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Research Article

International Legal Aspects of Foreign Policy: Balancing Social Welfare and Strategic Interests in Diverse State Models

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ABSTRACT

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Introduction: The study's relevance lies in its focus on analysing the international legal aspects of foreign policy, emphasising the research of balancing social welfare and strategic interests in diverse state models. To analyse the transformation of foreign policy in modern conditions, to evaluate the impact of international law on foreign policy and the impact of foreign policy strategies of states on international law, and to examine the leading international legal issues of foreign policy in modern conditions.

Objectives: The article aims to analyse the transformation of foreign policy in modern conditions, assess the impact of international law on foreign policy, and examine the influence of states' foreign policy strategies on international law.

Methods: The study combines complementary general scientific theoretical methods, including analysis, synthesis, and abstraction. The integration of analysis and synthesis ensured an objective and comprehensive examination of aspects of foreign policy relations in the context of the dynamics of international law.

Results: The essay analyses European foreign policy's main prospects and threats. International legal issues related to foreign policy strategies are examined, which is significant as contemporary processes are shaping the formation of a new system of international relations. It is argued that this allows for a fresh perspective on the role of welfare states in the context of their foreign policy and international law. The European Union's foreign policy is analysed and implemented either through the Common Foreign and Security Policy under the leadership of the European Council or via international economic negotiations conducted by the European Commission. A new type of relations among major powers, particularly under Xi Jinping, is characterised. It is identified that the "Belt and Road Initiative" is the main, though not the sole, programme launched by China, one of whose primary objectives is to create an environment of cooperation among states.

Conclusions: The EU's enlargement is an integral part of the development of European integration, and the new wave of EU enlargement will serve as an investment in the continent's security. The doctrine of US foreign policy aims to achieve a safer, more democratic, and prosperous world for the benefit of the country, its citizens, and the international community.

Keywords: foreign policy, strategies, EU enlargement, the EU Common Foreign and Security Policy, EU, international relations, Schuman Declaration, war, Ukraine, USA, China.

INTRODUCTION

The main characteristics of countries' foreign policy implementation are the complete and most effective provision of their national interests. Each state builds its foreign policy, first considering its interests and topical issues related to various sectors. Foreign policy is a set of instruments and mechanisms states use to communicate with other states and international organisations. The influence of some countries and international organisations, which claim leadership positions worldwide, is becoming more active. China uses three main tools to increase its influence in the modern world: political cooperation, trade and investment. An example of political influence is the Treaty on Long-Term Neighborhood, Friendship and Cooperation between the SCO countries, ratified by Uzbekistan in 2012, after

which active oil and gas cooperation began, initiated by China [1]. In official Chinese publications, Xi Jinping's foreign policy course is often characterised as "great power diplomacy with Chinese characteristics". In this formulation, "great power" refers to the place that China sees for itself on the world stage. When explaining this concept, Chinese scientists usually notice that China's behaviour as a great power has three dimensions – economic, political and cultural [2, 3, 4].

The foreign policy of the USA is a set of foreign policy instruments and mechanisms used by the United States in the international arena to communicate with other countries and international organisations [5]. The creation of the EU is one of the most significant events of the 20th century, causing fundamental changes in Europe. Of course, such significant transformations could not be just the result of a random combination of circumstances. They are based on a whole complex of historical prerequisites that prepared and determined the emergence of the European Communities, the European Union, and the success of their functioning. Schumann's plan, so limited at first, gave rise to a vast project. Seventy-four years ago, the Schumann Declaration marked the beginning of European integration, considered by many to be the most successful process in European history [6]. At the same time, this process was not ideal but included many negative aspects that became more obvious and increased over time. Since the Schuman Declaration, the unification of Europe has developed progressively, without steps back, not counting Brexit. The European Communities followed the Coal and Steel Community and the European Union. The EU expanded territorially step by step.

The EU is the centre of many interregional agreements and has a firm foreign policy. European foreign policy is unique and has specific features. Therefore, we must consider the EU's peculiarities when analysing European foreign policy.

LITERATURE REVIEW

According to several authors [7, 8], the strategic and political concept, which should have underpinned the policy of the European Community towards potential member states from its inception, has for decades been overlooked in favour of bureaucratic and technical processes.

Keukeleire and Delreux [9] highlight that the European Commission's annual reports on the current state and progress of each country aspiring to join the European community have often exhibited bias and understated ongoing regressions in governance, freedom, and the rule of law within media environments.

Despite problems with economic integration and numerous internal and external contradictions, the European Union remains an evident centre of democratic strength in the modern world. This view is supported by several scholars [10, 11, 12]. Furthermore, Ahmed [13] argues that promising developments and the deepening of integration processes, alongside addressing issues of unified foreign policy, will enable Europe to transform into a powerful supranational entity.

Harrington [14] studies international relations and China's foreign policy. Simultaneously, Erbas [15] analyses the constructivist approach to foreign policy and international relations. Activities, relations, and interactions are critical between agents and structures; as a result, through such activities, states can understand one another and build and shape their identities.

Jetschke and Murray [16] explore adaptation to changes in states' external and internal environments that are not associated with or dependent on the EU. At the same time, several scholars [17, 18, 19] argue that under current conditions, the EU is evolving under the influence of financial and economic instability, significant challenges to the deepening and expansion of the integration process, uneven regional development among member states, and fragmentation, compounded by the impacts of migration and debt crises, and the COVID-19 pandemic. These factors make integration processes more vulnerable [20].

Nonetheless, as Kauppi and Viotti [21] and Hill et al. [22] assert, the history of the global community's development is characterised by overcoming crises, from which formations emerge adapted to new realities.

The article aims to analyse the transformation of foreign policy in modern conditions, assess the impact of international law on foreign policy, and examine the influence of states' foreign policy strategies on international law.

METHODS

The study combines complementary general scientific theoretical methods, including analysis, synthesis, and abstraction. The integration of analysis and synthesis ensured an objective and comprehensive examination of aspects of foreign policy relations in the context of the dynamics of international law.

Systematic analysis enabled the clarification of the essence of definitions and conceptual categories. Through synthesis, individual components and properties identified during the analysis were integrated into a unified whole. This process involved a meaningful combination, progressing from identical and significant elements to differentiation and diversity, integrating general and specific aspects into a single concept.

The abstraction method was utilised to derive theoretical generalisations, define key categories and concepts, and formulate conclusions regarding the influence of states' foreign policy strategies on international law. In doing so, abstraction of potential practical applicability was employed as a mental process of detachment from standard properties of legal technologies, concepts, and instruments, while simultaneously highlighting the essential soughtafter properties.

RESULTS AND DISCUSSION

However, at the present stage, the EU is experiencing several crisis phenomena, which forces us to return to the analysis of the Schumann Declaration, which formulated several fundamental provisions that became fundamental throughout the construction of a united Europe. The question inevitably arises about the relationship between the role of institutions in the integration process as independent intermediaries receiving part of the sovereignty from states and, directly at the national level, interstate interaction in solving emerging problems.

A unique feature of the EU is that while all member states retain full sovereignty and independence, they pool some of their sovereignty in areas where it adds value. H. Kissinger often mentions how he asked European partners for the phone number of the person authorised to form the common diplomatic position of the European Community [23]. There was no clear answer to this "simple" question for a long time. However, after the entry into force of the Treaty of Lisbon, it is possible to talk about the birth of the diplomatic service of the European Union.

Borrell [24] emphasised that «the seventieth anniversary of the Schumann Declaration is a time to remember the original principles on which Europe stands: peace and democracy, overcoming the past, international solidarity, open borders». The question now is whether the EU is ready to uphold the principles and values that were so important and central to its creation. The outstanding politician of the twentieth century, W. Churchill, once said: "No matter how wonderful your strategy is, from time to time you must check its results"[25]. The times of adopting the Shumen Declaration and the modern stage are very different. The EU faces an increasingly unstable world and a radically changed security environment [26]. With a major war in the centre of Europe and multiple crises, it is becoming increasingly important for European leaders to address growing security challenges by focusing on further European enlargement.

The European Union, as a full-fledged actor in international relations, pays considerable attention to foreign policy activities. In particular, the unique nature of the union itself requires, first of all, not only the strengthening of integration processes between member countries but also the expansion of areas of cooperation and influence outside the borders of the Community in order to build reliable political, economic, value and cultural ties. These connections serve as a specific basis for determining the necessary level of spatial interpenetration with third countries, particularly within the framework of the functioning of the European Neighborhood Policy.

Scholars studying European foreign policy face a fundamental question: "Should we pay attention to what can be compared with other social institutions, such as a state or an international organisation, in the research process, or should we focus purely on something truly unique?" [27]. It was the search for an answer to this question that led to the emergence of three main theoretical currents that can be used in an applied sense, namely: state-centric, comparative and "sui generis", that is, the nature of a unique origin [28]. The state-centric approach in the context of the theoretical understanding of EU foreign policy is the most popular, given the nature of regional integration and international cooperation. In this respect, the member states retain the primary right to shape the EU's foreign policy course. The member states' role in the EU's foreign policy activity is relegated to the background when applying such an approach.

One of the key elements of the foreign policy strategy is the security dimension of the EU. Therefore, the majority of important political and economic decisions, which are made at various levels of government about third countries, are considered, first of all, through the prism of security priorities. EU enlargement is often presented as the result of an effective foreign policy. However, since the EU's most significant wave of new members joined in 2004, the process has largely stalled. The EU's agenda is admitting new members, but not everything is simple. The process of preparing candidates, as evidenced by the experience of some countries, can take decades. The history of European integration of some countries is very long. Turkey has been waiting for a favourable decision from the EU for a long time.

With the beginning of the full-scale war, Ukraine made a major European integration breakthrough. Just four days after the invasion, President Volodymyr Zelenskyi signed an application to join the European Union, and in June, Ukraine already received candidate status. Ukraine hopes to overcome further obstacles to membership as quickly as possible, but this optimism is not always shared in Europe. The President of the European Commission, Ursula von der Leyen, did not voice any forecasts regarding the terms of Ukraine's accession to the EU. She says, "There is no clear time frame, but there are goals to be achieved." The situation is complicated because no one knows what the EU will be like shortly. In recent years, very complex and contradictory processes have been observed in Europe and the world [29]. According to the Chairman of the European Council, Borrell [24], Europe cannot allow Russia to defeat Ukraine because this "would mean allowing it to destroy our democracies and the very basis of the world order based on international rules".

The current period is a challenging test for European integration. Only if Europeans share a sense of common purpose as initially intended in the Schumann Declaration will the future of EU integration have a chance. New EU candidate countries must be confident that the EU really wants enlargement. Rapid EU enlargement is now essential for European security. The EU must decide to expand rapidly in modern conditions.

Analysing international legal issues of the future US foreign policy strategy and its impact on international law, paying attention to the key points of previous strategies (Table 1).

Table 1: A Foreign Policy Grand Strategy for the USA": Points of Past Strategies that Should be Considered when Proposing a Foreign Policy Grand Strategy for the USA

Stage/President	Achievements of US foreign policy that must be included	
	in the new strategy	
The stage in foreign policy during the	✓ Fight against terrorism;	
presidency of J. Bush	✓ Spread of democracy in the world and respect for human rights.	
The stage in foreign policy during the	✓ Improvement of the international reputation of the USA	
presidency of B. Obama	(primarily among European NATO partners);	
	✓ Fighting global threats jointly with other countries.	
The stage in foreign policy during the	✓ Climate questions;	
presidency of D. Tramp	✓ Nuclear questions.	
The stage in foreign policy during the	✓ Countering external threats;	
presidency of Joe Biden	Promoting the unity of the positions of NATO and the EU in	
	confronting Russia and protecting common values;	
✓ Countering Russia's attempts to weaken and		
	sovereign states and undermine multilateral institutions;	
	✓ Strengthening the collective resilience of allies to threats from	
	Russia, including asymmetric threats;	
	✓ The restoration of European security mechanisms was	
	destroyed due to the Russian Federation's actions.	

Source: summarised by the author

Considering previous years' experience, the future US foreign policy strategy can be based on four pillars (Table 2).

Table 2: A Foreign Policy Grand Strategy for the USA "Multilateral Liberal Hegemony (2025–2030)"

Pillar/ Vector	Development Option and Main	Implementation Tools /	Risks/Degree of probability
Thui, vector	Directions Within the Pillar	Mechanisms	
Pillar 1. European vector of US foreign policy	- Promoting the joint efforts of the USA and Europe in the fight against climate change; - Agreements on the new structure of the digital market; - Limiting the power of large technological companies; - Reduction of net greenhouse gas emissions by 2030 Joint efforts in the fight against terrorism and deterring Russian aggression; - Recognition of the powers of the International Criminal Court by the USA Discussion of pressing issues and finding compromises (visa-free issue, Kyoto Protocol) - Development of the European direction of international transport corridors; - Development of trade relations; - Ensuring peace and stability; - Development of cyberspace security Prevention of the development, distribution and use of weapons of mass destruction Perspectives of the formation of the world agenda in the format of "balance of threats" through the prism of the Ukrainian dimension; - Ukraine with Europe (support for a free, unified Europe); - Deployment of US troops in Ukraine to participate in a full-scale war in Ukraine started by the Russian Federation; - Development of relations with Moldova and Georgia to maintain a stable Europe.	- Conclusion of new agreements between the EU and the USA on the expansion of the spheres of cooperation on specific issues; - Development of joint programmes and joint projects Creation of a new international organisation, as the UN is ineffective in many issues. Liberal hegemony - Pillar 1 is determined by the State Department and the President The Bureau of European and Eurasian Affairs will develop and implement U.S. foreign policy in Europe and Eurasia. In connection with each summit meeting, time will be set aside for meetings with representatives of one or more of these dialogues, which include the Transatlantic Business Dialogue; the Transatlantic Consumer Dialogue: the Transatlantic Policy Network, a non-governmental grouping of members of the U.S. Congress and the European Parliament, business leaders and think tanks; the Transatlantic Environmental Dialogue; and the Transatlantic Legislators Dialogue.	- The risks generated by transatlantic competition are growing as a result of the simultaneous strengthening of China, the second most influential player in the world; - The risks generated by the aggressive self-assertion of Russia, which is trying to recreate a zone of influence in the post-Soviet space, in Eastern Europe and the Balkans, to exert pressure on the EU by creating a military threat and energy dictation.
Pillar 2. Chinese vector of US foreign policy	- Conducting results-oriented diplomacy with China on shared challenges such as climate change and global public health crises; - Containing China from a political and military point of view and simultaneously engaging in China's economic development to maximise economic interests	 Creation of a new international organisation, as the UN is ineffective in many issues. Liberal hegemony Pillar 2 is determined by the State Department and the President. Congressionally mandated U.S. assistance programmes in China focus on advancing environmental standards and protections and market-based reforms supporting the environment, advancing the rule of law and human rights, addressing the threat of pandemic diseases, and combating drug trafficking. 	- The risks generated by China, North Corey and other States that support Russia.
Pillar 3. Middle East vector of US foreign policy	- Establishing relations and countering a new arms race; - Preventing further distancing of countries to maintain peace and security; - Preventing the strengthening of the role of potential external and internal	- Readiness for negotiations and diplomatic concessions in favour of Iran, in particular in relations; Bilateral relations between Turkey and the USA, which are currently experiencing far from the best of times,	- Constructive interaction between countries with different interests is hardly possible. In theory, the Middle East and the US can establish some ties, especially those related to common interests; - Taiwan questions.

rivals of the USA in the region are important for achieving peace and (avoiding the creation of a power stability in the Middle East region. - Creation of a new international vacuum in the region): Russia, China, organisation, as the UN is ineffective in Iran, and Turkey. - Destroy terrorist networks; many issues. - Resist external aggression against Liberal hegemony - Pillar 3 is determined by the State US allies and partners; Ensure uninterrupted energy Department and the President. supply from the region to other parts - Congress can help build America's of the world; diplomatic capacity by allocating more - To prevent the development, resources to reform and fund the US State distribution and use of weapons of Department and USAID. mass destruction; The United States National Security - Overcoming contradictions in the Council (NSC), an advisory, coordinating, trade and economic sphere through and controlling body under the President negotiations. of the USA for solving national security - Allocation of military aid to Ukraine and foreign policy issues, and the and Israel, which includes additional National Counterterrorism Center funds for Taiwan. (NCTC), a state organisation, should be involved here. Pillar 4. Fight against terrorism; - Determinism of the concept of The risks generated by Multilateral - Spread of democracy in the world American global leadership and the aggressive self-assertion of some concept of "balance of threats" in universal vector of and respect for human rights; states: instability US foreign policy to - Climate questions; maintaining the world order. of international combat global risks - Nuclear questions. - Creation of a system of interstate relations; and threats - Improvement of the international alliances that would be responsible for - Regional conflicts that influence reputation of the USA (primarily security and would be the leaders of global security. among European NATO partners); American interests at the regional and global levels. - Fighting global threats jointly with Creation of a new international other countries. organisation, as the UN is ineffective in many issues. Liberal hegemony - Pillar 4 is determined by the State Department and the President. - Congress can help build America's diplomatic capacity by allocating more resources to reform and fund the US State Department and USAID. The United States National Security Council (NSC), an advisory, coordinating, and controlling body under the President of the USA for solving national security and foreign policy issues, and the National Counterterrorism Center (NCTC), a state organisation, should be involved here.

Source: summarised by the author

The European branch is the most important in American foreign policy. Some experts believe that relations between the United States and Europe at the beginning of the 21st century are experiencing difficulties. Political scientists note a tendency towards the decline of partnership relations between the USA and Europe [30, 31, 32]. Therefore, the European vector of the US foreign policy is important for solving current issues and finding standard solutions. Important issues should be common factors in the relations between the USA and Europe. The European vector of US foreign policy should promote joint efforts between the US and Europe in the fight against terrorism, war, and climate change and agree on a new structure for the digital market to limit the power of large technology companies. Overcoming the main problems of European integration in constructing EU security policy in combating terrorism is very important [33]. It is also necessary to reduce net emissions of greenhouse gases by 2030. Armed aggression and demonstrative disregard for the norms of international law cannot be left without an adequate response – the United States has the determination and the ability to punish Russia for its crimes. The European pillar of the US

Foreign Strategy foresees financial and military assistance from Ukraine to preserve a stable Europe. The US will send its troops to participate in a full-scale war in Ukraine, which the Russian Federation started [34].

The relations between the world's most significant economic powers – the USA and China – include active economic cooperation, military-political rivalry in the Pacific Ocean, and mutual distrust. The rise of China is an important factor shaping the geopolitical and geo-economics landscape of the 21st century. US foreign policy must include the China Pillar of Cooperation to preserve international peace and security. In US foreign policy toward China, the main emphasis should be on containing China from a political and military point of view and simultaneously engaging in China's economic development to maximise the economic interests of the United States. The American strategy to contain the Chinese should include several interrelated instruments of diplomatic, military-political, economic, financial and psychological pressure on China [35]. Washington's further support for Taiwan will be included in the Strategy due to the undesirability of absorbing young Asian democracy by authoritarian China and to limit further the strengthening of China. Our US Foreign Policy strategy will provide for the allocation of military aid to Ukraine and Israel, which includes additional funds for Taiwan [36].

The Middle East region is a zone of instability and, therefore, can directly influence the policy of major powers, particularly the United States. Speaking of the energy factor, it is worth noting that the "shale boom" has become an intra-American factor, which is why the US is reviewing its energy interests in the Middle East region. In this region, the weakening of the US position contributes to increased frequency, number and intensity of regional conflicts. All indications are that if America's leadership is in crisis and weakened, it will have a destructive effect on international relations in the Middle East region [37]. The US supports the vision of the Middle East as a region of peace and prosperity, where democracy takes root and human rights are respected. In order to resolve regional conflicts and ensure long-term peace in the Middle East, it is necessary to include the points indicated in Table 2 in the Strategy.

The multilateral universal vector of US foreign policy to combat global risks and threats will include the fight against terrorism, the spread of democracy worldwide, respect for human rights, climate questions, and nuclear questions. The USA will also improve its international reputation [primarily among European NATO partners] and fight global threats jointly with other countries.

Implementing special anti-terrorist programmes and initiatives under the auspices of the US State Department is also important in counter-terrorism. It is necessary to develop new international programmes to fight terrorism at the universal and regional levels, including the European vector of US foreign policy, the Chinese vector of US foreign policy, and the Middle East vector of US foreign policy. Here, the question may arise: Why develop anti-terrorist programmes at regional levels if there is a universal level? The fight against terrorism at the universal level may not consider the nuances inherent in a particular region, so it is important to carry out the fight against terrorism at the regional level. responsible for national and international counterterrorism efforts, and advises the US government on terrorism. Creating a new international organisation is essential, as the UN is ineffective in many issues.

At the Central Working Meeting on International Affairs in December 2023, Xi Jinping outlined ten fundamental areas proposed to be included in China's foreign policy framework. They particularly emphasise the need to strengthen China's role in the global world order, strengthen cooperation between states, develop the balanced development of states, develop the "One Belt, One Road" initiative, and develop joint policies to strengthen security. Xi Jinping emphasised that China must have a clear position on the future of human development, in which China's sovereignty, security and interests must be reliably protected. One of China's foreign policy strategy doctrines pillars is the White Paper "Jointly Building a Community with a Shared Destiny for Mankind: China's Initiatives and Actions". The published document defines the country's position regarding the direction of international development cooperation.

Over the past few years, China has launched several new policy projects, from social development to climate change and market opening. Thus, in the coming months and years, the focus will continue to be on the current goals of the economy, industry and society [38]. At the same time, China's economic and geopolitical growth also holds back several economic challenges that must be addressed. These include the excessive role of the state in economic development, which slows down market processes, the lack of the rule of law, a weak banking sector, export dependence, and significant environmental problems.

Xi Jinping's diplomacy symbolises the growth of China's global ambitions and is an ideology of transforming China from a great power into a strong one. Xi Jinping expressed China's readiness to cooperate with the United States for

shared prosperity and the benefit of the whole world. Xi Jinping emphasised that the countries should sail in the same boat, promoting the liberalisation and simplification of trade and investment procedures and promoting the development of economic globalisation in the direction of greater openness, inclusiveness, universality, balance and mutual benefit. The diversity of civilisations should be respected; the coexistence of different civilisations, their mutual exchanges, and the desire to learn from each other must prevail over the feeling of superiority of one civilisation over another, as well as their alienation and collision. Xi Jinping advocates multilateralism, proposes to solve problems through joint discussion, and calls on all parties to make efforts and do their best through bilateral, trilateral and multilateral cooperation, to fully use each country's advantages and potential.

CONCLUSION

Thus, the research can draw the following conclusions: The study of international legal issues related to foreign policy strategies is important because, at the current stage, processes determine the formation of a new system of international relations. This allows us to take a new look at the role of social welfare states in the context of their foreign policy and international law.

European integration has developed under the influence of constantly emerging crises. However, these crises were constantly overcome through the joint efforts of member countries. To follow the Schumann Declaration and ensure the continued effective functioning of the EU, European policymakers will have to fundamentally rethink the failures of the past and respond to the present challenges. Undoubtedly, EU enlargement [39] is an integral part of the development of European integration. A new wave of EU enlargement will invest in the continent's security.

The doctrine of US foreign policy aims to achieve a more secure, democratic, and prosperous world for the benefit of the country, its citizens, and the international community. Considering previous years' experience, the strategy of US foreign policy in the future can be based on new pillars.

Xi Jinping brought new ideas to Chinese foreign policy. The "One Belt, One Road" initiative is China's main programme, but not the only one. One of its main objectives is to create an environment of cooperation between states.

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