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country report

Multilateral Dialogue Geneva



Geneva Barometer

Developments in the Geneva-based international organisations from the beginning of April to the end of July 2022.

Olaf Wientzek, Sarah Ultes, Cedric Amon, Rosa Seidler

The "Geneva Barometer" takes an occasional look at selected developments in the international organizations based in Geneva.

Over the past few months, the consequences of the Russian invasion of Ukraine have remained central to the multilateral Geneva. In spite of the geopolitical tensions, several multilateral forums demonstrated their capacity to operate. The secondary consequences of the conflict for food security worldwide and the lack of resources for other humanitarian emergencies remain a concern. Increasingly, there is a sense of "Ukraine fatigue" among many non-European states. In the Human Rights Council, the debate surrounding UN Human Rights Commissioner Michelle Bachelet's trip to China caused a stir. Towards the end of July, two important decisions were made at the World Health Organization, Member States agree to draft a legally-binding the pandemic treaty, and the monkeypox virus is declared a public health emergency.

Human Rights Council

34. Special Session on Ukraine

At the request of Ukraine and with the support of the minimum number of the 16 Council members required¹, a special session on the deteriorating human rights situation in Ukraine stemming from the Russian aggression was held on 12 May, at which, among other things, the Commission of In-

quiry (Col) which was established at the 49th regular session reported on its work. The draft resolution introduced by Ukraine strengthens its mandate and calls on to look more closely into the events in the regions of Kiev, Chernihiv, Kharkiv and Sumy². Apart from twelve abstentions, only China and Eritrea voted against the text. Many delegations also called for increased accountability and expressed concern about the global consequences of the war on food and energy security. Russia boycotted the session.

Michele Bachelet's trip to China, Report on Xinjiang

After years of preparation, the UN High Commissioner for Human Rights, Michelle Bachelet, travelled to China from 23-28 May as the first High Commissioner in 17 years. She met with high-level representatives of national and local authorities, business, academia and NGOs, as well as with Foreign Minister Wang Yi and virtually with President Xi Jinping. In her closing statement³, however, she largely took over the Chinese framing, praising China's "tremendous achievements" in the area of economic and social rights and underlining that the government had assured her that the system of what China calls "Vocational Education and Training Centres" (VETC) has been dismantled.

¹ An illustration is available [here](#) and the entire session can be viewed [here](#).

² The resolution is available [here](#) and the voting result [here](#) as well as on the [HRC Extranet](#).

³ Bachelet's statement can be found [here](#), the press conference [here](#).

While some countries, including the USA and Germany, as well as NGOs, expressed their disappointment and in parts also massive criticism, China explicitly praised the visit⁴. An annual senior strategic meeting is to be established, as well as a working group to facilitate cooperation between China and the UN High Commissioner's Office (OHCHR), which is to meet in Beijing, Geneva and online. Shortly afterwards, 42 Special Procedures mandate-holders recommended holding a special session on China and establishing a new mandate. They underlined the urgency of a transparent cooperation with the *entire* UN human rights system in order to fully assess the situation in the country, including in Xinjiang, Tibet and Hong Kong⁵.

50th regular session, no second term for Bachelet

The criticism of Bachelet's trip to **China** was also a topic at the beginning of the 50th regular session of the Council, held from 13 June to 8 July. Bachelet tried to address some of the criticism and surprised everyone by the end of her speech by announcing that she would not seek a second term in office. This was not related to her visit, but had exclusively private reasons. Some observers draw a very critical conclusion of her term in office and accuse her of having repeatedly served China's narratives in setting her priorities in the Council⁶. Potential candidates to succeed her have not yet been made public. Some of the names circulating contain Ivan Šimonović (Croatia), Ilze Brands Kehris (Latvia) or Volker Türk (Austria). The fact that the Eastern Europe Group is the only regional group that has not yet nominated a High Commissioner speaks in favour of a candidate from among its members, but there is no automatism. Rumors even suggest that out of fear that Russia could oppose a candidate from the region, the post could be given to a candidate from the African or Asia-Pacific group, such as Kang Kyung-wha from South Korea or the Senegalese and current

expert for Sudan, Adama Dieng. The UN Secretary-General is responsible for the nomination and the UN General Assembly for the confirmation. Remarkably, Bachelet announced that the long-awaited report on Xinjiang, shall be published before the end of her term, i.e. by August 31 at the latest, after it has been sent to Beijing for comments. 46 states again called for its prompt release, with Cuba immediately defending China on behalf of 69 states⁷. Meanwhile, it has become known that China has been trying to prevent the publication by all means, since at least late June, including via a "joint letter" sent to various missions in Geneva for signature, "strongly urging" Bachelet not to publish the report, arguing it would "reinforce politicization and bloc confrontation in the field of human rights, undermine the credibility of OHCHR, and harm cooperation between OHCHR and Member States".⁸

In addition to the developments around China, **Russia's** the new role after its official withdrawal as a full member is also awaited with interest. Contrary to the demands of international NGOs and Russian civil society⁹, no special rapporteur on Russia could be established so far. With several joint statements, however, Russia was condemned by more than 54 states due to the worsening food crisis. 47 states called on the High Commissioner to continue her reporting on the situation¹⁰.

Overall, voting outcomes were more consensual than in previous sessions: out of 23 resolutions, an astonishing 75% were adopted by consensus. On the other hand, almost half of all amendments came from Russia. Three quarters of them targeted the main topic of the session: **gender**. This was addressed with a total of seven resolutions, among others on violence, discrimination, female genital mutilation, representation in the judiciary, sexual orientation (here, the mandate of the independent expert, which was particularly controver-

⁴ The statement of the USA can be found [here](#), that of Germany [here](#), the statements of NGO representatives [here](#) and of China [here](#).

⁵ The statement can be found [here](#).

⁶ Calls for resignation by NGOs can be found [here](#).

⁷ An illustration of the joint statement can be found [here](#).

⁸ More [here](#) or [here](#).

⁹ A corresponding letter from NGOs can be found [here](#).

¹⁰ The statement delivered by the EU can be found [here](#) and [here](#), an illustration [here](#).

sial among the states of the Organisation of Islamic Cooperation (OIC), could be extended) or on the situation in Afghanistan. During an urgent debate, UN Special Rapporteur Bennett, among others, reported for the first time on a worldwide unprecedented level of misogyny. While the resolution calls on the Taliban to reverse its restrictions, it does not take up key demands of Afghan women - e.g., to establish a more robust monitoring mechanism that would allow for heightened scrutiny and accountability. There were further resolutions on Syria, Myanmar, Belarus (extension of the mandate of Special Rapporteur Anaïs Marin), Sudan, Libya, Eritrea, several on civil and political rights, access to vaccines and **climate change**¹¹. In this context, the new Special Rapporteur on the impact of climate change on human rights, Ian Fry, spoke for the first time and outlined his priorities¹². The Geneva-based Intergovernmental Panel on Climate Change (IPCC) painted a bleak picture in its report from April. Millions of people are at risk, if greenhouse gas emissions are not significantly reduced immediately and across all sectors, i.e. by at least 43% (compared to 2019) by 2030¹³.

International Labor Conference - Adoption of New Fundamental Principles and Rights at Work / Criticism of China and Belarus

At the 110th International Labour Conference (ILC), May 27-June 11, Member States and social partners agreed to include a "healthy and safe working environment" as the fifth fundamental principle of the International Labor Organization (ILO).¹⁴ Germany and the EU had pushed for this decision. Thus, the outgoing ILO Director-General Guy Ryder can still chalk up a success at his last ILC.

The five ILO fundamental principles are reflected in ILO conventions. In view of the new principle, Conventions 155 (Safety and Health at Work) and

187 (Promotional Framework for Safety and Health at Work) have been identified as fundamental. In the run-up, the classification of Convention 155 was controversial, as it is considered to be very far-reaching and could overburden some countries in its implementation. The eventual uptake is seen by some observers as further demonstration of the ILO's current rather pro-union course. In practical terms, the adoption of a new fundamental principle means that all ILO Member States commit to respecting and promoting it, regardless of whether they have ratified relating conventions. At the same time, it will increase the pressure to ratify the relevant conventions.

Germany - like all other G7 countries - has not ratified Convention 155 (observers expect that this could happen soon), and Switzerland has neither ratified convention 155 nor 187.¹⁵

As at every ILC, the Standards Application Committee discusses, among other things, serious violations of ILO standards. Already several months ahead, the new agenda item on China's treatment of the Uyghurs minority, linked to a lack of compliance with Convention No. 111 ("Discrimination in Employment and Occupation"), had caused a public stir. The committee called for an end to all forms of discrimination and withdrawal, or amendment, of all relevant laws. In addition, China is to submit a report by September on the application of the Convention in law and practice. China rejected the demands and invited the ILO to get a "truthful" picture on the ground.¹⁶ It can be assumed that the topic will also be discussed at future ILCs.

Once again, Belarus had to face harsh criticism. The ILC criticized the suppression of trade union activities and the systematic destruction of independent trade unions. It also called for the release of all imprisoned trade union representatives, including Aliaksandr Yarashuk, a deputy member of the ILO Governing Body (!). Further measures are expected to be prepared for the next ILC.

¹¹ All resolutions and voting outcomes can be found in the [HRC Extranet](#). Illustrations of selected votes and statements can be found [here](#).

¹² More information is available [here](#).

¹³ More information is available [here](#).

¹⁴ The other fundamental principles and related core labour standards can be found [here](#).

¹⁵ 74 countries have [ratified](#) Convention 155, and 56 countries have ratified Convention 187.

¹⁶ The Committee's conclusions on China and other countries can be found [here](#).

Russia's attack on Ukraine was also raised in committee discussions by the EU and other "Western" allies. Concrete plans for the relocation of the ILO regional office in Moscow are to be presented by the time of the ILO Governing Board meeting in November.¹⁷

Lugano Conference on Ukraine - Guidelines for Reconstruction and Recovery

Already before the outbreak of the war in Ukraine, the fifth round of the Ukraine Recovery Conference was planned in Lugano. In view of the changed circumstances brought about by Russia's invasion, the meeting on July 4-5 was to be a starting signal for the political process of rebuilding the country after the war. A total of 58 international delegations (including 42 states and 16 international organizations) participated. Months before, it was emphasized that this would not be a donor conference, but a reconstruction conference (which provoked criticism here and there with regard to the timing), although on the sidelines some countries held out the prospect of increasing their aid, including the host country Switzerland.

The objective was to define guidelines and priorities for the reconstruction of Ukraine at an early stage. In addition to a commitment to Ukraine's sovereignty and territorial integrity and a condemnation of Russian aggression, the declaration, which was supported by 41 states and five international organizations, contains seven guiding principles for reconstruction: ambitious reforms, the principle of ownership, democratic participation of the population, alignment with the sustainability principles of Agenda 2030 and the Paris Climate Agreement.¹⁸ It is striking that the majority of international organizations refrained from signing the declaration. The reason was the consideration of Russia's membership in these bodies.

A draft presented by Ukrainian Prime Minister Denys Shmyhal assumes a financial requirement

of \$750 billion. Ukraine's demand to use frozen Russian assets for reconstruction has not been met (for now). A follow-up conference is planned for 2023 in the United Kingdom.

Increasing pressure on the humanitarian system

COVID-19, the climate crisis, wars, and conflicts are currently putting immense pressure on the humanitarian system. Already in the previous year, hunger affected almost 10.5% of the world's population, with up to 828 million people.¹⁹

The Global Crisis Response Group set up by the UN Secretary-General, in which Geneva-based organizations such as the ILO and UNCTAD also participate, had already warned in April of the catastrophic effects of the war in Ukraine on the global humanitarian situation. Recent figures confirm this: over 71 million people have fallen into extreme poverty as a result of the effects of the Ukraine war.²⁰ The multiple crisis of increased food, fertilizer and energy prices threatens the biggest livelihood crisis of the 21st century so far. Up to 1.7 billion people would be acutely affected by one of the three dimensions (food, energy, finance); 1.2 billion people by all three dimensions simultaneously.²¹ The risk for political unrest has also increased.

Financially, humanitarian organizations face a shrinking margin and massive underfunding for crises beyond Ukraine. While up to 84% of the funds needed for Ukraine have already been received by the Office for the Coordination of Humanitarian Affairs (OCHA), the figure for Afghanistan is only 38% and for Yemen only 27%.²²

Displacement und Migration

On 16 June, the UN High Commissioner for Refugees (UNHCR) presented its new annual report, which shows 89.3 million displaced persons by the end of 2021. Over the course of the Russian war of

¹⁷ See the Geneva Barometer April 2022 [here](#).

¹⁸ The full statement can be viewed [here](#).

¹⁹ The figures can be found in the [Global Report on Food Crises 2022](#).

²⁰ Figures on the livelihood crisis can be found [here](#).

²¹ World Bank estimates [here](#).

²² The current figures on Ukraine can be found [here](#), for Afghanistan [here](#) and Yemen [here](#).

aggression against Ukraine, however, the 100 million threshold was already exceeded within just a few weeks. The Ukraine war is thus considered the largest displacement crisis since the Second World War and the fastest growing worldwide. According to UN High Commissioner Filippo Grandi, food insecurity, rising inflation and high energy prices, like the climate crisis, are currently accelerating global trends.

Accordingly, the UNHCR's need for funds has also risen sharply. Additional funds for Ukraine had to be received and not diverted from other crises, said the High Commissioner. While the organisations work in relation to the war in Ukraine are 76% funded, other country situations remain massively underfunded. In total, there is a financing gap of 64%, or 6.8 billion US dollars. On the other hand, Grandi highlighted the handling of Ukrainian refugees as very positive. Lessons learned from this should also be applied to other crises.

COVID-19 Patents Debate 2.0

After the 12th Ministerial Conference of the World Trade Organization (WTO) adopted the so-called '[Geneva Package](#)' on 17 June, many observers spoke of an important signal for multilateralism and the important role of the WTO in global trade.²³ However, this is more of a breather than a liberating blow given that many of the agreements reached are only temporary. Consequently, the next conflicts are already looming, e.g. the much-discussed suspension of vaccine patents ("TRIPS waiver"). Some countries (especially India and South Africa) are pushing for therapeutics and diagnostics to also be covered by the waiver. Currently, the hard-won compromise of the "limited TRIPS waiver" only refers to the temporary suspension of intellectual property rights for the production of COVID-19 vaccines and the necessary ingredients. Talks on this have already resumed on 7 July. Some members including the US, China, the EU and Switzerland also presented a proposal on the licensing of intellectual property. This

would allow intellectual property owners to sell intellectual property rights for a limited time. The proposal was generally received positively.

Global Health

Important decision for the pandemic treaty

The month of July was defining in the process towards a pandemic treaty for more than one reason: Member States of the WHO did not only decide on the legal nature of the instrument(s) to govern pandemics, but also set the broad direction of the new rules.

In the week of July 18, the Intergovernmental Negotiating Body to draft and negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response ("INB") reconvened for a second, public, meeting with two ambitious deliverables: i) to discuss the existing working draft and ii) to identify the provision of the WHO Constitution under which the instrument should be adopted.²⁴

There are different provisions under the WHO constitution that could provide a legal home for such an instrument, each with their important criteria, processes, scope, and legally binding nature. As laid out in a background paper drafted by the WHO Secretariat, these include:²⁵

- Art. 19, for conventions or agreements
- Art. 21, for regulations; and
- Art. 23, for recommendations.

Defining the best way was complicated: while the EU and several African countries have been keen on using Article 19 of the WHO constitution as the legal basis of such an instrument, the US and a few others favoured other less binding provisions.

Much to the satisfaction of Director-General Dr Tedros Adhanom Ghebreyesus, on July 21, following the 4-day negotiation meeting, the INB agreed that the treaty will be drafted in line with Article 19 of the WHO constitution, which enables the WHO's highest governing body, the World Health Assembly (WHA), to adopt "legally binding conventions or

²³ The [Geneva Telegram of June 2022](#) provides a detailed analysis of the ministerial conference.

²⁴ [Schedule and targets](#) of the INB, you can find more information about the 4-day meeting [here](#).

²⁵ Background information on the legal status of a treaty can be found [here](#).

agreements" if agreed on by two-thirds of members to cover "any matter within the competence of the organization". However, the INB did not close the door to including some "non-binding" clauses in the treaty as well as including clauses under Article 21 of the constitution "if appropriate".²⁶ In other words, the WHA may establish multiple instruments, using one or more of the three provisions under the Constitution to address pandemic preparedness and response holistically. In short, it is not an "either/or" situation, as the WHO document clarifies.

Optimistic proponents believe the recent and ongoing experience of the pandemic could provide a window of opportunity to steer progress. At the WHA Member States – with efforts from the EU including Germany – decided on an ambitious timeline to finalise a first draft and define the legal framework before August 1st at the World Health Assembly.

However, others remain more cautious and point to potential risks and difficulties of swiftly negotiating the content of an expansive instrument that is seeking to cover a wide range of issues, including competencies reaching beyond pandemics according to some Member States. Low-and middle-income countries are particularly keen on including adequate consideration and language on health-systems strengthening and health equity in this process.

Reminder: The NBI has until May 2024 to submit a draft pandemic treaty to the WHA. Once adopted, it will enter into force for each Member State "in accordance with its constitutional processes." This clause has only been used once - to adopt the Framework Convention on Tobacco Control (FCTC), which contains both binding and non-binding clauses.

WHO DG declares Monkeypox a PHEIC

²⁶ The full web stream of the INB Meeting can be watched [here](#).

²⁷ More on the past meeting can be read [here](#).

²⁸ In contrast, when COVID-19 was declared a PHEIC in January 2020, it had recorded 7.818 confirmed cases across 19 countries.

On July 23, following a two-day meeting with the expert International Health Emergency committee, Dr Tedros declared "monkeypox" the 7th public health emergency of international concern (PHEIC).

While the rising monkeypox infections made headlines since May, the WHO Emergency Committee decided not to declare a state of emergency at its first meeting in late June just yet.²⁷

However, following a more than 77% increase in the first week of July and a rise to more than 17,000 cases in over 75 countries by the end of July,²⁸ the WHO DG called for a second meeting with the 15-member international health emergency committee.

Following the second meeting at the end of July the Director-General acted as a tie breaker and overrode the divided committee - six members in favour of declaring a state of emergency and nine against.²⁹ He hopes that this will "mobilize the world to act together, it needs coordination, solidarity, especially [for] the use of vaccines and treatments".³⁰

While most of the new cases have been identified in Europe and the US, the continent of Africa – where monkeypox was first identified in 1970 – has not recorded a huge jump in cases. However, experts believe this could also be due to a lack of proper testing.

WHO is already working with countries and vaccine manufacturers to coordinate the sharing of currently scarce vaccines.

ITU: World Telecommunication Development Conference

From June 6-16, the International Telecommunication Union (ITU) organised the World Telecommunication Development Conference (WTDC) in Kigali. The more than 2000 delegates negotiated the

²⁹ This is the first time that the emergency committee did not agree on declaring a PHEIC by consensus.

³⁰ Read more [here](#) on the PHEIC declaration and the linked recommendations.

priorities for the field of telecommunication development for the next two years. The successful conference strengthened Doreen Bogdan-Martin's (US) - the Director of the Development Sector (ITU-D) - candidacy as Secretary General of the ITU. Her opponent is the Russian Rashid Ismailov. After Russia's invasion of Ukraine, Ismailov was considered to have no chance. Recently, conflicting assessments seemed to indicate that the Russian candidate could have good chances with the African countries. Most observers, however, believe that Bogdan-Martin is still in the pole position. In September, the most important ITU positions will be elected during the Plenipotentiary Conference in Romania. Germany is sending Dr. Thomas Zielke into the race as a candidate for the post of Director of Standardisation (ITU-T).

Additionally to the adoption of the '[Kigali Action Plan](#)', including the 'Kigali Declaration', the following were also noteworthy

- the convening of the first Youth Summit to engage young stakeholders in digital transformation,
- the establishment of a new network to promote gender equality in the ICT sector ('Network for Women' NoW),
- the pledging of around USD 18 billion in public and private funding for the Partner2Connect programme to achieve universal connectivity.

Similarly, to the World Telecommunication Standardisation Assembly (WTSA) earlier this year in March, Russia forced a vote on the approval of chairs and vice-chairs of the working groups. Nevertheless, Russian candidates were not voted into leading positions of working groups. Quite a few states refused to take sides on the grounds that the Assembly was to resolve technical and not political issues.

The Chinese government's amendment for the rapid switch to "IPv6+", which was submitted at short notice, caused a stir. IPv6+ in itself is not a technical standard. Rather, this technology - building on the existing IPv6 protocol - provides additional features. At the same time, however, this technology poses similar threats to privacy, technical means for censorship and network protection; as the NewIP proposal stopped in 2019. Both

proposals are attributed to the Chinese telecommunications provider Huawei. Even though the amendment failed again, introducing the proposal at the WTDC is a strategically smart move. There is indeed a common understanding about the necessity to switch to IPv6. Many developing countries, which still have large gaps in the conversion to the newer Internet protocol, attended in the conference. However, widespread adoption of the repackaged New-IP or marketed as IPv6+ could be another step in facilitating massive online surveillance monitoring and censorship on the net.

World Economic Forum - Hangover in Davos

After two years of forced interruption due to the pandemic, high-ranking representatives of politics and business once again gathered in the Alpine idyll of Davos at the end of May. But this year many heads of state were absent or only showed up for a very short time. Moreover, the infamous receptions, mostly organised by Russian oligarchs, were cancelled. The reason: Russians on the sanctions list would not have been able to enter the country. In addition, the World Economic Forum (WEF) had already terminated all partnerships and funding from Russia shortly after the invasion of Ukraine. Many of the panel discussions revolved around the war in Ukraine and its consequences. The discussions revolved around how to avert a global food catastrophe, possible solutions to export grain from Ukraine or the economic effects of the war and the – not yet fully overcome - COVID 19 pandemic.

Unlike in previous years, an unusually large number of crypto-currency advocates turned up in Davos. The structures of crypto currencies, which are mostly defined by their decentralised administration, are in apparent contrast to an established authority like the WEF summit. However, the global trend of digital currencies did not stop at the WEF.

Security - No compromise on autonomous weapons in sight

From 25-29 July, the Group of Governmental Experts on Lethal Autonomous Weapon Systems (LAWS) of the signatory states to the Convention

on Certain Conventional Weapons is meeting in Geneva. Observers fear that this round will not bring a breakthrough either. As reported by the civil society network to outlaw the use of autonomous weapons systems - Campaign to Stop Killer Robots - the war in Ukraine has brought the already slow negotiations to an almost standstill.³¹ The last meeting of the expert group was repeatedly blocked by Russia, which is why the negotiations could only continue informally. Also, under pressure from Russia, these informal negotiations were conducted without video transmission, which in turn led to the de facto exclusion of a large number of civil society organisations. Consequently, there is a growing desire for alternative platforms to discuss the possible adoption a legally binding agreement.

Commentary

Now, five months after the Russian invasion of Ukraine began, a very nuanced picture of its effects on the work of international forums and organizations is emerging:

1. **increasing, but not complete, isolation of Russia in Geneva forums and bodies:** Russia has lost reputation and influence in international forums: the exclusion from the Human Rights Council the planned relocation of the Moscow ILO office and the regular condemnations of Russian aggression bear witness to this. Even in scientific organisations such as CERN, existing cooperation agreements with Russia (and Belarus) are not being renewed. However, Russia is not completely isolated. A number of strategic allies

Konrad-Adenauer-Stiftung e. V

Dr. Olaf Wientzek
Director Multilateral Dialogue Geneva
European and International Cooperation
olaf.wientzek@kas.de



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(albeit limited), including China, continue to stand by Moscow, even in Geneva.

2. **In parallel, a growing "Ukraine fatigue" can be observed among many Member States:** Ukraine can firmly rely on about 40 countries, mainly from Europe and North America - beyond this hard core, support varies considerably: especially countries from Africa and Asia, and increasingly Latin America, feel pressured by the regular calls to condemn Russia in various forums. This is coupled with concerns that other issues are receiving less and less attention. More dramatically, the misleading Russian narrative that the food crisis is due to Western sanctions rather than Russia's blockade of Ukrainian ports is catching on with some of the affected countries.
3. Several high-level conferences - be it the World Health Assembly, the WTO Ministerial Conference, the International Labor Conference - have made it clear that **international organizations are still capable of effective action** despite the considerable geopolitical tensions.
4. Nevertheless, **the rift remains unmistakable:** reflected, among other things, in Russia's questioning of Switzerland's suitability as a neutral venue for the meetings of the Syrian Constitutional Committee, or in Russia's interim veto of the extension of Resolution 2585 to deliver humanitarian aid to Syria.

The coming months will show whether the existing trend toward greater reliance on plurilateral platforms will continue.

³¹ Read the full article [here](#).