and flexible search for practical solutions, while minimising financial costs, reputational damage, and strain on bilateral relations. At the same time, negotiations are affected by broader international instability, the restructuring of international relations, and crises

within international law itself. These developments influence the good-faith attitude of disputing parties, and of international courts, tribunals, and other institutions, toward the negotiating process.

As international relations evolve and the international legal order develops, the role of negotiations among dispute-settlement mechanisms is also changing. Increasingly, negotiations serve as a preliminary mechanism for managing disagreements before they are submitted to international arbitral tribunals or courts. Yet this function is sometimes undermined by the formalistic attitude of some states toward negotiations.

International judicial and arbitral practices have developed criteria for the conduct of negotiations, intended to demonstrate a good-faith commitment to resolving disagreements, clarifying their content, and completing a preliminary step before recourse to international judicial bodies. Whether these criteria are observed depends largely on the firmness of the position those courts adopt – a question that bears both on the good-faith discharge of obligations to negotiate and to pursue other diplomatic means, and on the prior use of arbitration before resort to permanent courts. The situation would be balanced if international courts always insist on the strict observance of all preliminary conditions, including the conducting of prior-negotiations, by parties to a dispute before initiating judicial proceedings. Disputing parties would then have additional incentives to settle disputes at an early stage through negotiations and other diplomatic means.

Any state that wishes to build fair and constructive relations with its partners (dealing with them as equals and within the bounds of international law) should aim above all to settle disagreements quickly, effectively, and without raising tensions. Direct negotiations serve this aim well, whether they accompany international judicial proceedings or stand on their own.

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Received by editorial board 01.06.2026.

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Журнал включен Высшей аттестационной комиссией Республики Беларусь в Перечень научных изданий для опубликования результатов диссертационных исследований по историческим, политическим и юридическим наукам.

Журнал включен в библиографическую базу данных научных публикаций «Российский индекс научного цитирования» (РИНЦ).

**Журнал Белорусского
государственного университета.
Международные отношения.
№ 1. 2026**

Учредитель:
Белорусский государственный университет

Юридический адрес: пр. Независимости, 4,
220030, г. Минск, Республика Беларусь.
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220030, г. Минск, Республика Беларусь.
Тел. (017) 259-72-34, 259-72-38.
E-mail: jintrel@bsu.by
URL: [https://journals.bsu.by/index.php/
internationalRelations](https://journals.bsu.by/index.php/internationalRelations)

«Журнал Белорусского государственного
университета. Международные отношения»
издается с января 1969 г.

Редактор английского текста *А. Ф. Пискунов*
Редактор *А. С. Люкевич*
Технический редактор *М. А. Панкратова*
Корректор *А. С. Люкевич*

Подписано в печать 30.06.2026.
Тираж 25 экз. Заказ 0000.

Республиканское унитарное предприятие
«СтройМедиаПроект».
ЛП № 02330/71 от 23.01.2014.
Ул. В. Хоружей, 13/61, 220123,
г. Минск, Республика Беларусь.

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**Journal
of the Belarusian State University.
International Relations.
No. 1. 2026**

Founder:
Belarusian State University

Registered address: 4 Niezaliezhnasci Ave.,
Minsk 220030, Republic of Belarus.
Correspondence address: 4 Niezaliezhnasci Ave.,
Minsk 220030, Republic of Belarus.
Tel. (017) 259-72-34, 259-72-38.
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URL: [https://journals.bsu.by/index.php/
internationalRelations](https://journals.bsu.by/index.php/internationalRelations)

«Journal of the Belarusian
State University. International Relations»
published since January, 1969.

English text editor *A. F. Piskunov*
Editor *A. S. Lyukevich*
Technical editor *M. A. Pankratova*
Proofreader *A. S. Lyukevich*

Signed print 30.06.2026.
Edition 25 copies. Order number 0000.

Republic Unitary Enterprise
«StroiMediaProekt».
License for publishing No. 02330/71, 23 January, 2014.
13/61 V. Haruzhaj Str.,
Minsk 220123, Republic of Belarus.

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