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# The State of Security Council Reform

Aaron Pangburn & Sabrina Stein[1]

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> *The most important institutions – the United Nations Security Council […] – remain[s] dominated by the European and American victors of World War II, countries that represent an increasingly small minority of the world's population and a shrinking share of its economic output. The failure to reflect the changing balance of global power […] undermines both the effectiveness and the legitimacy of today's international system, particularly in the eyes of those who feel denied of proper recognition.*
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> - Kofi Annan, Saving Global Order, 29 January 2015

## Introduction

The Security Council (SC) is one of the most important and powerful bodies within the United Nations (UN) and the international legal order as it relates to the international peace and security agenda. For over 20 years, UN Member States have called for reforms that would make the Security Council more representative, efficient, and better suited to address the security challenges that face the international community today. Secretary Generals Boutros Boutros-Ghali, Kofi Annan, and Ban Ki-Moon have attempted to push the reform debate forward unsuccessfully and this challenge of Security Council reform has been a thorn in the agenda of Presidents of the General Assembly (GA) since December 1992, when the issue was included in the GA agenda. Since then, countless proposals have been deliberated, numerous coalitions have been formed, and ten rounds of Intergovernmental Negotiations have resulted in an extremely complex stalemate, where entrenched positions leave little room for compromise. Given this context, and the diverse set of interests and geo-political rivalries in play, recent attempts have been made to pursue progress on process before tackling the substantive issues under consideration.

This briefing paper summarizes the historical background of the Security Council reform process and analyzes the latest efforts aimed at reinvigorating the reform debate. It analyzes President Ashe's initiatives during the 68th session, introduces the position of each prominent coalition, explores France's articulation of a "code of conduct" for the use of the veto, and considers the stated goal of many Members States: that a more representative, efficient, and transparent Security Council will be achieved by the United Nations 70th anniversary at the 2015 United Nations Summit.

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[1] Aaron Pangburn and Sabrina Stein are Program Coordinators at the Conflict Prevention and Peace Forum at the Social Science Research Council in Brooklyn, New York.

## Methodology

This is an updated version of the paper created by the authors in December 2013. The goal of the paper is to analyze the latest discussions on Security Council reform and present an analysis of what could be expected for the next round of Intergovernmental Negotiations in 2015. The current version of the paper was updated in February 2015 to include the tenth round of Intergovernmental Negotiations and the 69th General Assembly session. Considering the nature of the issue and the intended audience, the authors chose to follow a qualitative research approach that builds on existing literature on United Nations reform in general and Security Council reform in particular. To complement existing literature, the authors analyzed a variety of primary sources from the United Nations including Member State statements, General Assembly resolutions, statements by General Assembly Presidents, and other reports and documents.

## Historical Background

The Security Council, established in 1945, was charged with maintaining and restoring peace and security in the aftermath of the Second World War. The SC's membership was by design limited to guarantee that the body could react rapidly to threats to peace and security but at the same time attempted to be representative of the UN's general membership. Originally established with a membership of 11, 5 permanent, veto-power members and 6 non-permanent rotating members, the decolonization period of the 1950s and 1960s and increase in the UN's general membership required the SC to adjust its original design. In 1963, the SC expanded to its current membership of 5 permanent, veto-power members and 10 non-permanent, rotating members.

Yet, this small, limited membership did not prevent the SC from falling victim to the geopolitics of the Cold War, making the Council practically obsolete as the United States and Soviet Union used their permanent membership and veto-power to pursue their national interest at the expense of the SC's work. The end of the Cold War lifted the gridlock that had kept the SC on the margins of the international security agenda and the new geopolitical realities of the 1990s made evident the need for reform. At the core of the SC reform agenda is its composition, both in terms of its proportion of the UN's general membership,[2] as well as a reflection of the power realities of today's international system.

In 1992, a new resolution, A/RES/47/62 sponsored by Japan, was passed unanimously by the General Assembly, officially placing the issue of Security Council reform on the GA agenda, calling for the membership to submit reform proposals to the Secretariat by the summer of 1993 to be considered at the next session of the GA. The proposals received from Member States proved that there was evident consensus on the

[2] In 1945, when the UN was first established, the organization had 51 members, with an SC membership of 11, the Council represented 21 per cent of the general membership. In 1963, when the SC size was expanded to 15, the UN had 113 members, so following the expansion the membership of the Council represented 13 per cent of the UN as a whole. In 2015, the UN has 193 members, so the 15 SC members only represent 7 per cent of the general UN membership. The evolution of the general membership vis a vis the SC membership is evidence of the decreasing representative power of the SC.

need to expand the SC, however, there were very few agreements on the number and type of seats to be added or which countries would fill these new seats.[3]

The diversity of proposals led the General Assembly to pass resolution A/RES48/26 in 1993, establishing a Working Group to serve as a formal forum for reform consultations both on expansion and working methods. Four years following the establishment of the Working Group, the President of the General Assembly and Chairman of the Working Group at the time, Ambassador Razali Ismael of Malaysia, presented a three stage reform plan. The proposal called for the enlargement of the membership from 15 to 24, including 5 new permanent members. The Razali-proposal was widely-rejected by the UN general membership and in 1998 led to resolution A/RES/53/30 backed by the Non-Aligned Movement (NAM) and Italy, which stated that resolutions calling for the expansion of the SC needed a two thirds majority to pass, making any decisions on SC expansion extremely challenging.

GA President Razali, noting the wide dissatisfaction with his reform proposal, abandoned the idea of a broad SC reform agenda and instead suggested the addition of Germany and Japan as permanent members to the SC. Japan and Germany had contributed heavily to the Gulf War effort (1991-1992) and had become by 1992 the second and third largest contributors to the general UN budget, which justified the proposal to add them as permanent members to the Security Council. While considered a "quick fix" the proposal failed to address the lack of regional representation and the Council's membership would still remain limited in comparison to the general membership. Furthermore, Member States saw this proposal as furthering the inequity in representation between developed and developing countries.

Following the Razali-proposal, the discussion on SC reform continued with no movement on the part of Member States who continued to argue their positions year after year. In 2003, Secretary General Kofi Annan, in an attempt to reinvigorate the SC reform debate, established the High-Level Panel on Threats, Challenges and Change, composed of 16 panel members charged with examining global threats and future challenges to peace and security and "recommend ways of strengthening the United Nations, through reform of its institutions and processes."[4]

In 2004, the SG's High-Level Panel released their report *A more secure world: Our shared responsibility*. The report stated that at the heart of any reform should be to "increase both the effectiveness and the credibility of the Security Council and, most importantly, to enhance its capacity and willingness to act in the face of threats." The Panel presented two alternatives to SC reform, models A and B, to be considered by the general membership. Model A called for the addition of six new permanent seats, with no veto power, and three new two-year term, non-permanent seats, divided regionally.[5] Model B did not add any permanent seats but instead created a new category of eight four-year

[3] See A/48/264. Add 1-10, 1993

[4] See The Secretary-General Address to the General Assembly, 2003

[5] Model A divided the six new, non-veto seat regionally as follows: 2 for Africa, 2 for Asia and Pacific, 1 for Europe, and 1 for the Americas. Regionally, non-permanent seats would be divided as follows: 4 for Africa, 3 for Asia Pacific, 2 for Europe, and 4 for the Americas.

renewable-term seats and one new two-year non-permanent seat.[6] Both of these models were unable to inspire consensus as both were based on old ideas on how the SC could be reformed. Furthermore, both models were criticized on the basis of the regional groupings used by the High-Level Panel, different from the customary ones used for the selection of non-permanent members.[7] The new regional groupings combined Asia with the island countries of the Pacific, Eastern and Western Europe, and North and South America, creating a disparity in the representation of the world population, considering that Asia and the Pacific accounted for almost 4 billion people while the other regions combined accounted for 800 million.

At the time when SG Annan appointed the High-Level Panel, many believed this was the push the debate needed to gather momentum and move the discussion towards concrete reforms. However, the Panel's proposals, which disappointed Member States because of their lack of innovation, resulted in further stagnation of the reform agenda as the frustration became evident among the general membership of the United Nations. The great powers were also uncertain on how these various configurations would impact their own position on the Council and whether it would advance their own vision of reform and the likelihood of its allies getting a seat at the table. These calculations of national interests and realpolitik kept the debate from advancing towards concrete agreements that would lead to a more representative SC that is better suited to address existing challenges.

**Intergovernmental Negotiations**

In September 2008, Member States agreed to move the deadlocked SC reform discussion to Intergovernmental Negotiations in an informal plenary of the General Assembly in GA decision 62/557 and established the five key areas of the agenda: categories of membership, the question of the veto, regional representation, size of an enlarged Security Council, working methods of the Council, and the relationship between the Council and the General Assembly. The negotiations would be based on proposals introduced by Member States.

The Intergovernmental Negotiations were to take place in an open, inclusive, and transparent process with participation of the entire membership under clear rules and procedures. Resolution 62/557 set the deadline of 28 February 2009 for the start of negotiations, pushing Member States to quickly design the framework and timeframe under which these negotiations were to take place. The President of the General Assembly at the time, Miguel d'Escoto Brockmann of Nicaragua, set a meeting on 5 December of that year to discuss the framework of the negotiations and a second meeting in January 2009 to discuss the modalities, the results of both meetings were shared with the GA in February 2009. Among the terms of negotiations, members agreed to follow the general practice of the informal plenary of the General Assembly, including no record of the meetings, no formal decisions are taken, and no votes would be applicable (even though there are no specific rules for informal plenaries) and negotiations would proceed under the principle that "nothing is agreed until everything is agreed." In 18 February 2009, D'Escoto

[6] Model B assigned 2 four-year, renewable seats to each region, and divided the non-renewable, two-year seats as follows: 4 for Africa, 3 for Asia and Pacific, 1 for Europe, and 3 for the Americas.
[7] Currently, non-permanent SC seats are divided as follows: five seats for Asia and Africa, two seats for Latin America, one seat for Eastern Europe, and two seats for Western Europe.

Brockmann announced that Permanent Representative Zahir Tanin from Afghanistan would Chair the Intergovernmental Negotiations and established the agenda for the first round.[8]

The establishment of Intergovernmental Negotiations was expected to create the space for Member States to analyze the existing proposals for Security Council reform and move towards convergence, working to merge these proposals and create a unified plan for Security Council reform.

**The General Assembly: The 68th Session (2013-2014) and President of the GA John Ashe**

Ambassador John Ashe from Antigua and Barbuda assumed his term as President of the 68th Session of the General Assembly by pushing the stagnated Intergovernmental Negotiations forward; hoping that the next session of the General Assembly would be a productive opportunity for Member States to move the reform agenda forward. After weeks of consultation, and the passage of decision 67/561, which committed the Assembly to resume negotiations in the 68th Session, on 22 October 2013, President Ashe sent a letter to all the Permanent Representatives of the UN outlining two key decisions.[9] First, he decided to reappoint Amb. Zahir Tanin as the Chair of the Intergovernmental Negotiations. This was the fifth time in a row that Mr. Tanin was reappointed, a testament to his dedication to the cause, and his tremendous institutional memory, although his image as an impartial Chair has slowly eroded in recent years.[10]

Secondly, and most controversially, Mr. Ashe revealed the creation an Advisory Group "for himself," composed of six Permanent Representatives, with a diverse range of perspectives in the reform debate.[11] In the letter, he stated the group is "advisory in nature" and does not have any formal negotiating role, but he also stated that the group's purpose was to "produce a basis for the start of Intergovernmental Negotiations that reflects the ideas put forward in the negotiations so far and also identifies available options."

Although at first glance, the group included representatives from all the major coalitions (G4, L69, C-10 African Group, the UFC and even the newest Accountability Coherence and Transparency (ACT) group), its composition does seem to support a particular agenda. In July 2012, Mr. Tanin proposed the creation of a "concise working document" after two years of struggling to refine the negotiation text beyond the second revision. Nearly all members appointed to the advisory group, including Mr. Ashe himself, are believed to support this proposal. At its current stage, the working document is

[8] See Note by the President of the General Assembly, Agenda for IGN set as follows: 4 March 2009 Categories of membership, March 2009 The question of the veto, March 2009 Regional representation, April 2009 Size of an enlarged Council and working methods of the Security Council, April 2009 The relationship between the Council and the General Assembly.
[9] John H. Ashe, Letter to all Permanent Representatives to the United Nations, (22 October 2013).
[10] "Governing and Managing Change at the UN", *Center for UN Reform Education,* 52.
[11] Benedicte Frakinet of Belgium, Antonio Patriota of Brazil, Christian Wenaweser of Liechtenstein, Robert Aisi of Papua New Guinea, Daniele Bodini of San Marino and Vandi Chidi Minah of Sierra Leone.

approximately thirty-five pages long and filled with numerous proposals and caveats on the five key issues under consideration, as determined by GA decision 62/557:

- *Categories of Membership* (for instance, enlargement of the Security Council with additional permanent and/or non-permanent members, and/or a new third category of longer and/or renewable seats);
- *The Question of the Veto* (extending it to new members and/or restricting/abolishing it: the latter is also a working methods' issue);
- *Regional Representation* (e.g. ensuring that geographical representation will be equitable, or that new members will be accountable to their regions);
- *Size of an Enlarged Council and Working Methods* (e.g. agreement on numbers necessary when voting in an expanded Council; or ways to improve accountability, transparency, access, quality of annual reports etc.);
- *The Relationship between the Council and the General Assembly (*a.o. the role of the GA on peace and security issues).[12]

Upon receiving the letter many states vocally expressed displeasure regarding the mere notion of the group, its mandate, as well as its composition. In particular, the letter provoked a response from the UN representatives from Italy (leader of the United for Consensus Group),[13] Bahrain (representing the Arab Group)[14] and China,[15] a member of the P-5. All three questioned the non-transparent manner in which the group was developed and reiterated that the group must have no drafting role, and cannot bypass the Intergovernmental Negotiations. Italian Ambassador Sebastiano Cardi even declared that "no piecemeal procedural quick fix can resolve an issue of such substantial importance." These declarations set the stage for the plenary session, where Mr. Ashe would have a public opportunity to explain his approach, and where he would grant the rest of the international community, a chance to weigh in.

### *68th Session of the UNGA: The Plenary Debate*

On 7 November 2013, the President of the 68th Session of the General Assembly, Ambassador John H. Ashe of Antigua and Barbuda approached the podium recalling that upon his election he emphasized the need to "reinvigorate and advance the question of Security Council reform." During the next two days, representatives from nearly 50 Member States addressed the 68th session of the General Assembly regarding agenda item 123: "the question of the equitable representation on and increase in the membership of the Security Council and other matters related to the Council." During the debate, many countries simply reiterated their positions on SC reform, expressed support or concern over the role of the Advisory Group and offered very little in terms of substance. The most significant statement was the French proposal, which called for a "code of conduct" to be adopted by SC permanent members with regards to the use of the veto, even suggesting the

[12] "Governing and Managing Change at the UN" *Center for UN Reform Education, 22.*
[13] Letter from Ambassador Sebastiano Cardi of Italy to GA President Ambassador John W. Ashe (6 November 2013).
[14] Letter from Ambassador Jamal Fares Alrowaiei of the Kingdom of Bahrain to GA President Ambassador John W. Ashe, (6 November 2013).
[15] Letter from Ambassador Jieyi Liu of the People's Republic of China to GA President Ambassador John W. Ashe (6 November 2013).

right could be suspended in the event of massive crimes against humanity. The section below includes a summary of the stated positions expressed by the coalition groups, lists the Member States who spoke in their support, as well as further explanation of the French proposal.

*Coalition Groups*

- L.69 Group: the representative of St. Kitts and Nevis spoke on behalf of L.69 Group. The coalition supports the expansion of both membership (permanent and non-permanent) categories and supports the Advisory Group as a means to create text that can move Intergovernmental Negotiations to text negotiations. The Group also calls for the establishment of a results-based timeline, leading towards a "concrete outcome" by 2015. The Representative from St. Kitts and Nevis also emphasized their on-going engagement with the C-10 of the Africa group and noted their expanding members. L.69 Group's position was supported by the following countries during their individual statements: Bhutan, Micronesia, Mauritius, Jamaica, Nicaragua, and Trinidad and Tobago.

- Uniting for Consensus (UfC): the representatives of Turkey and Italy made statements of behalf of UfC. UfC calls for a comprehensive reform of the SC that includes all five areas articulated in GA Decision 62/557. The group supports reform in membership but opposes the creation of new permanent seats, supports better representation for the African region, calls for reform on the use of the veto, working methods, and the Council's relationship with the GA. UfC disagrees with the role of the AG as described by the GA President and argues that it should not play a negotiating and drafting role in the negotiations. UfC's position was supported by the following countries during their individual statements: Argentina, Pakistan, and Spain.

- C-10 African Group: the representative of Sierra Leone made a statement on behalf of the group of C-10 (African Group). The C-10's position reinforces the Ezulwini Consensus[16] and Sirte Declaration,[17] which calls for two permanent seats with all privileges and prerogatives for the African region (including the veto if it remains) and two non-permanent seats. It supports a comprehensive reform that will tackle all points outlined in GA Decision 62/557. While the Africa Group has been the most united coalition, and steadfast in its common position, when pushed their does appear to be room from flexibility. The C-10's position was supported by the following countries during their individual statements: Botswana, Equatorial Guinea, Lesotho, Tunisia, and Zambia.

- G4 (Brazil, Germany, India, and Japan): the representative of Japan spoke on behalf of the G4 position. The G4 calls for an increase in both of the membership categories, better representation of developing countries (especially Africa) and calls for working methods that promote transparency and efficiency. The Group also supports

[16] The Common African Position on the Proposed Reform of the United Nations: "The Ezulwini Consensus" (7-8 March 2015).
[17] Sirte Declaration on the Reform of the United Nations (4-5 July 2005).

the development of a concrete timeline, which would produce an agreed outcome by 2015. This could only be achieved, the statement concluded, through text-based negotiations, which should begin in earnest. All four G4 countries and France made statements to support this position.

- Non-Aligned Movement (NAM): the representatives of Egypt and the Philippines made statements of behalf of NAM. NAM's position states that a new intermediate category of seats should be considered as an interim reform option. The group calls for the restriction of the veto, stresses the need for proportional regional representation, suggests increasing membership from a minimum of 21 to a maximum of 31 members, and states that reforms in size and working methods should go hand in hand. Stagnation on the enlargement of the SC should not prevent possible reforms to its working methods. Egypt, speaking in its national capacity, also questions the need for the Advisory Group or that of a concise document as proposed in July 2012, stating that the "top-down" approach will be inefficient and that the Group cannot replace Intergovernmental Negotiations. NAM's position was supported by the following countries during their individual statements: Venezuela, Democratic People's Republic of Korea, Indonesia, Pakistan, Iran, Botswana, Tunisia, and Laos.

- CARICOM: the representative of Guyana spoke on behalf of CARICOM. CARICOM supports an expansion in both membership categories bringing total membership to 27, calling for a permanent seat for Africa and a special seat for small island developing states. CARICOM, which often echoes the stance of L69 group, also calls for the elimination of the veto power and states that if the veto is retained, then all permanent members, old and new, should have this prerogative. CARICOM calls for greater engagement with non-members and greater accountability and transparency. CARICOM's position was supported by the following countries during their individual statements: Jamaica and Trinidad and Tobago.

- Pacific Small Island Developing States (PSIDs): the representative of Papua New Guinea made a statement on behalf of PSIDs. PSIDs call for an increase in both membership categories, taking into consideration the importance of PSIDs.

*The French Proposal*

The French representative proposed a mechanism that would suspend the power of the veto in situations where "mass crimes" are being committed, utilizing international frameworks and conventions to define the threshold of what would constitute "mass crimes." The establishment of warning mechanisms would also be put in place to establish when this restraint of the veto power would apply. The French delegation used the crisis in Syria to underline the problems that arise from the abuse of the veto and used the case to justify their call for such a mechanism. The French delegation described this proposal as a "code of conduct" which would redefine the use of veto power by the permanent five members. This code, they proposed, would be a voluntary commitment by the P-5, and therefore would not require a change in the UN Charter. They envisioned that the Secretary General, in the spirit of Article 99, could provide the authoritative judgment (with the support of 50 Member States) on when to activate the code once the threshold of mass crimes had been

reached. Yet this strong principled stance was also limited by the realpolitik caveat that this code would "exclude cases where the vital national interests of a permanent member of the Council were at stake."[18] Other countries including Liechtenstein, Peru, Ireland, and Australia supported the French proposal, arguing that a code of conduct could prevent the veto from contravening the purpose of the UN charter.

***Non Paper***

After digesting the statements of the General Assembly, Mr. Ashe and Mr. Tanin felt the impetus to convene the 10th round of Intergovernmental Negotiations and in a published letter between the two principles, they decided on the date of the first informal meeting, 12 December 2013. But before beginning the painstaking negotiations, a "non-paper" was produced by the Advisory Group at the request of Mr. Ashe. Once again, the President was clear in his explanation that the concise 6-page document is merely consultative, intended to assist the negotiation process, and in no way serves as a "negotiation text nor a replacement to any existing document."[19] Despite these assurances, its distribution just two days before the start of the tenth round did have an effect on the proceedings. The responses from Member States were quick and they generally fell into the same camps: those who expressed support or reservations about the creation of the group. Guyana (CARICOM), Nicaragua (L69), and India (G4) generally agreed, P-3 members were supportive but expressed specific reservations, while UfC members, the Arab League (Kuwait), Russia, and China were less convinced by its utility. Argentina went the furthest, proclaiming it was inappropriate for the AG and President to distribute the document.[20] This divide was further reflected by one of the members of the Advisory Group's decision to not take part in the drafting of the paper.

Ambassador Daniele Bodini of San Marino, a core member of the United for Consensus coalition and originally skeptical of the role of the Advisory Group, did not take part in the drafting of the non-paper, due to fears it could "expose the AG work to criticism and possible failure."[21] But he did offer a few proposals for a more well-defined term of reference for the Advisory Group, in support of the IGN negotiations:

- "The AG should advise the President about a new methodology of the "way forward" and not on the positions of different member States and groups."
- "[S]uch group should be enlarged with few more members, so that different groups (like for example the Arab group, the Eastern European Group, the Permanent members etc.) shall be represented as well."
- "the AG shall advise the PGA on when and where could be space for convergence and compromise among States and groups of different views."

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[18] Laurent Fabius "A Call for Self-Restraint" (4 October 2013).
[19] Letter from GA President Ambassador John W. Ashe to Ambassador Zahir Tanin of Afghanistan (10 December 2013).
[20] "The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" *Center for UN Reform Education*, (17 December 2013).
[21] Memo from Ambassador Daniele Bodini to Ambassador John Ashe and Ambassador Noel Sinclair, (5 December 2013).

These ideas eventually helped lead to a workable understanding between the two sides on the role between the AG and its "Non-Paper" and the Intergovernmental Negotiations process. Coming to a shared understanding on this issue of procedure would finally allow for a focused re-engagement on the content of the reform debate.

**10th Round of Negotiations**

During 2014, the Intergovernmental Negotiations on the question of equitable representation on, and increase in the membership of, the Security Council and related matters concluded the 10th round of negotiations. In a series of six meetings that took place in the first half of the year, the ING discussed the variety of issues that have been established as key to the reform agenda, including: membership, use of the veto, regional representation, size, and working methods. These series of meetings made evident that the general support for Security Council reform among Member States remains unwavering, yet there has been no movement in the different State positions, which makes this process, in the words of the former Chair of the ING, Zahir Tanin, "one of the most difficult and protracted negotiations in the United Nations."

On the categories of membership, there continues to be agreement that the membership of the SC needs to be expanded, however, as in previous rounds of discussions, what category of new members should be includes is still a point of divergence. The different proposals still include the possibility of enlarging the Council in both permanent and non-permanent categories, only adding non-permanent members, and enlargement in a new category of seats with various options regarding length of tenure and re-election. On this area of reform, Member State positions remained unchanged. Of the different categories of membership, there appears to be greater consensus on the addition of non-permanent members to the Council, however, on the addition of new permanent members or adding a new category of membership there continues to be significant distances between the different proposals. Furthermore, how these additional seats would be assigned continues to be a divisive issue, while states agree that more regional representation is needed there is no consensus on how this can be accomplished.

Regarding the veto, some Member States have been clear that additional permanent members should have the power to veto, however, some countries have shown concern that more veto-power members would result in greater inaction by the SC. Some delegates continued to state their opposition against the veto in general, considering that the veto is an anachronistic privilege that should be abolished, however, recognizing that because of the ratification process required to change the veto this is a reform that would be impossible to push through. As a continuation to the discussions reignited by France in the 68th GA Session on the need to change the practices related to the use of the veto, including the possibility of limiting its use only when it refers to Chapter VII decisions or prohibiting the use of the veto in matters of responding or preventing genocide, crimes against humanity, or war crimes, some Member States reinstated the need for a "code of conduct" or "rule book" on the use of the veto.

Statements during the 10th round of negotiations were repetitive in nature and made evident the lack of movement made in the last year by Member States. These meetings dashed the momentum Mr. Ashe had initially built, and his hopes that progress could be made by the next session of the General Assembly in September 2014. Following the end of

the round of negotiations, it became evident that the process would remain in shape of public statements and speeches, and that any attempts towards a text-based or more concrete attempt at reform would be futile.

**The 69th Session of the UNGA (2014-2015)**

Member States continued to raise the need for UN reform in general and SC reform in particular during the General Debate of the 69th Session of the UN General Assembly in September 2014, with various states raising the upcoming 70th anniversary of the UN in 2015 as a natural opportunity to push the reform agenda forward in conjunction with a general evaluation of the organization as a whole. This was raised by the General Assembly President, Samuel Kutesa of Uganda, during his opening speech, who pointed out that the world in which the UN must work today is completely different from that of 70 years ago and thus requires urgent reforms. This idea of a different world needing a different UN was raised by various delegations throughout the general debate.

In regards to the more specific issue of SC reform, the usual calls for expansion resonated throughout the General Debate. However, there were no evident changes in the positions of Member States, again demonstrating that the negotiations remain at a standstill. There were calls for new permanent members, with countries like Brazil, Germany, Japan, and India standing as popular candidates, while some states questioned the idea of new permanent seats as a further challenge to the efficiency of the SC.

Beyond expansion, Member States voiced their frustration with the work of the SC and called for a change in the working methods, citing the crises in Syria and Ukraine as examples of the SC's failure to help solve the most pressing challenges to international peace. This was accompanied by strong words from various delegations towards the P5, who were accused of playing "zero-sum games" by the Norwegian delegation. These statements, the P5's long-standing disagreements and the poisoning rhetoric in many debates, provoked memories of the Cold War era, where the SC was completely ineffective, and proxy wars were fought between supporters of either side. Strong words were therefore also raised regarding the use of the veto and the SC's inaction as a result.

Once again, this new opportunity to address the issue of reform was used to reiterate well-known positions by Member States, demonstrating once again the gridlock at which the current negotiations stand and making evident the limited space that exists to move the negotiations forward.

**New Leadership, New Momentum?**

Ambassador Sam Kutesa, President of the 69th General Assembly, did not reappoint Ambassador Zahir Tanin as Chair of the Intergovernmental Negotiations, opting for some new blood in leadership in the hopes of changing the dynamics within the IGN. Instead, President Kutesa named Jamaica's Permanent Representative, Courtenay Rattray, to lead the process. Jamaica has taken strong stances in the reform debate, being a part of the L69

grouping and Rattray's predecessors played very active roles in the IGN.[22] This proximity to the process will be a challenge for Rattray in trying to remain neutral in chairing the negotiations and most importantly being perceived as neutral by Member States.

Kutesa has stated publicly that he hopes that Rattray can push the IGN back to text-based negotiations. As a first step as chair, Rattray reached out to Member States on 17 December 2014,[23] putting himself and his office at the service of all Country Missions, while he communicated the next steps for the work of the IGN. Whatever the next move is, Rattray is likely to run into the same obstacles and intransigence that has dominated the reform debate in recent years. First, the move back to text-negotiations could be extremely challenging. There is the possibility of drafting a short text that synthesizes the existing texts from previous negotiations and new information; however, this may lead to Member States asking to have their original positions included and making the text too extensive for it to truly represent a starting point for new text-based negotiations. Once again, whether there exists among Member States enough political will to use the influx of new leadership to build momentum and move the reform debate towards greater convergence between different positions remains to be seen.

**Conclusion and Future**

As the UN approaches its 70th year and the SC's 52nd in its current configuration, the challenge of Security Council reform remains nearly just as daunting as the negotiations began with Kofi Annan's High Level Panel. The greater fear is that while over the course of the last few decades many possible options have been introduced, and Member State positions are well-known, the Council appears to be regressing towards a Cold War mentality with even greater repercussions for the international system. Although the disagreements between the P-3 and Russia have played out most visibly in Ukraine and Syria, this deterioration has also impacted the Council's ability to craft creative solutions to a growing list of serious threats to international security including: Iran and North Korea's nuclear programs, the expansion of ISIS, and even Boko Haram in Nigeria. If the Council continues to roll-over peacekeeping mission mandates in Somalia, DRC, Sudan and Mali, this list may multiply.

While divisions between great powers may not be able to be resolved through the forum of Security Council reform, the ineffectiveness of the current format still speaks to its necessity. By increasing the number of seats at the table, no matter whatever terms are attached to them, the dynamics between the P5 will change, as new alliances will have to be formed to pass resolutions and the diversity of membership will add diversity to the debate. More importantly, establishing a more representative SC membership will allow for rising powers to play a more prominent role in the Council's decision-making process, taking greater responsibility in their role as international actors, and becoming further involved in the organization's processes; creating the necessary space to allow for these actors to take ownership of their status in the international sphere.

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[22] Letter from GA President Ambassador Sam Kutesa to all Permanent Representatives to the United Nations (18 December 2014).

[23] Letter from Ambassador Courtenay Rattray of Jamaica to all Permanent Representatives to the United Nations (17 December 2014).

It was never the intention of this paper to assess and choose the most appropriate proposal for Council reform. This must be achieved in the General Assembly and between those with the most to lose and those with the most to gain. If Amb. Rattray's first step is to try to reduce the 35 page working document into something more practical, the lessons of his predecessor should be considered. Any attempt to summarize or condense the terms of the debate or the text itself in a non-inclusive manner will be met with widespread opposition. Trust and transparency must be reinserted into this process. One potential strategy he could attempt to deploy is to separate the various coalitions into different working groups on the five key issues of consideration. This approach would allow for the Chair to better assess in which areas there is less divergence and perhaps find a particular area that could provide the basis for agreement. There inevitably will be great deal of horse-trading across the five issues for Member State to come to a common agreement so that the Council can better meet the terms of its mandate.

This will require considerable leadership, political will, and a unique spirit of cooperation that has been lacking in the previous rounds of the reform debate. After 20 years, it is evident that unless there is a real commitment to negotiate and the political will coming from the capitals to accomplish some sort of compromise between the diverging positions, Security Council reform will remain on the UN agenda for years to come and the timely goal of achieving some progress on this issue by the 70th anniversary of the organization will be lost.

If the institution wishes to maintain its relevance, reform must be given a fair chance. The global threats of the 21st century have greatly evolved since the creation of the Security Council; it is time that the institution starts to catch up. In 2014, the international community witnessed first-hand the rapidly changing threats to peace and security in an international scenario that is ever more complex and challenging to the United Nations. It is because of this that first and foremost, the Security Council needs to have the legitimacy to address these challenges with authority, it needs to have the tools to act efficiently and proportionally to the threat at hand, and needs to have the support from the broader international community to receive the necessary backing (troop and equipment contribution, funding, political support), all of which can only become a reality following comprehensive Security Council reform.

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