EXPECTATIONS OF SECURITY COUNCIL REFORM – SAVING US FROM 'HELL'

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ABSTRACT

The Security Council's technical powers are exceptional. The Council's aim is to maintain peace and security amongst the Great Powers themselves (the P5), and only then among others. In other words, the Council is meant to deter conflict on a *global* scale.

In 1965, four non-permanent members were added to the Council. Reform advocacy has persisted ever since. Reform is expected to make the Council more representative, accountable, legitimate, democratic, transparent, efficient and fair. Proposals for reform are numerous. The most controversial is veto reform. A lack of consensus stagnates the reform movement.

In spite of that stagnation, the Council has reformed itself and, by doing so, increased its effectiveness and decreased the Great Powers' use of the veto. However, the P5's attitude towards the veto in particular, and to reform more generally, remains unpredictable. P5 members will always ensure their political aspirations are met before supporting others' resolutions. This has been and will always be the case.

Without comprehensive veto reform, the P5 will continue to dominate the Council. Many of the reform movement's expectations are, therefore, unrealistic. Rest assured, though, if history is any indicator, the P5 will continue to save us from 'Hell.'

ACKNOWLEDGEMENTS

INTRODUCTION

Upon the conclusion of World War I, to maintain the peace in Europe, and to prevent the occurrence of future wars, the United States of America (USA) President Woodrow Wilson advocated the creation of the League of Nations. Although his advocacy was silenced as a result of a stroke he had in October 1919, and the United States never joined the organization, on 10 January 1920 the League of Nations was established.[1]

Less than twenty years later, the onset of World War II clearly signalled that the League had failed to promote and maintain international peace and security. On 18 April 1946, the League of Nations convened its final session to dissolve itself, effective the following day.[2] The League's failure was attributed to at least two critical factors. It did not include representation from some of the world's most powerful states, and it lacked universality of purpose to compel its members to use armed force to protect others from acts of aggression.[3]

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[1]"Milestones: 1914-1920; The League of Nations, 1920," *U.S. Department of State, Office of the Historian*; available from http://history.state.gov/milestones/1914-1920/league; Internet; accessed on 2 January 2014; and "League of Nations Photo Archives, Timeline, Chronology," *Indiana University Centre for the Study of Global Change;* available from http://www.indiana.edu/~league/1919 htm; Internet; accessed 2 January 2014.

[2]*The League Hands Over*, Series of League of Nations Publications, General, 1946.1 (Geneva, Switzerland: 1946), 57, 93; and David L. Bosco, *Five to Rule Them All: The UN Security Council and the Making of the Modern World* (New York, New York: Oxford University Press, 2009), 3.

[3]*The League Hands Over*, Series of League of Nations Publications…, 28, 29, 32, 33, 47, 50, 59, 111, 115; and Evan Luard, *A History of the United Nations, Volume 1: The Years of Western Domination, 945-1955* (New York: St Martin's Press, 1982), 10-11.

The League of Nations' failure nonetheless facilitated the creation of the United Nations Organization (UN). Indeed, the League's structure was leveraged as a blueprint for the UN's. The origins of the UN can be traced back further to the early stages of World War II. In 1941, officials in the US State Department began to draft a preliminary blueprint of the future international organization. In December of that year, the United States officially joined the war and formed a military alliance of twenty-six nations to counter the Axis powers and fight until total victory had been achieved. Upon conclusion of the January 1942 Washington Conference, attended by the Allies, the alliance was named the 'United Nations.' The UN seed was planted.[4]

The UN Charter was affirmed in San Francisco on 26 June 1945 and came into force on 24 October of the same year. The UN's executive committee, the Security Council, met shortly thereafter. Today, in 2014, the Security Council is the most powerful of the UN's six principle organs. All UN members must comply with its decisions. As well, rulings of the International Court of Justice, another of the broader organization's principal organs, are enforceable through the Council's directed action. Moreover, since the UN Charter serves to establish norms in international law, Security Council decisions have concrete, legal implications. In short, the Council's technical powers are exceptional.[5]

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[4]Bosco, *Five to Rule Them All,* 13; and Adam Roberts and Benedict Kingsbury, *United Nations, Divided World, The UN's Roles in International Relations.* (New York: Oxford University Press, 1998), 8-9; and Evan Luard, *The United Nations: How it Works and What it Does.* (New York: St Martin's Press, 1979), 14, 18.

[5]"UN Security Council," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council.html; Internet; accessed 31 December 2013; and Bosco, *Five to Rule Them All,* 3; and Roberts and Benedict Kingsbury. *United Nations, Divided World,* 238, 256; and Lev Voronkov, "International Peace and Security: New Challenges to the UN," in *The United Nations in the New World Order: the World Organization at Fifty,* ed. Dimitris Bourantonis and Jarrod Wiener, 1-18 (New York: St. Martin's Press, 1995), 1.

Akin to the aim of the League of Nations' executive body during its existence, the formal aim of the Security Council is the maintenance of international peace and security.[6] That being said, for the Security Council's permanent members, each of which has a veto over the majority of the body's decisions, its aim is two tiered. First, for the five permanent member states (P5) it is paramount to maintain peace and security amongst themselves, and only then to maintain the peace and security of other nations.[7]

Calls for reform have existed since the UN's establishment.[8] Indeed, even before the Security Council's inaugural session which was held in London, England on 17 January 1946, it was apparent that reform would be needed if the Security Council was to become an effective body for global governance. Without reform, there was a real risk that the Council would devolve into a static organization paralyzed by the Great Power veto.[9] A balance, therefore, would have to be found between the need for the P5 to be able to use the veto to protect themselves against one another and the importance of enabling the body to act effectively in response to resolutions which did not affect the Great Powers directly.[10] To complicate matters further, as the first historian of the Council has argued, the UN Charter was not intended to "reflect any confident 'expectations' that the Great Powers 'would deal together with any breach

[6]"Overview of the United Nations, Main Bodies, Security Council," *Permanent Mission of Canada to the United Nations* ; Available from http://www.canadainternational.gc.ca/prmny-mponu/canada_un-canada_onu/overview-survol/un-onu.aspx?lang=eng&menu_id=25; Internet; accessed 28 December 2013; and "UN Security Council," *Global Policy Forum*, http://www.globalpolicy.org/security-council.html; and Bosco, *Five to Rule Them All,* 3,41; and Roberts and Benedict Kingsbury, *United Nations, Divided World,* 5.

[7]Bosco, *Five to Rule Them All,* 5.

[8]Roberts and Kingsbury, *United Nations, Divided World,* 5-6; and Bosco, *Five to Rule Them All,* 36.

[9]Bosco, *Five to Rule Them All,* 31.

[10]Andrew Boyd, *Fifteen Men on a Powder Keg: A History of the UN Security Council* (London: Methuen & Co Ltd., 1971), 62; and Roberts and Kingsbury, *United Nations, Divided World,* 8.

of the peace by the smaller powers.' It reflected an expectation that the Great Powers were likely to quarrel."[11] Nonetheless, it is clear that the Security Council was always intended by its founding members to serve as an executive council for the superpowers that had the will and capacity to deter aggression on the scale of the two World Wars and thereby protect its members' security interests.[12]

When the Council's inaugural session was held, its predominantly European membership satisfactorily represented the 51 member General Assembly.[13] That changed, however, by 1950 when the criterion of equitable geographical representation which was meant to guide the election of non-permanent members failed to correlate with the geographical and ethnic origins of Assembly members. That discrepancy only increased from 1950 through 1965, as membership in the UN increased from 60 states to 117. Specifically, disagreements arose over which state would fill the 'East European' seat, and new members from Asia and Africa demanded significantly increased representation.[14] In an attempt to mitigate the disparity, the Council made use of a Charter provision that enabled under represented non-Council members to attend meetings when agenda items concerned them directly. The mitigation effort, however, failed to meet the non-members' concerns. Even with this increased voice, since the USA and its Western

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[11]Boyd, *Fifteen Men on a Powder Keg,* 62.

[12]Roberts and Kingsbury, *United Nations, Divided World,* 33; Bosco, *Five to Rule Them All,* 5, 13, 21-22; and Luard, *A History of the United Nations*, 68.

[13]Although Poland did not sign the UN Charter on 26 June 1946, as it didn't attend the San Francisco Conference with the other 50 nations given that its new government wasn't formed on time, a space was left for it and it signed the Charter as an original member on 15 October it signed the Charter as an original member. "History of the United Nations," *Welcome to the United Nations. It's your world*; available from http://www.un.org/en/aboutun/history/index.shtml; Internet; accessed 31 January 2014; and "History of the United Nations," *San Francisco Conference;* available from http://www.un.org/en/aboutun/history/sanfrancisco_conference.shtml; Internet; accessed 31 January 2014.

[14]Boyd, *Fifteen Men on a Powder Keg,* 101.

allies controlled the Council, the non-members realized that their own concerns would continue to be rejected.[15]

After years of demands to increase the Security Council's regional representation and the failure of the Council to even consider noteworthy conflicts among the P5, in the early 1960s the critical mass required for reform was reached. In 1963, 97 out of 112 General Assembly members recommended an increase to the Council's membership. To manage that increase, the General Assembly recommended formalizing the geographical distribution of the non-permanent seats. The campaign for reform finally succeeded in August 1965. The P5 receded on their 'convenient' argument that a larger group would hinder the Council's effectiveness as well as its ability to react quickly to a crisis, and permitted the addition of four non-permanent members.[16] The new geographical distribution of the non-permanent members better reflected the UN's then-current composition as well as the general population of the world's regions.[17] That balance, however, would not last.

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[15]Bosco, *Five to Rule Them All,* 99; and Luard, *The United Nations,* 31; and "United Nations Member States," *Growth in United Nations Membership, 1945 – present*; available from http://www.un.org/en/members/growth.shtml; Internet; accessed 29 January 2014; and "History of the United Nations," *Welcome to the United Nations. It's your world*; available from http://www.un.org/en/aboutun/history/index.shtml; Internet; accessed 31 January 2014.

[16]Bosco, *Five to Rule Them All,* 101-102; and Boyd, *Fifteen Men on a Powder Keg,* 110; and, To align with the increase of non-permanent members from six to ten, as formally amended within Article 23 of the Charter, the number of votes to pass a resolution was also increased from seven to nine, and as also formally amended within Article 27 of the Charter. United Nations Security Council" *Frequently Asked Questions, How are the Non-permanent Members Selected?* Resolutions adopted on the reports of the Special Political Committee, General Assembly – Eighteenth Session, available from http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/1991(XVIII); Internet; accessed 13 February 2014.

[17]Boyd, *Fifteen Men on a Powder Keg,* 111.

Today, the UN General Assembly has 193 members.[18] Since the reform effort of 1965, no further changes to the composition of the Council have taken place. The stasis has not gone unnoticed. Throughout the past several decades, UN General Assembly members, General Assembly presidents, and Secretaries General have demanded further Security Council reform.[19] Many have argued, as their predecessors did in the early 1960s, that an increase in the size of the Council would enable it to better represent the views of the much larger General Assembly. Unlike the first generation of champions of Council reform, however, many of today's advocates will not be satisfied with a mere increase in the number of non-permanent members. They demand that the reforms be more inclusive to enable the Council to represent the geopolitical realities of the UN's 193 members.[20]

Reform advocates in the General Assembly have formed smaller groupings of the like-minded. As may be expected, these groups advocate a variety of reforms. Some seek an increased size and composition of permanent and non-permanent membership. Others seek primarily to infuse transparency and coordination between the Council and the General

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[18]"United Nations Member States," *Growth in United Nations Membership, 1945 – present*; available from http://www.un.org/en/members/growth.shtml; Internet; accessed 2 February 2014.

[19]Joseph Deiss, "Without Security Council Reform, UN Will Lose Credibility – General Assembly Chief," *United Nations News Centre* (16 May 2011) [on-line]; available from http://www.un.org/apps/news/story.asp/html/story.asp?NewsID=38390&Cr=Security+Council&Cr1=reform#.UsLj1 _RDtA2 *;* Internet; accessed 31 December 2013; and "General Assembly GA/11451,*" United Nations Department of Public Information, News and Media Division, New York* (8 November 2013) [on-line]; available from http://www.un.org/News/Press/docs/2013/ga11451.doc.htm; Internet; accessed 31 December 2013.

[20]"Background on Security Council Reform," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321; Internet; accessed 2 February 2014.

Assembly and its committees. Still others are most concerned with the use and misuse of the Great Power veto.[21]

Advocates suggest that effective reform will enable the UN to retain (or regain) its credibility as the world's "pre-eminent international forum"[22] that is entrusted to: maintain international peace and security; foster friendly relations amongst nations; be a change agent to rectify international problems; promote human rights and fundamental freedoms; and harmonize nations' actions towards achieving such goals.[23] Moreover, the benefits of reform are expected to transform the Security Council into a more representative, accountable, legitimate, democratic, transparent, efficient, and fair organ of the UN.[24]

Whether reform will in fact work, however, is not clear.[25] This paper will argue that many expectations placed upon a reformed Security Council, even if further reform does occur,

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[21]"Background on Security Council Reform," *Global Policy Forum*, http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321.

[22]Deiss, *"Without Security Council Reform, UN Will Lose Credibility – General Assembly Chief." United Nations News Centre* http://www.un.org/apps/news/story.asp/html/story.asp?NewsID=38390&Cr=Security+Council&Cr1=reform#.UsLj1_RDtA2 .

[23]"Charter of the United Nations," *Welcome to the United Nations. It's your world*; available from; http://www.un.org/en/documents/charter/chapter1.shtml; Internet; accessed 9 February 2014.

[24]James Paul and Celine Nahory. "Thesis towards a democratic reform of the Security Council," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council/security-council-reform/41131 html?itemid=917; Internet; accessed 2 February 2014; and Eric Fawcett and Hanna Newcombe, *United Nations Reform: Looking Ahead After Fifty Years*, (Toronto: Dundurn Press Limited, 1995), 309-310.

[25] Luard, *The United Nations,* 27, 154-171; and Barry Jones, "The United Nations and the International Political System," in *The United Nations in the New World Order: the World Organization at Fifty.* ed. Dimitris Bourantonis and Jarrod Wiener, 19-40 (New York: St. Martin's Press, 1995), 25-26, and 29-32; and Bosco, *Five to Rule Them All,* 4.

are not realistic.[26] The Council will remain a collection of member states, as was the League of Nations' Council, and given that sovereign states are generally understood, and indeed obligated by their publics, to promote, preserve, and protect their own interests, one must assume that each state will endeavour to ensure that a proposed resolution meets its own domestic and international goals first before its supports adding it to the Security Council agenda.[27]

Since the P5 controls the Council's agenda and the passage of resolutions, significant reform is only likely to occur if each P5 member is assured that the power evident in its current position will not be diluted. Furthermore, meaningful reform must have broad consent; conform to the UN values and principles; be easily interpreted; permit Council action during a crisis; and not overly restrain the Council in its duty to maintain peace and security to result in UN obsolescence.[28]

Whether significant Security Council reform does or does not occur will not detract from the continued relevance of the Council to negate future great wars. Limiting expectations to that central aim is, therefore, warranted.

The rest of this paper will proceed as follows. The first chapter will provide a brief account of the League of Nations and offer reasons for its failure. It will also detail the body of thought which led to the Security Council's creation and discuss its current structure and

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[26]Roberts and Kingsbury, *United Nations, Divided World,* 33,45.

[27]Jones, *The United Nations in the New World Order,* 25-26; and Bosco, *Five to Rule Them All,* 4; and Luard, *The United Nations,* 27.

[28]Deiss, *"Without Security Council Reform, UN Will Lose Credibility – General Assembly Chief." United Nations News Centre* http://www.un.org/apps/news/story.asp/html/story.asp?NewsID=38390&Cr=Security+Council&Cr1=reform#.UsLj1_RDtA2.

working methods. Chapter two will provide a chronological and analytical review of the numerous calls for reform. Chapter three will demonstrate that the expectations of the reform advocates are not realistic. The paper's final chapter provide concluding comments.

CHAPTER 1

League of Nations - Establishment and Failure

In January 1919, after more than four years of war in Europe, the Paris Peace Conference produced the Treaty of Versailles. In addition to establishing the general peace terms of World War I, the Treaty of Versailles also included the covenant for a planned League of Nations.[29] Although the League was meant to include the entire winning side of the Great War, at the last moment, the American Senate opted out by refusing to ratify the Treaty of Versailles. Opponents of the Treaty, and it follows of the League, argued that Article 10 of the Covenant "ceded the war powers of the U.S. Government to the League's Council."[30] Even though the League's overriding principle of collective security was embedded into the Article, the American Senate opposed its wording. The Article directed that if the threat of danger or aggression existed

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[29] "Milestones: 1914-1920; The Paris Peace Conference and the Treaty of Versailles," *U.S. Department of State, Office of the Historian*; available from http://history.state.gov/milestones/1914-1920/paris-peace; Internet; accessed 5 January 2014; and, Although the Treaty of Versailles is commonly cited as being the Treaty which established the general peace terms for World War 1, it is noteworthy to outline that other significant treaties were also signed upon conclusion of World War 1, such as the Pact of Locarno and, finally, the Treaty of Lausanne. Heather Campbell, "Pact of Locarno" Encyclopedia Britannica; available from http://www.britannica.com/EBchecked/topic/345660/Pact-of-Locarno; Internet; accessed 4 February 2014; and "Treaty of Lausanne," Encyclopedia Britannica; available from http://www.britannica.com/EBchecked/topic/332502/Treaty-of-Lausanne; Internet; accessed 4 February 2014.

[30] "Milestones: 1914-1920; The Paris Peace Conference and the Treaty of Versailles," http://history.state.gov/milestones/1914-1920/paris-peace.

towards League members then the "Council [would] advise" on action to resolve the matter.[31] Washington concluded a separate Treaty of Berlin with Germany, an agreement modeled on Versailles without any reference to the League of Nations.[32]

The main organs of the League of Nations were the Council, Assembly, and Secretariat. The organization was also closely linked to but autonomous from a Permanent Court of International Justice and an International Labour Organization.[33] Within the Covenant's 26 Articles, the Council was tasked to advise League members on the appropriate actions needed to cease and resolve instances of international aggression.[34] Article 4 gave League members legitimate responsibility and power to take action towards "any matter within the sphere of action of the League or affecting the peace of the world." Article 10 outlined that members were to respect and preserve "the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled." Article 11 outlined that "any threat of war, whether immediately affecting any of the members of

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[31] "The Covenant of the League of Nations," *The Avalon Project Documents in Law, History and Diplomacy; Yale Law School, Lillian Goldman Law Library;* available from http://avalon.law.yale.edu/20th_century/leagcov.asp ; Internet; accessed 4 February 2014; and Milestones: 1914-1920; The Paris Peace Conference and the Treaty of Versailles," http://history.state.gov/milestones/1914-1920/paris-peace.

[32] "Milestones: 1914-1920; The Paris Peace Conference and the Treaty of Versailles," http://history.state.gov/milestones/1914-1920/paris-peace.

[33] "League of Nations Photo Archives, Introduction," *Indiana University Centre for the Study of Global Change;* available from http://www.indiana.edu/~league/intro htm; Internet; accessed 6 February 2014.

[34] "League of Nations Photo Archives, Introduction," http://www.indiana.edu/~league/intro htm; and "The Covenant of the League of Nations," http://avalon.law.yale.edu/20th_century/leagcov.asp; and, the task of the Council to advise League members which course of action to select to resolve the international aggression relates directly back to Article 10 of the Covenant.

the League or not [was thereby] declared a matter of concern to the whole League," and Article 16 described the processes around the imposition of economic and communications sanctions.[35]

The Council never effectively applied the Covenant. Rather, it ignored the Article 10 requirement to effectively advise its members as to the means to maintain or restore peace and security. The Covenant lacked the power – legal, moral, or military – to obligate its members to use armed force. As a result, League members, who were generally unwilling to sacrifice their own citizens to deter aggression elsewhere, neglected their technical obligations. [36]

The reasons for the League's 19 April 1946 dissolution are numerous. Noteworthy ones include: the League was too exclusively European and therefore lacked US, Soviet (after December 1939 when the USSR was expelled for invading Finland), and colonial representation; power was distributed equally across all members in spite of their tremendous differences in capabilities; the League had no dedicated military forces; the use of armed force to protect members was not obligatory; League members lacked a solidarity of purpose; and significant decisions required unanimous agreement.[37]

Security Council – Chronology of Birth

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[35] "The Covenant of the League of Nations," http://avalon.law.yale.edu/20th_century/leagcov.asp.

[36]*The League Hands Over*, Series of League of Nations Publications, General, 1946.1 (Geneva, Switzerland: 1946), 30-31.

[37]*The League Hands Over*, 28, 29, 32, 33, 47, 50, 59, 111, 115; and Evan Luard, *A History of the United Nations, Volume 1: The Years of Western Domination, 1945-1955* (New York: St Martin's Press, 1982), 10-11; and David L. Bosco, *Five to Rule Them All: The UN Security Council and the Making of the Modern World* (New York, New York: Oxford University Press, 2009), 32; and Evan Luard, *The United Nations: How it Works and What it Does* (New York: St Martin's Press, 1979), 6; and "League of Nations Photo Archives, Councils," *Indiana University Centre for the Study of Global Change;* available from http://www.indiana.edu/~league/photos htm; Internet; accessed 6 February 2014.

The League of Nations' failure, and the subsequent onset of World War II, served as the political catalyst to create the UN. Moreover, the League's structure significantly influenced the development of the new world organization. Specifically, the League's Assembly, Council, Secretariat and Permanent Court of International Justice were used as models for the UN's General Assembly, Secretariat, Security Council, and the International Court of Justice.[38]

With the exception of late 1941 to early 1942, from the spring of 1940 to the UN's founding conference that commenced on 25 April 1945, formal discussions to establish a postwar international organization were exclusive to the superpowers. This process affirmed that the primary goal of the negotiations was to create an organization that would be acceptable to them. Integrating the less powerful was a secondary priority.[39]

Seeds that Did Not Germinate towards Security Council Formation

Although the Great Powers reached general agreement on the UN Charter in October 1944, the earlier proposals evidence the body of thought that foreshadowed the ultimate UN Charter.[40] In Washington, planning for the world organization commenced before the USA formally joined World War II as an active combatant. As early as December 1939 officials from the State Department commenced analysis of "the basic principles" that should "underline a desirable world order."[41] By early 1941, they began secretly drafting the blueprint for a world

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[38]*The League Hands Over*, 46-47; and David L. Bosco, *Five to Rule Them All*, 3; and Luard, *The United Nations*, 14.

[39]Luard, *A History of the United Nations,* 17-32, 36; and Adam Chapnick, *The Middle Power Project: Canada and the Founding of the United Nations* (Vancouver, British Colombia: UBC Press, 2005), 16, 20-21.

[40]Luard, *A History of the United Nations,*18, 32.

[41]IIya V. Gaiduk, *Divided Together: The United States and the Soviet Union in the United Nation 1945-1965* (Washington: Woodrow Wilson Center Press, 2012), 10.

organization that would include a dominant role for the superpowers. President Franklin Roosevelt originally envisioned the USA and Great Britain as the dominant nations. He later, however, included the Soviet Union and China.[42] After consulting with the State Department, in August 1942 the British Foreign Office proposed that the USA, China, Britain and the Soviet Union would be primarily responsible for enforcing security. Prime Minister Winston Churchill declined to support the idea. He believed that the four nations could not cooperate. In turn, in March 1943 he proposed that under a main council there would be sub-councils from Europe, Asia, and the Western Hemisphere. In April 1943, President Franklin Roosevelt expanded Prime Minister Winston Churchill's proposal. He argued that under separate security commissions the USA, Britain and the Soviet Union would be responsible for Europe, and China would be responsible for Asia.[43]

At a Moscow conference in October 1943, foreign ministers from the USA, Soviet Union and the United Kingdom committed to formally plan the UN. They produced the Four Nations Declaration (China was the fourth nation). This Declaration detailed the requirement for an international organization responsible to maintain peace and security as soon as practicable. Consequently, in early 1944, with the war's conclusion in sight, after several years of unilateral and unmethodical proposals for a postwar UN, under the USA's lead, the three nations' governments commenced formal planning.[44]

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[42] Roosevelt also contemplated disarming the rest of the world. Gaiduk, *Divided Together*, 11-12; and Luard, *A History of the United Nations,* 18-19.

[43] Gaiduk, *Divided Together*, 14-15; and Evan Luard, *A History of the United Nations*, 18-19, 21.

[44] Luard, *A History of the United Nations,* 17, 24; and Gaiduk, *Divided Together*, 16.

None of the early proposals matured once the formal planning commenced. All, however, highlighted the dominant position the USA pursued to establish the UN. The proposals also displayed the strong relationship between the USA and Britain, and their mutual distrust of the Soviet Union. In any event, the early proposals revealed the superpowers' insistence that they alone would champion the world's peace and security. Faith in the lesser powers was non-existent.[45]

Seeds that Germinated towards Security Council Formation

Although the governments of the USA, the Soviet Union and the United Kingdom commenced formal planning for the UN in early 1944, earlier ideas and initiatives also contributed to the creation of the UN and the Security Council. They will be included within the following account.

In February 1941, President Roosevelt dispatched a personal assistant to London to inform Prime Minister Winston Churchill that a secret meeting was warranted to discuss a "wartime collaboration." [46] The meeting occurred on 9 August 1941. Within two days the Atlantic Charter was drafted. One analyst has noted that this wartime alliance wasn't a plan for the postwar UN.[47] The Atlantic Charter's eight points did, however, provide a solid preliminary plan for a postwar organization. Its aim, after defeating the Axis powers, was to promote: self-governance (or its restoration); access to trade; economic advancement; social security; and the

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[45]Gaiduk, *Divided Together*, 14-15

[46]Chapnick, *The Middle Power Project*, 16.

[47]Bosco, *Five to Rule Them All*, 13.

cessation of the use of force. Of note, the Charter's final point was to move towards the establishment of a permanent general security system.[48]

Although the Atlantic Charter's aim was broad, on 1 January 1942 representatives from the USA, Britain, the Soviet Union and China formalized their commitment to total victory in their battle against Germany and Japan through what they called the "Declaration by United Nations." The next day twenty-two other nations signed the Declaration. This confirmed their commitment to defeat the Axis powers. The Declaration also committed the superpowers and the less powerful nations to establishing a postwar permanent security system (as mentioned in the Atlantic Charter's final point).[49]

Twenty months later, Allied foreign ministers loosely agreed in Moscow to establish "a general organization, based on the principle of the sovereign equality of all peace-loving states."[50] Between signing the Declaration by United Nations in January 1942 and the fall of 1943, Franklin Roosevelt, Winston Churchill and Joseph Stalin continued informal planning towards establishment of the UN. During this period, Churchill and Stalin were understandably less dedicated. Their priority was the war in Europe. Franklin Roosevelt's efforts towards establishing the UN were also clearly linked to his belief that the USA's failure to join the League of Nations had facilitated the rise of Nazi Germany and Imperial Japan. He and did not want to make a similar mistake again. Specifically, the postwar organization would have to have

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[48]The Atlantic Charter," *The Avalon Project Documents in Law, History and Diplomacy; Yale Law School, Lillian Goldman Law Library;* available from; http://avalon.law.yale.edu/wwii/atlantic.asp; Internet; accessed 7 February 2014; and Bosco, *Five to Rule Them All*, 13; Chapnick, *The Middle Power Project*, 16; and Gaiduk, *Divided Together*, 10-11.

[49]Chapnick, *The Middle Power Project*, 22; Bosco, *Five to Rule Them All*, 13; and Gaiduk, *Divided Together*, 11.

[50]Bosco, *Five to Rule Them All*, 13; and Chapnick, *The Middle Power Project*, 51.

the power of military enforcement to deter and halt aggression. (The League of Nations lacked

such power).[51]

Many also believed that creation of the UN "was a matter of survival,"[52]and expected that

the UN would evolve into a global government.[53] Decades after its creation, in 1962, Britain's

prime minister mused that the Security Council was "the Cabinet of the world."[54] It is worth

recalling, however, that the founders of the UN and the Security Council never planned for the

organization in such a way.[55] The Security Council never evolved into a global government. As

Evan Luard has explained:

> The Council is not like cabinets in national states, a unified and single-minded decision-making body, joining ministers who are already close colleagues and committed to a common policy. It is rather like an ad hoc committee formed among mutually distrustful parties, in which every decision has to be negotiated among the adherents of different points of view.[56]

By August 1943 the blueprint for today's UN had solidified. American and British

officials were confident that the Soviet Union and China would give support to concentrate

enforcement under one Council with the USA, China, United Kingdom, and the Soviet Union as

members. Nonetheless, Stalin initially rejected the plan. He believed that lesser power nations

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[51]Of note, all delegates that attended the UN' forming conference in San Francisco were also of the same opinion that "every member would be obligated to 'accept and carry out' decisions of the Security Council, including any decisions it might make to use armed force against aggressors." Adam Roberts and Benedict Kingsbury, *United Nations, Divided World: The UN's Roles in International Relations* (New York: Oxford University Press, 1988), 209-210; Bosco, *Five to Rule Them All*, 13-14; and Gaiduk, *Divided Together*, 14.

[52]Bosco, *Five to Rule Them All*, 13.

[53]Roberts and Kingsbury, *United Nations, Divided World*, 1.

[54]Boyd, *Fifteen Men on a Powder Keg*, 62.

[55]Bosco, *Five to Rule Them All*, 14-19; and Luard, *A History of the United Nations*, 58-62.

[56]Luard, *The United Nations*, 27-28.

would not like an organization led by the four superpowers. In turn, he proposed an organization along regional lines. In any event, two days after his initial rejection, during a private meeting with Roosevelt he recanted and supported the president's approach.[57]

Under the USA led negotiations, by October 1944 all four nations had agreed that the new organization would have a council or executive primarily responsible for peace and security with their four nations and France as the permanent members (the P5), and six other non-permanent members.[58] The Council would be empowered to direct warring nations to settle their disagreements. If an aggressor used force, the Council could employ any means it deemed necessary to restore peace and security. Only the P5 would be able to veto decisions of the Council that they deemed unacceptable. Finally, unlike the League's Council, the new entity would never formally close down. Notwithstanding two unresolved issues that the Soviet Union had, on 9 October 1944, the Proposals for the Establishment of the General International Organization (also known as the Dumbarton Oaks proposals) were published.[59]

Of the Soviet Union's two concerns, one warrants brief discussion. Stalin insisted that the veto be retained for use by permanent members to prevent the passage of resolutions even when permanent members themselves were involved in the matter under consideration. His underlying reason to retain the veto was to prevent the UN "from being used by hostile forces against

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[57]Gaiduk, *Divided Together*, 16-17; and Luard, *A History of the United Nations*, 23-24. Note, although the reason why Stalin recanted and supported the USA plan remains unclear, it didn't really matter to Stalin whether the organization was regional or universal in nature. What was important to him to ensure was that the Soviet Union had a leading role in the organization with the USA, Great Britain and possibly China.

[58]Luard, *A History of the United Nations*, 23-26, 32.

[59]Gaiduk, *Divided Together*, 25-27; and Luard, *A History of the United Nations*, 27, 29-30, 32.

interests of the Soviet Union."[60] On that issue, the USA and United Kingdom had argued that, as was the case in the League of Nations, if nations were involved in a conflict they would lose their right to vote.[61] Eventually, a compromise was reached stipulating that the veto would not be used if the matter under consideration was a peaceful settlement of a dispute.[62]

The USA and Britain were marginally sympathetic to the Soviet Union's demand for General Assembly seats for two or three of its republics. The issue, however, remained unresolved when, before World War II ended, the five superpowers invited the rest of the United Nations to the UN's founding conference in San Francisco.[63]

Security Council – Structure and Working Procedures

The Security Council's inaugural session in January 1946 included five permanent (the US, the Soviet Union (now Russia), China, France, and the United Kingdom) and six non-permanent members. Today, as will be discussed in a subsequent chapter, the six have become ten. Each permanent member may veto proposed resolutions on substantive matters,[64] or abstain

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[60]*Ibid.,* 25-26; and *Ibid.,*, 27, 29-30, 32.

[61]*Ibid.,*29-30; and *Ibid.,* 26.

[62]Gaiduk, *Divided Together*, 29-30; and Luard, *A History of the United Nations*, 34. The second unresolved issue that the Soviet Union had when the Proposals for the Establishment of the General International Organization were published was that it wanted General Assembly seats for its republics, originally wanting one each for its sixteen republics but later lowering its sights to two or three. Luard, *A History of the United Nations*, 34; and Gaiduk, *Divided Together*, 25, 31.

[63]Luard, *A History of the United Nations* 34-36, 40. Franklin Roosevelt assessed that having the founding conference during World War II would leverage the momentum of USA's war effort towards gaining Congress' support to ratify joining the UN. He didn't want to repeat the situation that occurred to the League of Nations after World War I; and Gaiduk, *Divided Together*, 25, 31.

[64]Roberts and Benedict Kingsbury, *United Nations, Divided World*, 5-6.

from voting as a means of demonstrating opposition without having to veto.[65] The General

Assembly is responsible for electing five non-permanent members per year, each of which serves

a two year term. No non-permanent member can be immediately re-elected. Five non-permanent

member seats are assigned to Africa or Asia, one to Eastern Europe, two to Latin America and

the Caribbean, and two to Western Europe and the countries known as the "other States"

(Canada, Australia, New Zealand, the Nordic states, and now Israel).[66]

Technically, the Security Council requires a vote of the membership to authorize action,

and each member receives one vote. Resolutions on procedural matters require nine positive

votes. Non-procedural resolutions also require nine positive votes, and in theory each of the P5

must also be included. However, in practice, a member of the P5 may abstain from voting and

the proposed resolution can still be approved. If, however, a member of the P5 exercises a veto,

the resolution will not be authorized. Also, if a Council member is involved in the aggression or

dispute being considered by the resolution that member must abstain from voting. When it comes

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[65]Bosco, *Five to Rule Them All*, 47-48.

[66]"United Nations Security Council" *Permanent and Non-Permanent Members*, available from http://www.un.org/en/sc/members/ Internet; accessed 19 January 2014; and "United Nations Security Council" *Frequently Asked Questions, How are the Non-permanent Members Selected?* available from http://www.un.org/en/sc/about/faq.shtml#nonpermanent Internet; accessed 19 January 2014; and "United Nations Security Council" *Frequently Asked Questions, How are the Non-permanent Members Selected?* Resolutions adopted on the reports of the Special Political Committee, General Assembly – Eighteenth Session, available from http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/1991(XVIII); Internet; accessed 13 February 2014. Note, although five seats are assigned to African and Asian nations, and in practice three seats are for Africa and two for Asia, informally Africa and Asia alternate in giving up a seat for an Arab nation. Also, the 'others' from the Western European group comprise three groupings that were originally referred to as the British Commonwealth Group. Nations that fill this grouping come from a diverse geography including African and Asian nations that became independent in the 1950s (that didn't move to another non-permanent member group). "*Security Council Report, Special Research Report,*"2009 no.1 30 September 2009, available from http://www.globalpolicy.org/images/pdfs/Security_Council/SC_report_elections_2009.pdf; Internet; accessed 13 February 2014; and "Memo Middle East Monitor," *Israel Seeks Non-permanent Seat in the UN Security Council,* available from https://www.middleeastmonitor.com/news/middle-east/7680-israel-seeks-non-permanent-seat-in-the-un-security-council; Internet; accessed 20 February 2014.

to the P5, this last rule is redundant. The P5 member in question would never approve adding such a resolution to the Council's agenda. Therefore, the issue would never be discussed.[67]

It is no coincidence that Council was designed and established as the UN's single most powerful organ. Against states that the Council believes to be jeopardizing international peace and security, it may impose mandatory sanctions, blockades, forcefully remove governments, dispatch peace-keepers to observe cease fires and authorize the use of armed force to restore international peace and security.[68] The Council's power is also exercised through its mandatory requirement to approve the acceptance of new members to the General Assembly; approve the appointment of the Secretary General; and approve the installing of judges that are elected to the International Court of Justice.[69]

The P5's composition and the working procedures of the Security Council are a direct political by-product of Roosevelt and Churchill's founding vision. It is clear that when they championed the Council's creation their aim was to not repeat the errors which had resulted in the failure of the League of Nations.[70] However, the resultant design of the Security Council does not ensure that it will satisfy its official aim of maintaining international peace and security in anything but an exceptionally limited sense.[71] Just like the League members did, members of

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[67]Roberts and Benedict Kingsbury, *United Nations, Divided World*, 239; and Bosco, *Five to Rule Them All*, 47-48.

[68]*Ibid.,* 3; and *Ibid.,* 6.

[69]Roberts and Benedict Kingsbury, *United Nations, Divided World*, 5-6.

[70]Bosco, *Five to Rule Them All*, 3; and Roberts and Benedict Kingsbury, *United Nations, Divided World*, 209.

[71]Bosco, *Five to Rule Them All*, 4.

the UN, and the Council in particular, consistently pursue their own interests first, and the Council's only second.[72]

Essentially, the permanent members pursue a two tiered approach to maintaining peace and security. It is critical for them to maintain peace and security internally and among themselves. When aggression presents a real risk of starting a war between or amongst the permanent members, as existed in the Middle East in 1967 and 1973, they will come together and gain the required support of the non-permanent Council members to manage the problem by whatever means necessary.[73] Moreover, only when a resolution meets the permanent members' individual goals will they authorize it collectively (or abstain from voting so as to not use their veto).[74]

The Council's lack of cohesiveness adversely affects its two tiered approach to promote and maintain international peace and security. Its ability to serve as a venue for members to discuss their peace and security issues, however, or for them to meet and discuss their issues at one of the Security Council's informal meetings, is more noteworthy.[75]

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[72]Bosco, *Five to Rule Them All*, 4; and Barry R.J. Jones, "The United Nations and the International Political System," In *The United Nations in the New World Order : The World Order at Fifty,* ed. Dimitris Bourantonis and Jarrod Wiener 19-40 (New York: St. Martin's Press, 1995), 25-26.

[73]Bosco, *Five to Rule Them All*, 4-6, 9; and Roberts, and Benedict Kingsbury. *United Nations, Divided World*, 12, 44; and Security Council Resolutions S/RES/233 (1967), S/RES/234 (1967), S/RES/235 (1967), S/RES/236 (1967), S/RES/240 (1967), S/RES/242 (1967), S/RES/331 (1973), S/RES/332 (1973), S/RES/338 (1973), S/RES/339 (1973), S/RES/341 (1973), S/RES/344 (1973) were passed in 1967 and 1973 towards establishing peace in the Middle East. "United Nations Security Council, Security Council Resolutions," *Welcome to the United Nations. It's your world*; available from https://www.un.org/en/sc/documents/resolutions/; Internet; accessed 14 February 2014.

[74]Bosco, *Five to Rule Them All*, 4.

[75]*Ibid.*, 250; and Luard, *The United Nations*, 27.

Debate on 23 and 24 October 1961 during the Cuban Missile Crisis provides a good example of how the Security Council can act as a forum to prevent war. The crisis traces back to March 1960 when Soviet intelligence warned then first secretary of the Communist Party and Premier Nikita Khrushchev that the USA was planning to attack Cuba. Given the Soviet Union's vital interest in protecting Cuba's security, Khrushchev pledged advice and weapons to Cuba's leader, Fidel Castro. He also indicated that the Soviet Union would defend Cuba with nuclear weapons. In April 1961 the USA launched a failed attack on Cuba. Subsequently, by late August 1961, Soviet forces had completed a major build-up in Cuba and on 4 October of that same year medium-range nuclear warheads secretively arrived into Cuba. Although USA intelligence knew of the August build-up, it wasn't aware that nuclear warheads were in Cuba until a U-2 spy plane photographed them in October 1961. On 16 October US President John F Kennedy was shown the photos. As a result, he postured for war, as did Khrushchev.[76]

Although the proposed resolutions drafted to resolve the Crisis never came to a vote in the Council, public attention and televised debate served to minimize the high risk of war between the USA and Soviet Union. At the televised debate, then Secretary-General U Thant received a guarantee from the American ambassador Adlai Stevenson that if the Soviet Union dismantled the medium-range nuclear warheads, the USA would not attack Cuba. Two days after the proposal, the condition was formally agreed upon. Additionally, the USA also agreed to remove missiles from Turkey. During the Crisis, Thant actively mediated, and Council debate in

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[76]Gaiduk, *Divided Together*, 278-284.

concert with his engagement throughout the crisis gave the USA and Soviet Union breathing space for diplomacy. In turn, Kennedy and Khrushchev resolved the Crisis on their own.[77]

The Security Council's public debate of the Cuban Missile Crisis, even if it never resulted in voting on a resolution, is the established norm for debate within Council. The Provisional Rules for Debate direct that the Security Council shall meet in public unless decided otherwise. Although the Council has never officially 'decided otherwise,' in the mid-1990s the Council's long trend of non-productive meetings gave way to productive informal meetings. The lack of productivity was caused by the excessive use of the veto. From 1946 to 1995, it was used 244 times.[78] The informal gatherings have become commonplace and, ironically, 'formal.' They occur more frequently than the Council's formal sessions. Given that they permit the opportunity to consult and compromise in advance of the formal sessions, the Council has become more effective in passing resolutions and the use of the veto has declined significantly.[79]

Nonetheless, the move to conduct Security Council business behind closed doors has not been without criticism. The informal meetings lack transparency and no formal records are kept. Institutional memory is, therefore, lost. Also, given that only Council members attend, when issues discussed at the informal meetings reach the Council agenda, that is if they even survive

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[77]Bosco, *Five to Rule Them All*, 92-97; and Walter Dorn and Robert Pauk, "The Cuban Missile Crisis Resolved: Untold Story of an Unsung Hero," available from http://www.walterdorn.org/pub/8; Internet; accessed 14 February 2014.

[78]Natalie Reid, "Informal Consultations," *Global Policy Forum* available from http://www.globalpolicy.org/component/content/article/188/32941 html; Internet; accessed 15 February 2014; and "Changing Patterns in the Use of the Veto in the Security Council," *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/102/32810 html; Internet; accessed 15 February 2014.

[79]Reid, "Informal Consultations," http://www.globalpolicy.org/component/content/article/188/32941.html; and "Changing Patterns in the Use of the Veto in the Security Council," http://www.globalpolicy.org/component/content/article/102/32810 html.

the informal discussions, the need to maintain the compromises that have already been made

undermines further debate. The formal meetings have therefore lost their importance as places

for serious debate.[80]

CHAPTER 2

Early Calls for Security Council Reform – The San Francisco Conference

After almost five years of discussions and negotiations that were generally conducted

exclusively between American, British and Soviet Union officials, but which later expanded to

include Chinese and French officials, on 25 April 1945 the San Francisco Conference

commenced.[81]

The Allies were well represented at the conference. They had seats on the steering

committee and on the conference's main committee. Some were members of a fourteen nation

executive committee while others sat on a coordination committee. Allied representatives also

attended and spoke in plenary forums.[82]

The conference outcome, however, was largely predetermined. The Great Powers

ensured that the Dumbarton Oaks proposals, a by-product of their years of exclusive discussions,

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[80]Reid, "Informal Consultations," http://www.globalpolicy.org/component/content/article/188/32941.html.

[81]San Francisco Conference sponsors were the USA, Britain, Soviet Union and China. On 4 May 1945 France was given responsibilities commensurate as if it too was an original sponsor. Evan Luard, *A History of the United Nations, Volume 1: The Years of Western Domination, 1945 -1955* (New York: St Martin's Press, 1982), 27, 39, 40, 43.

[82]Luard, *A History of the United Nations,* 43-45.

formed the basis of the San Francisco agenda. Indeed, the 'sponsors' even met privately to

develop a unified set of their own amendments. They also regularly met to approve all other

suggested amendments, and to manage any significant disagreements.[83] The Great Powers'

exclusive development of the agenda and control of the conference to influence its outcome

foreshadowed the ultimate control that they sought over the Security Council.

In spite of the Great Powers' tight control, the middle powers campaigned aggressively in

favour of amendments to the structure and function of the UN Security Council. Specifically,

they expressed serious concerns over the proposed rules governing the Great Power veto. The

Yalta Conference in 1945 had assumed that the Great Powers would be left with free reign to use

the veto. The middle powers' insistence that veto power be limited almost derailed the

conference and, it seems, the UN. The Canadian delegation assumed a lead role in challenging

the scope of the Great Power veto. Ottawa also garnered informal support from the USA's Soviet

Union policy specialists. Washington's tacit support suggested that the Roosevelt government

understood that the Yalta veto usage rules could prevent the UN from stopping future wars

(given that the Great Powers could use the veto when they didn't approve of the proposed

resolution).[84]

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[83]*Ibid.*,36, 43, 44; and Adam Chapnick, *The Middle Power Project: Canada and the Founding of the United Nations* (Vancouver, British Colombia: UBC Press, 2005), 128; and, Of note Philip Noel-Baker from the British delegation didn't support the behind-the-scenes workings of the P5. The USA and Soviet Union representatives, however, discounted his view as in their opinions it was counter to unity of the P5 of the future UN Council. IIya V. Gaiduk, *Divided Together: The United States and the Soviet Union in the United Nation 1945-1965.* (Washington: Woodrow Wilson Center Press, 2012), 43.

[84]Chapnick, *The Middle Power Project*, 135-138; and N.D. White, *Keeping the Peace: The United Nations and the Maintenance of International Peace and Security* (Manchester, United Kingdom: Manchester University Press, 1997), 9-10.

The major issue surrounding the veto's usage wasn't about the so called 'double veto,' derived at Yalta. The double veto referred to the Great Power decision that the veto could be used, whether a matter of procedure or enforcement, when the resolution was voted upon by the Council's non-permanent and all P5 members. Opponents of this decision sought to restrict the veto's usage to enforcement actions only. The P5 members countered that the limitations to the veto's initial use in the procedural realm could lead to a 'chain of events' that might result in enforcement measures. This was, however, a weak argument. The Great Powers could veto enforcement measures at any time. The dispute, then, merely served to demonstrate how adamant the Great Powers were that they get their own way on the veto.[85]

As a result, the Canadian delegation eventually concluded that further insistence to restrict the veto's usage would likely prevent the establishment of the UN. Indeed, the Soviet delegation all but said as much. Specifically, the Canadian undersecretary of state for external affairs was of the opinion that the Australia's passionate advocacy had become counter productive.[86]

With Prime Minister Mackenzie King's approval, the Canadian delegation abstained during the Australian delegation's proposal to restrict the veto's usage. This abstention signalled that Canada did not oppose the proposal. It was, however, unwilling to risk the failure of the UN over the veto debate. The Mackenzie King government assessed it would be better to have an

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[85]*Ibid.,* 136 -137; and White, *Keeping the Peace*, 9-10.

[86]Chapnick, *The Middle Power Project*, 136, 146; and White, *Keeping the Peace*, 9-10.

imperfect UN as opposed to no UN at all. The prime minister's only underlying expectation was that the Security Council would promote international stability. His expectation was not to be.[87]

Had the Canadian delegation officially supported the Australian veto proposal, it would have passed. The USA, the USSR, and perhaps the other Great Powers would then have refused to sign the UN Charter. Canadian diplomacy therefore ensured that the draft UN Charter would survive the San Francisco Conference. The lesser powers' calls to restrict the veto's usage would have to wait for another day.[88]

Calls for Security Council Reform – The First Twenty Years

Less than one month after the Security Council's 17 January 1946 inaugural meeting, the Great Powers' commitment to limit their use of the veto rang hollow. On 16 February 1946, Ambassador Andrei Vishinsky invoked the Soviet Union's first veto. As reported by *The New York Times*, his decision caught his international colleagues by surprise.[89] The issue – the withdrawal of British and French troops from Syria and Lebanon – was not vital to the USSR's national security. The Soviets merely believed the wording of a proposed resolution associated with it was too weak. Notwithstanding several previous amendments they successfully called for

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[87]Chapnick, *The Middle Power Project*, 137-138, 145 and David L. Bosco, *Five to Rule Them All: The UN Security Council and the Making of the Modern World* (New York, New York: Oxford University Press, 2009), 31.

[88]Chapnick, *The Middle Power Project*, 138, 145; and White, *Keeping the Peace*, 9-10; and Bosco, *Five to Rule Them All*, 31.

[89]Bosco, *Five to Rule Them All*, 43, 262; and "USSR casts first Security Council Veto," *Kofi Annan Center of the Storm,* Timeline, available from http://www.pbs.org/wnet/un/timeline/timeline2.html; Internet, accessed 5April 2014.

in the proposed resolution, they used their veto. The Soviets lacked any concern with the negative impact towards others from their veto usage. That trend would continue.[90]

Over the Security Council's first twenty years, the veto was used 114 times. Of this total, the Soviet Union accounted for 106 of the vetoes. The majority did not protect vital national interests. Rather, the veto was meant to promote internal political interests and to hinder those of the USA.[91]

Because the vetoes prevented real action, the Security Council became more of a forum for negotiation. Even in that task, however, it generally failed to achieve cohesion between and among its P5 and non-permanent members.[92] The Council did serve as a venue whereby members could 'vent' among themselves and bring their unresolvable security issues. It failed, however, to broker solutions to these problems when any of the Great Powers refused to cooperate. As evident by the high number of Soviet Union (and later USA) vetoes, the non-permanent members soon realized that, thanks to the Cold War, the self interests of the Soviet Union and the USA trumped all others' concerns.[93] The Council's ability to demonstrate tangible results, therefore, was hobbled. As a result, member states turned to other alliances such as the North Atlantic Treaty Organization (NATO) and the Warsaw Pact for their security

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[90]Bosco, *Five to Rule Them All*, 43; and "USSR casts first Security Council Veto," http://www.pbs.org/wnet/un/timeline/timeline2.html.

[91]In addition to the 106 Soviet Union vetoes up to 1965, France used four, Republic of China used one, and Britain used three. The USA did not start using (or overusing) the veto until 1966. "Changing Patterns in the Use of the Veto in the Security Council," *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/102/32810.html; Internet; accessed 23 February 2014; and Thalif Deen, "How Veto Powers Stymied," *Global Policy Forum*, (July 13, 2007) available from http://www.globalpolicy.org/component/content/article/185/42658.html; Internet; accessed 23 February 2014.

[92]Gaiduk, *Divided Together*, 301.

[93]*Ibid.*,301-302.

requirements.[94] Nonetheless, the Council was never entirely useless. Indeed, it was instrumental in resolving major crises, including those in Berlin, Suez, and Cuba. In turn, it prevented the USA and Soviet Union from escalating their Cold War into a hot one.[95]

Veto overuse during the first twenty years of the Council's existence did not foster major advocacy for reform. However, beginning in the early 1950s calls for Security Council reform certainly existed. They were predominantly focussed on changing the composition of the Council's non-permanent membership. Advocates argued that the growth in the General Assembly warranted a corresponding increase in the Security Council's composition.[96]

In 1946, shortly after the Council commenced its interim operation in London, the P5 members demonstrated their disdain for the lesser powers by unilaterally agreeing to allocate seats for groups of the Council's non-permanent members. In any event, under their so called 'London agreement,' which was never officially recorded, seats were allocated as follows: Latin America (comprised two fifths of the General Assembly's seats during that period) received two seats; Western and Eastern Europe, each one seat; the Middle East, one seat; and the Commonwealth, one seat. Liberia and the Philippines were the only two Assembly states not represented on the Security Council by the P5's non-permanent seat breakdown. In January 1946, the Council's predominantly European membership only marginally represented the

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[94]Under the provision of the Charter's Article 21, once authorized by the Security Council, the UN was free to cooperate with regional organizations to jointly restore or maintain international peace and security. The issue here was that the ineffectiveness of the Security Council placed a greater reliance upon these regional organizations.

[95]Lev Voronkov, "International Peace and Security: New Challenges to the UN," in *The United Nations in the New World Order: the World Organization at Fifty.* ed. Dimitris Bourantonis and Jarrod Wiener, 1-18 (New York: St. Martin's Press, 1995), 2-5;Gaiduk, *Divided Together*, 301-302.

[96]Bosco, *Five to Rule Them All*, 100-102.

General Assembly's 51 members. Seats were allocated on geography and political affiliation (such as was the case for the Commonwealth seat).[97]

Thanks to the admission of new members from Asia and Africa, by 1950 the criterion of equitable geographical representation to guide non-permanent members' elections no longer correlated with the geographical and ethnic origins of Assembly members. That discrepancy only increased from 1950 through 1965, as membership in the UN increased from 60 states to 117. Specifically, disagreements arose over which state would fill the 'East European' seat, and new members from Asia and Africa demanded significantly increased representation.[98]

The East European seat issue first arose in 1949 when Jugoslavia (Yugoslavia) was elected to the Council. Given that Yugoslavia had just achieved independence from the Soviet Union, Moscow disapproved of it getting the non-permanent seat. The Soviets argued, unsuccessfully, that the London agreement would be violated if Yugoslavia occupied the seat. The USA responded that the London agreement had only been intended to cover the 1946 election of non-permanent members.[99]

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[97]Andrew Boyd, *Fifteen Men on a Powder Keg: A History of the UN Security Council* (London: Methuen & Co Ltd., 1971), 101; and although Poland did not sign the UN Charter on 26 June 1946, as it didn't attend the San Francisco Conference with the other 50 nations given that its new government wasn't formed in time, a space was left for it and it signed the Charter as an original member on 15 October. "History of the United Nations," *Welcome to the United Nations. It's your world*; available from http://www.un.org/en/aboutun/history/index.shtml; Internet; accessed 31 January 2014; and "History of the United Nations," *San Francisco Conference;* available from http://www.un.org/en/aboutun/history/sanfrancisco_conference.shtml; Internet; accessed 31 January 2014. A listing of the original General Assembly members and that which existed in 1965 may be found at: "United Nations Member States," *Growth in United Nations Membership, 1945 – present*; available from http://www.un.org/en/members/growth.shtml; Internet; accessed 24 February 2014;

[98]Boyd, *Fifteen Men on a Powder Keg,* 101.

[99]Boyd, *Fifteen Men on a Powder Keg,* 106-107; and "*Council Report, Special Research Report,"* 2009 no.1 30 September 2009, available from http://www.globalpolicy.org/images/pdfs/Security_Council/SC_report_elections_2009.pdf Internet; accessed 13 February 2014.

The Soviets proceeded to object to the results of the next three elections. In 1955, the Philippine and Yugoslavian nominations for the Eastern European seat created an electoral deadlock. To rectify the issue, General Assembly President Jose Maza proposed that the states split the two year term. Seventeen of the Assembly's members objected to the plan. As such, voting recommenced. Eventually, after another two months of voting failed to yield a satisfactory result, it was informally agreed that Yugoslavia would get the seat. It would in turn resign the seat after one year whereby the Philippines would run as the only candidate and get the seat for the second year. That practice re-occurred between Poland and Turkey in the 1960-61 election; between Romania and Philippines in the 1962-63 election; and between Czechoslovakia and Malaysia in the 1964-65 election. Therefore, from 1957 onwards (when the Philippines got the seat), there was no effective geographical distribution for the Eastern European seat. A revised geographical distribution for non-permanent seats, formal or otherwise, seemed to be required.[100]

In an attempt to mitigate the lack of Security Council representation, which directly linked to the UN membership's increase from 60 states to 117, the new Assembly members made use of the Charter's Article 31 provision which enabled them to attend meetings when agenda items concerned them directly. This was their only opportunity to express their concerns. Many representatives, therefore, did so with passion, and even when ill. The Assembly members' passionate mitigation effort, however, failed to meet their concerns. Even with their increased voice, the non-members realized that their own concerns would continue to be rejected. The USA and its Western allies controlled the Council by aligning on issues important

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[100]Boyd, *Fifteen Men on a Powder Keg,* 101-107; and "*Council Report, Special Research Report,*" http://www.globalpolicy.org/images/pdfs/Security_Council/SC_report_elections_2009.pdf .

to themselves. Their frequent out of Council lobbying earned the required seven votes to control what was added onto the agenda and debated. If required, the USA would entice votes with foreign aid, or punish them by withdrawing that aid in the face of non-compliance with Washington's Security Council intentions. Although votes were situation dependant, it was generally more beneficial to side with the USA and its Western allies than not.[101]

Latin American states were the first to advocate reform. In 1955, at the General Assembly's 11th Session, they submitted a draft resolution for better Council representation. It was supported by Spain. Although the Latin American region was already well represented on the Council, members anticipated that the new African and Asian nations were set to gain additional representation at their expense. The resolution never passed. The Great Powers stonewalled calls to increase its regional representation until the early 1960s. Over that period, the Council also failed to consider even noteworthy conflicts between its P5 members. It merely focused on other matters such as the politics of Communist China becoming a permanent member. In any event, the critical mass required for reform was reached. On 10 December 1963, twenty-one Latin American states submitted a consolidated resolution. It argued for an increase to the non-permanent member composition from six to eight members. Three days later, thirty-seven African and Asian states submitted a further consolidated resolution. It argued for an increase to the non-permanent membership from six to ten. Although the regional imbalance

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[101]Bosco, *Five to Rule Them All,* 99, 160; and Roberts and Benedict Kingsbury, *United Nations, Divided World,* 240; and Luard, *The United Nations,* 31; and "United Nations Member States," *Growth in United Nations Membership, 1945 – present*; available from http://www.un.org/en/members/growth.shtml; Internet; accessed 29 January 2014; "History of the United Nations," http://www.un.org/en/aboutun/history/index.shtml; and JT Nguyen, "Vote buying in the Security Council," August 25, 2006, *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/196-membership/39949-vote-buying-in-un-security-council.html; Internet, accessed 6 April 2014.

favoured the interests of the Latin American states, for the Assembly's majority it was no longer equitable and balanced.[102]

In 1963, 97 out of 112 General Assembly members recommended an increase to the Council's non-permanent membership. Within the Assembly, China was the only P5 member to support the resolution. France and the Soviet Union opposed, and the USA and Britain abstained. Nonetheless, on 17 December 1963 the General Assembly passed resolution 1991 A(XVIII). To manage the change, the General Assembly recommended formalizing the geographical distribution of the non-permanent seats. Even though four P5 members didn't initially support the resolution, generally due to poor coordination among the Great Powers and financial problems within the UN, within nineteen months all of the P5 members had ratified it. By August 1965, therefore, the Council's first major period of reform ended in success.[103]

The level of success, however, warrants qualification. Certainly this new geographical distribution of the non-permanent members better reflected the UN's then-current composition as well as the general population of the world's regions. That balance, however, would not last, and when it came to power within the Council, no real change occurred. The additional four non-

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[102]Bosco, *Five to Rule Them All,* 101-102; and "*Council Report, Special Research Report,*" http://www.globalpolicy.org/images/pdfs/Security_Council/SC_report_elections_2009.pdf; and Fakiha Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," *Perceptions, Winter 2013, Volume XVIII, November4,pp. 117-138,* available from http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf; Internet, accessed 25 March 2014, 120-121.

[103]Bosco, *Five to Rule Them All,* 101-102; and Boyd, *Fifteen Men on a Powder Keg,* 110; and, To align with the increase of non-permanent members from six to ten, as formally amended within Article 23 of the Charter, the number of votes to pass a resolution was also increased from seven to nine, and as also formally amended within Article 27 of the Charter. United Nations Security Council" *Frequently Asked Questions, How are the Non-permanent Members Selected?* Resolutions adopted on the reports of the Special Political Committee, General Assembly – Eighteenth Session, available from http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/1991(XVIII); Internet; accessed 13 February 2014; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 121.

permanent seats did not prevent the P5 from dominating, even if having the new non-permanent

members on the Council meant that the USA and Soviet Union did have to deal with the new

north-south security issues more regularly. In the end, advocacy for further Security Council

reform was unavoidable.[104]

Calls for Security Council Reform – The Post-Cold War Era

UN historians claim that the UN's second major period of UN reform commenced

immediately on the heels of the increase to Security Council's non-permanent membership in

1965.[105] That being said, it appears that respite of the 1965 reform campaign that increased the

Council's composition lasted until 1979. It was then, under India's lead, and Japan's

sponsorship, that twelve non-aligned states submitted a resolution requesting that the Council's

non-permanent seats be increased to fourteen. The new geographical distribution of the non-

permanent seats would have been: one for Eastern Europe; two for Western Europe; three for the

Latin American states; three for Asia; and five for Africa. The resolution never garnered the

required votes to pass. In response, the Latin American states submitted a separate resolution to

increase the non-permanent membership to sixteen. That resolution also failed, causing

reformers to regroup and remain largely silent for more than a decade. It was then that advocates

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[104]Boyd, *Fifteen Men on a Powder Keg, 111*-112; and Gaiduk, *Divided Together*, 303; and "An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," A/47/277-S/24111, 1, 17 June 1992, Global Policy Forum, available from http://www.globalpolicy.org/component/content/article/226/32313 html; Internet; accessed 9 March 2014; "United Nations General Assembly Sixty-Fourth Session, 43rd Plenary Meeting," A/64/PV.43, 12 November 2009, *The Official Documents System on the United Nations*, available from http://documents.un.org/mother.asp; Internet: accessed 15 March 2014, 14.

[105]Maurice Bertrand, "Can the UN be Reformed?" in *United Nations Divided World: The UN's Roles in International Relations,* ed. Adam Roberts and Benedict Kingsbury 193-208 (New York: Oxford University Press 1988), 195.

for Council reform internalized that the case for reform should only re-presented when the

situation favoured success.[106]

When calls for reform resurfaced in the early 1990s they were considerably different and

more comprehensive. Advocates would no longer be satisfied with the mere growth in the

composition of non-permanent members. They sought growth in the Council's permanent and

non-permanent membership, the allocation of the veto to additional nations, and changes to the

Council's working methods.[107] Finally, in 1992, the new UN Secretary General, Boutros

Boutros-Ghali, took up the calls for reform personally, giving the reform movement an

additional layer of official credibility.[108] Soon after, India and thirty-five nonaligned nations

submitted a resolution to see Security Council reform added to the General Assembly's agenda.

Japan supported the resolution from the beginning, and it eventually passed unanimously. On 11

[106]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf.

[107]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf. 121; and Jonas von Freiesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013",Volume 1, September 2013, ed. Lydia Swart and Estelle Perry, Chap 1, 1-22, Reform of the Security Council from 2007-2013, 23, *Centre for UN Reform,* available from http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1; Internet, accessed 24 March 2014, 2.

[108]General Assembly Working Group: 1993 to 1997 and following," *Global Policy Forum,* available from http://www.globalpolicy.org/un-reform/un-reform-initiatives/general-assembly-working-groups-on-reform.html; Internet; accessed 4 March 2014; and "An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," A/47/277-S/24111, 1, 17 June 1992, Global Policy Forum, available from http://www.globalpolicy.org/component/content/article/226/32313 html; Internet; accessed 4 March 2014; and Freiesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013"http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 2.

December 1992 resolution 47/62 directed Assembly members to submit their Security Council proposals to the UN secretariat by the following summer.[109]

Boutros-Ghali and many General Assembly members maintained that the end of the Cold War created an opportunity to convince the P5 to support reform. They assessed that the situation for favourable reform results had arrived. Indeed, the Soviet Union and the USA were actually eager to see the Council take over responsibilities to resolve the costly wars that had resulted from Cold War tensions. At the outset, the Secretary General therefore sought, successfully, to make the Council more relevant. As it became more relevant, it also became more active in conflicts it had previously neglected, like the Iran - Iraq War and internal state conflicts in Namibia, Angola and Cambodia.

Boutros-Ghali used these achievements as an impetus to draft and promote his Agenda for Peace: an analysis and recommendations to enhance UN effectiveness and Charter compliance.[110]

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[109]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf; 121; and Freiesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013" http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 2.

[110]"General Assembly Working Group: 1993 to 1997 and following,"http://www.globalpolicy.org/un-reform/un-reform-initiatives/general-assembly-working-groups-on-reform html; and "An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," http://www.globalpolicy.org/component/content/article/226/32313 html; ; and Freiesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013" http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 2.

The agenda had seven main areas of focus, many of which involved the Security Council. First was preventative diplomacy. Its goal was to prevent conflict before it commenced by using UN rapid response military units donated by member states. The second, third and fourth areas – peacemaking, peace-keeping and post-conflict peace-building – were interrelated. Peacemaking would bring belligerents to a peaceful agreement. Peace-keeping would prevent conflict or leverage peacemaking to restore peace if conflict occurred. Post-conflict peace-building would disarm belligerents, destroy weapons, repatriate refugees, train security personnel, monitor elections, enhance human rights, and support or rebuild governments. Cooperation with regional organizations was the fifth focus area. The sixth was safety of personnel. Its aim was to ensure that the UN fully assessed security situations before despatching UN personnel into harm's way. During deployment, if personnel safety evolved to a higher risk than would be acceptable, the UN was to mitigate with action such as removing the personnel from the threat. UN personnel were also to be properly compensated for risks expected of them. The final focus area was financing. Its aim was to improve the UN's ineffective financial structures and to increase its cash flow.[111]

In 1995, to coincide with the UN's 50th anniversary, Boutros Boutros-Ghali directed the establishment of five working groups on UN reform: the *Informal Open-ended Working Group on Agenda for Peace;* the *Ad Hoc Open-ended Working Group of the General Assembly on an Agenda for Development;* the *Open-ended Working Group on the Question Equitable Representation on an Increase in the Membership of the Security Council and Other Matters related to the Security Council;* the *High-level Open-ended Working Group on the Financial*

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[111]"An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," http://www.globalpolicy.org/component/content/article/226/32313.html.

Situation of the United Nations; and the *Open-ended High-level Working Group on the*

Strengthening of the United Nations System.[112]

The results were largely disappointing. The working group (WG) which studied the

financial situation of the UN was suspended. In 1996, the group that studied an Agenda for Peace

died. Although the two working groups that studied development and strengthening the UN did

complete their work, neither did so until 1997. The group that studied Security Council reform

remained in 'operation' for more than a decade. However, after years of non-productivity, in

September 2007 General Assembly members agreed to merge that WG with the

Intergovernmental Negotiations (ING) working group. Its aim was to engage UN member states

to advance reform initiatives. It took more than a year of negotiations to determine the WG's

underlying guiding principles. They were formalized on 15 September 2008 in UN resolution

62/557. The resolution's guidelines was controversial and contradictory. The WG's negotiations,

however, commenced in early 2009 before they were approved. The guidelines were not

'formalized' for another year. Many, including P5 members, still object to the validity of the

ING WG's guidelines. Obviously, as outlined earlier in this paper, the 1992 assessment of

Boutros-Ghali and General Assembly members that the end of the Cold War created the situation

for favourable reform was invalid.[113]

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[112]"General Assembly Working Groups on Reform: A Listing," *Global Policy Forum,* available from http://www.globalpolicy.org/component/content/article/225/32584 html; Internet; accessed 14 March 2014; and "General Assembly Working Group: 1993 to 1997 and following,"http://www.globalpolicy.org/un-reform/un-reform-initiatives/general-assembly-working-groups-on-reform html.

[113]"General Assembly Working Group: 1993 to 1997 and following,"http://www.globalpolicy.org/un-reform/un-reform-initiatives/general-assembly-working-groups-on-reform html; ; and "An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping,"http://www.globalpolicy.org/component/content/article/226/32313.html; and Science for Peace. Dundurn Series, *United Nations Reform: Looking Ahead After Fifty Years*, ed Eric Fawcett and Hanna Newcombe, 309-314, (Toronto: Dundurn Press Limited, 1995), 311; and "General Assembly Working Groups on Reform: A Listing,"

The guideline controversy inflicted upon the Intergovernmental Negotiations working group was non-existent for the *Open-ended Working Group on the Question Equitable Representation on an Increase in the Membership of the Security Council and Other Matters related to the Security Council*. This group was approved on 3 December 1993 by resolution 48/26. Its aim was to advance reform proposals submitted to the UN secretariat during that year's previous summer. On 19 January 1994, during the General Assembly's 48th Session, the WG commenced its first of many non-productive meetings by splitting into two clusters. One studied Council membership, voting and use of the veto. The other considered the Council's working methods.[114]

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http://www.globalpolicy.org/component/content/article/225/32584 html; and "United Nations General Assembly Sixty-Fifth Session, 118th Plenary Meeting," A/65/PV.118, 12 September 2011, *The Official Documents System on the United Nations*, available from http://documents.un.org/mother.asp; Internet: accessed 15 March 2014, 8-9; and "The Advisory Group's Non-Paper: Will it Facilitate Security Council Reform?", Background, *Centre for UN Reform Education*, available from http://www.centerforunreform.org/; Internet; accessed 23 March 2014; and Lydia Swart, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013",Volume 1, September 2013, ed. Lydia Swart and Estelle Perry, Chap 2, 23-59, Reform of the Security Council from 2007-2013, 23, *Centre for UN Reform*, available from http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1; Internet, accessed 24 March 2014, 23.

[114]"Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/200/41400 html; Internet; accessed 5 March 2014; and "General Assembly Working Groups on Reform: A Listing,"http://www.globalpolicy.org/component/content/article/225/32584 html; and "United Nations General Assembly Sixty-Fifth Session, 118th Plenary Meeting," http://documents.un.org/mother.asp, 8-9; and "United Nations General Assembly: Agenda of the sixty-eighth session of General Assembly," A/68/251, 20 September 2013, *The Official Documents System on the United Nations*, available from http://www.un.org/en/ga/search/view_doc.asp?symbol=A/68/251&referer=http://www.un.org/en/ga/68/agenda/index.shtml&Lang=E; Internet; accessed 23 March 2014.

Upon conclusion of the 48th Session, the WG's Annual Report noted that debate had been substantive and constructive. In reality, the WG had failed to reach consensus on meaningful reform. The group did, however, agree to reconvene at the next General Assembly.[115]

The working group's 62nd Session Annual Report makes clear that years of differing reform proposals had culminated in deadlock. As a result, in 2009 the *Open-ended Working Group on the Question Equitable Representation on an Increase in the Membership of the Security Council and Other Matters related to the Security Council* transformed into the Intergovernmental Negotiations working group.[116]

As was in the case of the former working group, the question of Security Council reform studied by the Intergovernmental Negotiations working group remains on the General Assembly's Agenda. This working group's Chair, Afghanistan Ambassador Zahir Tanin, in turn reports annually to the General Assembly.[117] Progress, however, has been limited to non-existent.

The experiences of the two working groups suggest three major trends for reform. First, there are calls for the Security Council to be enlarged in terms of both permanent and non-

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[115]"Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," http://www.globalpolicy.org/component/content/article/200/41400 html;

[116]*Ibid.,*; and "Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," General Assembly Official Records Sixty-second Session Supplement No.47; 14, *Global Policy Forum*, available from http://www.globalpolicy.org/images/pdfs/UN_Reform/2009/Open-ended_Working_Group_Report_2008.pdf; Internet; accessed 7 March 2014.

[117]"United Nations General Assembly: Agenda of the sixty-eighth session of General Assembly,"http://www.un.org/en/ga/search/view_doc.asp?symbol=A/68/251&referer=http://www.un.org/en/ga/68/agenda/index.shtml&Lang=E.

permanent members. As yet, however, although a majority within the General Assembly does generally agree that a larger Council is required to better reflect current international realities, there is no consensus on the extent of that enlargement. Proposals to increase the Council range from twenty to thirty members.[118] The second trend is that changes are required to the veto. Again, there is no consensus beyond the fact that perhaps others should have it and its use should be limited. The third major trend is that better working procedures for the Council are required. Here there is greater agreement. UN members generally support making the Council's daily working programmes and tentative monthly schedules public (a scan of the UN Security Council website shows this has been implemented), making almost final draft resolutions public, making procedures of the Sanctions Committee transparent, and permitting Council members to invite experts or representatives to speak at informal meetings (Arria-style) outside of Council and thereby not requiring formal statements or records.[119] Other improvement suggestions, as recommended by a grouping of five smaller nations (the S5, which will be discussed later in more detail), include: an increase in substantive exchanges between the Council, the General Assembly and the Economic and Social Council; developing a method for the Council to assess the quality of its decisions; drawing more effectively and substantively from the expertise of the

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[118]"Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," http://www.globalpolicy.org/images/pdfs/gawkgrrep2001.pdf,38.

[119]Freisesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013", http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 5; and "United Nations Security Council", *Working Methods Handbook, Background Note on the "Arria-Formula" Meetings of the Security Council Members,* available from http://www.un.org/en/sc/about/methods/bgarriaformula.shtml; Internet; accessed 22 May 2014. The informal gatherings have been named Arria-style, after Ambassador Diego Arria of Venezuela. It was he, in 1992, as President of the Security Council, that originated the meetings. The meetings are not a formal Council activity and as such are not held in the Council Consultation Room. The convenor sends written invitations to the other Council members. With the exception of interpreters and a Conference Officer, unless invited, the meetings are closed for others. Also, the meetings are not announced within the Council's daily Journal.

non-permanent members on the Council's subsidiary bodies; increasing the Council's transparency regarding its missions; and, if or when Council expansion occurs, disseminating required information of the procedures, practices and work of the Council to all of its new members more effectively.[120]

Examples of Advocacy for Security Council Reform

Although the reform proposals collectively reflected the views of the entire UN membership, it is worth noting that not all members agreed to each proposal. Moreover, one of the key reasons that reform has stagnated is that select members mobilized in groups to put forth proposals that were inconsistent with the interests of others. Being that these groups cannot agree upon reform proposals, it is certain that reform will not be supported by the P5 members. This latter point is significant. With the exception of reform of some Council working procedures, any reform of the Council's composition or the veto requires amendment to the Charter. That in turn requires all P5 member legislatures' ratification. Given that reform advocates cannot formulate an agreeable proposal, and it is hardly in the best interests of each P5 state to negotiate a compromise, it is difficult to imagine how the reformers will be able to convince the legislatures of members of the P5 to agree to significant change. In any event, the following section discusses the interests and activities of some of those groups.[121]

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[120]"Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council,"http://www.globalpolicy.org/images/pdfs/UN_Reform/2009/Open-ended_Working_Group_Report_2008.pdf.

[121]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 118.

The Group of 4 (G4) consists of Japan, Germany, Brazil and India. Collectively, their reform effort aims to make the Council transparent, accountable and democratic. It seeks permanent Security Council seats for all four members and two additional seats for African nations. The G4 would likely accept permanent seats without a veto as an outcome of legitimate negotiations. The African nations, however, would be less likely to accept such an offer. Japan and Germany believe their large financial commitments and contributions to the UN, specifically in peace and security, warrant their acceptance as permanent Council members. Brazil and India's permanent membership desire is linked to their (self-professed) ability to speak for the developing world, their emerging economies and their contributions to the UN.[122]

The G4 proposal for Council reform seeks to increase the composition of the Security Council to twenty-five members by adding six permanent and four non-permanent seats. The proposal would also give the new permanent members a veto. The proposed geographical distribution for representation of the six permanent seats would consist of: two permanent seats each for Asian and African states; one permanent seat each for Western Europe states and Latin American states and the Caribbean. The four additional non-permanent seats would consist of: one non-permanent seat each for Asian, African, Latin America states and the Caribbean, and Eastern Europe states.[123]

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[122]Freisesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013", http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1 , 5,8; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 122; and "The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" http://www.centerforunreform.org/node/509, 5.

[123]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 122; and "Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and

Another group advocating Security Council reform is the L69. In 2007 the group had twenty-five members. It was called the L69 group after General Assembly draft resolution A/61/L.69. The group submitted that resolution to persuade the Chairman of the *Open-ended Working Group on the Question Equitable Representation on an Increase in the Membership of the Security Council and Other Matters related to the Security Council* to use stronger language in his report to facilitate direct negotiations between nations when the working group reconvened in the next General Assembly Session. By December 2013, the L69 membership had grown to forty-three. Members are predominantly from the developing world. Two G4 members, India and Brazil, also belong to this group. The L69 links back to the 2007 stalemate of the aforementioned working group. Specifically, it was forged during the discussions to affect the transformation of that working group into the Intergovernmental Negotiations working group.[124]

The L69 seeks to extend the reform proposals of the G4 and another reform group called Uniting for Consensus (UfC). In general, the L69 advocates that when new permanent members are added to the Council, these new permanent members should also have the right of a veto. The group also advocates that small island states gain a dedicated non-permanent seat on the Council. The smaller non-developing nations of the L69 anticipate their individual reform desires and prospects for success will be advanced through their L69 membership. Specifically, they believe that if the more powerful L69 members – India, Brazil, South Africa and Nigeria – succeed in becoming permanent members, they will not be forgotten and ignored as they are today. The

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Increase in the Membership of the Security Council,"
http://www.globalpolicy.org/images/pdfs/UN_Reform/2009/Open-ended_Working_Group_Report_2008.pdf, 10.

[124]"The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?"
http://www.centerforunreform.org/node/509, 5; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 125.

aforementioned L69 members have promised that when they gain permanent member status on the Security Council they will better represent the developing world's smaller nations. They also further seek to improve the Council's working methods.[125]

As mentioned above in the L69 discussion, another group that advocates reform is UfC. This group has twelve core members. Unlike most of the other groups, Uniting for Consensus does not support adding new permanent members to the Council. It argues that doing so will merely permit the new permanent members to become part of the current power structure. This would further exacerbate the ongoing issues already presented by P5. A former Canadian ambassador to the UN, Allan Rock, argued that adding permanent members to the Council would also serve to further undermine the existing roles of medium sized-powers (such as Canada). By default, the even lesser-powerful nations would, therefore, become even less relevant on the Council. Furthermore, UfC does not support the membership of the Intergovernmental Negotiations working group's Advisory Group (AG), nor its basis for negotiations. As an aside, Canada is an UfC core member. However, due to the stagnant pace of reform, in the fall of 2012, at an address to the 67th General Assembly, Canadian Foreign Minister John Baird directed that Canada would no longer waste time on attempting to achieve reform. In short, he pulled Canada out of reform discussions including, it appears, UfC.[126]

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[125]"The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" http://www.centerforunreform.org/node/509, 5; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 125.

[126]"The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" http://www.centerforunreform.org/node/509, 1-2, 5, 14; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 122-123; and Allison Goody and Marcus Pistor, "Security Council Reform," *Canadian Library of Parliament, PRB 05-84E,* 24 February 2006, available from http://www.parl.gc.ca/content/lop/researchpublications/prb0584-e.htm; Internet; accessed 29 March 2014, 12; and

UfC does, however, advocate increasing non-permanent membership on the council from ten to twenty. It proposes regional geographical representation as follows: six African states, five Asian states, four Latin American states and the Caribbean states, three Western European and other states, and two Eastern Europe states. It further proposes that equal distribution among the regions would be ensured by each sub-region recommending its own representatives.[127]

In addition to the L69's advocacy that the small island states gain a dedicated non-permanent seat, these island states themselves have formed a sub-group. Its aim is to further advance the proposal for the dedicated non-permanent seat for the islands. The group is called the Small Island Developing States (Pacific SIDS).[128]

The Caribbean Community and Common Market (CARICOM) group also has ties to the L69. This alliance of fifteen island nations also seeks to further advance the dedicated seat

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Matt Gurney, "Full Comment, Increasingly, the UN does more harm than good — and Baird's speech won't change it," *National Post*, 1 October 2012, available from http://fullcomment nationalpost.com/2012/10/01/matt-gurney-increasingly-the-un-does-more-harm-than-good-and-bairds-speech-wont-change-it/; Internet; accessed 6 April 2014.

[127]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 122-123; and "Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council,"http://www.globalpolicy.org/images/pdfs/UN_Reform/2009/Open-ended_Working_Group_Report_2008.pdf, 10.

[128]"The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" http://www.centerforunreform.org/node/509, 5; and Lydia Swart, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013",Volume 2, September 2013, ed. Lydia Swart and Estelle Perry, Chap 2, Reform of the Security Council from 2007-2008, *Centre for UN Reform,* available from http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1; Internet, accessed 24 March 2014, 43.

proposal for the small island states. CARICOM is not, however, a by-product of Security Council reform. Its origin traces back to 1962 when the West Indies Federation ended.[129]

States join a reform group when they believe that the group can advance their political goals. Therefore, not all of the group's collective goals may be internalized by any given state. For example, in 1994, a Canadian committee developing reform proposals in advance of the UN's 50th anniversary argued that Canada should not adopt a fixed position on reform. The committee further argued that when the timing was right, the distinction between the permanent and non-permanent members (to include use of the veto) should be eliminated – it is unlikely that timing will ever be right for this proposal; that the Council should be increased to twenty-one members (one more than UfC advocates); that the veto should be denied to all new Council members; that the veto would require the concurrence of three members; that limits should be imposed when the veto could be used; and that new majority requirements to authorize resolutions should be established.[130]

Another noteworthy reform group is the African Group. This group also advocates Council expansion and reform of its working procedures. The group has fifty-three members. As occurs within the other reform groups, some of its members also belong to other groups. Some belong to the L69 and occasionally some have belonged to the G4. Provided that the alliance

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[129]"The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" http://www.centerforunreform.org/node/509, 5; and Swart, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013" http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 43; and "OBJECTIVES OF THE COMMUNITY," *CARIBBEAN COMMUNITY SECRETARIAT,* available from http://www.caricom.org/jsp/community/objectives.jsp?menu=community; Internet, accessed 30 March 2014; and "History of the Caribbean Community (CARICOM)," *CARIBBEAN COMMUNITY SECRETARIAT,* available from http://www.caricom.org/jsp/community/history.jsp?menu=community; Internet, accessed 30 March 2014.

[130]Fawcett and Hanna Newcombe, *United Nations Reform*, 309-310.

remains steadfast towards its central direction of reform, it can be powerful. It, like other groups, however, risks losing support from the members that belong to other groups. In 2012 it even appeared that the group was about to converge with the L69 group. At that time, the African Group and the L69 were the only two reform groups advocating that new permanent members get the veto.[131]

In 1997, the group formalized in the Harare Declaration that it sought an increase in the size of the Council from fifteen to twenty-six members. Within the eleven new members, seven would be from African states. Two would be permanent, with the right of the veto. These two 'permanent' seats, however, would be elected by Africa on a rotational basis. The remaining five would be non-permanent. In 2005, the Ezulwini Consensus formally rejected the idea that the two permanent seats would be filled on a rotational basis. The seats, therefore, would adhere to the existing concept of permanent seats on the Council.[132]

The proposed distribution of the total eleven seats was: two permanent and two non-permanent African states; two permanent and one non-permanent Asian states; one non-

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[131] Lydia Swart, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013",Volume 2, September 2013, ed. Lydia Swart and Estelle Perry, Chap 2, Reform of the Security Council from 2007-2008, *Centre for UN Reform,* available from http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1; Internet, accessed 24 March 2014, 43-45; and "The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" http://www.centerforunreform.org/node/509, 5.

[132]Swart, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013", http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 43-44.

permanent Eastern European state; one permanent and one non-permanent Latin American and Caribbean state; and one non-permanent Western European and other state.[133]

Within the African Group there also exits the C10 group. This group was formed in 2005 to fend off the G4's attempt to persuade the African Group to discard its proposal that the veto be included with permanent member status. The C10 represents Africa's five regions. It also has given itself the authority to facilitate alliances with other reform groups. Of note, the current reform proposal of the African Group/C10 is to abolish the veto. That being said, as long as the veto remains, it too wants the veto for its proposed two permanent members.[134]

Not all of the reform groups advocate Council expansion. For example, twenty-three nations have formed the ACT group. ACT is the acronym for the group's aim: accountability, coherence, and transparency. It restricts advocacy to reforming the Council's working methods. In March 2014, the summary and conclusion of the Security Council Report's article, "Security Council Working Methods: A Tale of Two Councils?" found that this group could leverage the combined resources of its membership to facilitate changing Council working methods. Specifically, it could ensure focus towards reform was maintained and consistent by closely tracking reform initiatives and developments.[135]

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[133]"Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," General Assembly Official Records Sixty-second Session Supplement No.47; (A/62/47), Global Policy Forum, available from http://www.globalpolicy.org/images/pdfs/UN_Reform/2009/Open-ended_Working_Group_Report_2008.pdf; Internet; accessed 7 March 2014, 9-10.

[134]Swart, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013",http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 43-44.

[135]"The Advisory Group's Non-Paper: Will it Facilitate Security Council reform?" http://www.centerforunreform.org/node/509, 5; and "Security Council Working Methods: A Tale of Two Councils?"

A further group that also advocates reforming the Council' s working methods is the Small Five Group (S5). It's an alliance of five small nations (Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland). The S5 stresses that working method reform is more likely to be achieved if it is negotiated separately and outside of the ING working group since changes to working methods can be achieved without Charter amendments or two-thirds majority votes. Providing no Charter amendments are required, the ACT and S5, therefore, are more likely than the other advocacy groups to achieve some of their expectations from reform.[136]

Other Examples of Advocacy for Security Council Reform

In 1995, at the *Open-ended Working Group on the Question Equitable Representation on an Increase in the Membership of the Security Council and Other Matters related to the Security Council* the Austrian delegation proposed to increase the permanent membership to ten members by adding another Western European member; three states from African and Asian nations; and a Latin American and Caribbean state. Another model proposed was to add eight quasi-permanent states: one from Western Europe; three from Africa; one from Asia; and two from Latin America and the Caribbean. Another model would add eight quasi-permanent states: one from Western

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Security Council Report, 25 March 2014, available from http://www.securitycouncilreport.org/special-research-report/security-council-working-methods-a-tale-of-two-councils.php; Internet; accessed 31 March 2014, 3.

[136]Mie Hansen, "S5 presents draft resolution on Improving Working Methods of the Security Council," *Centre for UN Reform Education*, 5 May 2011, available from http://www.centerforunreform.org/node/436; Internet, accessed 30 March 2014; and "Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," http://www.globalpolicy.org/images/pdfs/UN_Reform/2009/Open-ended_Working_Group_Report_2008.pdf, 9-10.

Europe; one from the Middle East and Maghreb; one each from Africa and Central Asia and the Indian Ocean; two from East Asia and Oceania; and two from the Americas.[137]

After Kofi Annan was appointed Secretary General in 1997, to further his predecessors' initiatives towards UN reform, he convened several high level panels, one of which dealt with the future of the Security Council. The Secretary General proposed two unique models for Council expansion. Both models increased the Council to twenty-four seats. Six seats each would go to Africa, Asia/Pacific, Europe, and the Americas. Model A gave no new states a veto. Instead, it established six new permanent seats: two each for Africa and Asia/Pacific; and one each for Europe and the Americas. It also proposed three additional non-permanent seats. Model B created a new category of four year renewable seats: two for each of the four regions discussed immediately above and two additional non-permanent seats. As with other reform initiatives, with the exemption of the mid-1960s expansion, although many expected that his reform initiatives would be supported, after all he was a respected Nobile Prize winner, in this case there was agreement to disagree. His reform advocacy, which by 2005 was the most radical since the UN's establishment, primarily failed as he could not unite the political wills between the world's north and south, and between the developed and non-developed states. This gulf was too large to achieve consensus. Member states could not agree on what was best for the international community at large or on the vision of the UN.[138]

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[137]"Working Group," *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/200-reform/41367.html?tmpl=component&print=1&page=; Internet; accessed 23 March 2014.6; and "Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," http://www.globalpolicy.org/images/pdfs/gawkgrrep2001.pdf, 38.

[138]Goody and Marcus Pistor, "Reform of the United Nations," http://www.parl.gc.ca/Content/LOP/ResearchPublications/prb0584-e html, 4,6,7; and "Background on Security Council Reform," *Global Policy Forum*, http://www.globalpolicy.org/security-council/security-council-

Finally, in 2007, at the *Open-ended Working Group on the Question Equitable Representation on an Increase in the Membership of the Security Council and Other Matters related to the Security Council* Belize proposed to abolish the veto. If this proposal was not accepted, Belize hoped that two vetoes would be required in any future Council of fewer than twenty-five members and three would be needed in a Council of twenty-five or more.[139]

This chapter has demonstrated that reform advocacy has been evident since the UN's founding conference at San Francisco in 1945 and continues today. At the conference the lesser powers unsuccessfully advocated to restrict the veto's usage to enforcement actions only. This almost derailed the UN. As the General Assembly expanded in size, so too did Council reform advocacy. By 1963 the Assembly had grown to 117 members, with no corresponding Security Council expansion. In the 1950s, Latin American states unsuccessfully advocated for Council expansion. They called for it again in 1963. Shortly thereafter, Asian and African nations joined the push for reform. In 1965 the P5 members finally conceded and the Council's non-permanent membership expanded from six to ten.

This expansion was, however, all but useless. An additional four non-permanent members, from the world's under represented regions, did not make the Council more

reform/current-information-and-documents.html; Internet, accessed 6 April 2014; and Spencer Zifcak, *United Nations Reform: Heading North or South?* (London and New York: Routledge Taylor & Francis Group, 2009).1-2, 18; and "Secretary General Kofi Annan's Reform Agenda 1997 - 2006," *Global Policy Forum*, http://www.globalpolicy.org/component/content/article/226-initiatives/32283-secretary-general-kofi-annans-reform-agenda-1997-to-2006.html; Internet, accessed 26 April 2014.

[139]Working Group," *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/200-reform/41367.html?tmpl=component&print=1&page=; Internet; accessed 23 March 2014. 8; and "Report on the Progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council," General Assembly Official Records Sixty-second Session Supplement No.47; (A/62/47), *Global Policy Forum*, available from http://www.globalpolicy.org/images/pdfs/UN_Reform/2009/Open-ended_Working_Group_Report_2008.pdf; Internet; accessed 7 March 2014.

democratic. These new non-permanent members, like the old, witnessed the P5's Council

dominance. Other than a brief period of unsuccessful reform advocacy in the late 1970s,

advocacy was silent until the 1990s. During that period, Cold War tensions distracted the Great

Powers from Council responsibilities. After the Cold War, reform advocacy re-emerged. Calls

for reform also morphed from merely seeking to add non-permanent members to the Council.

Advocates sought to reform the Council's permanent and non-permanent member composition,

the veto, and working procedures. Over the last quarter century, several Secretaries General have

championed reform. However, their strategies, such as well attended high-level panels and a

working group that existed for over a decade, failed to achieve significant results. By 2007 the

working group reached an impassable stalemate. It slowly, therefore, transformed into an

intergovernmental negotiations working group. Although it remains in existence today, it has

failed to effect real change. The only true achievement from the last quarter century's Security

Council reform advocacy was the creation of frustration and disillusionment. This was evidenced

in 2012 when Canada announced at the General Assembly that it would cease wasting its time

with futile initiatives towards reform and in turn focus its efforts on the UN's successes.

CHAPTER 3

Reform – An Overarching Achievable Outcome

Indeed, the UN's stated role is to maintain international peace and security. Its founding

fathers, Roosevelt, Stalin and Churchill envisioned such a utility. That said, none of them

actually expected the Security Council would right the world's security wrongs.[140] Churchill

allegedly stated: "The UN was set up not to get us to Heaven but to save us from Hell."[141] In the

early 1960s Secretary General Dag Hammarskjold shared a similar opinion when he stated: "[it

was designed] not to bring humanity to heaven, but to save it from hell."[142] This 'Hell' refers to

the death and destruction experienced during the two World Wars and the even greater global

trauma that would occur if a Great Power launched a nuclear war.[143]

With this in mind, an overarching achievable outcome from Security Council reform is

that the Great Powers will commit their full power when they alone deem it's necessary to negate

conflict at the truly global scale. Indeed, should reform advocates expect anything different given

that the Great Powers' attitude to exercise their exceptional responsibilities towards the

prevention or cessation of lesser conflict is inconsistent? It further follows that Great Power

engagement is usually not essential to save us from 'Hell.'[144]

Today, in 2014, almost seventy years have elapsed since the UN's creation, and the P5

membership remains dedicated towards prevention of another devastating war. Additionally, as

applicable to local conflict, if preventing or ending a conflict aligns within their political

interests, which certainly occurs, the P5 membership engages to do so. This was evidenced

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[140]Andrew Boyd, *Fifteen Men on a Powder Keg: A History of the UN Security Council.* (London: Methuen & Co Ltd., 1971), 62.

[141]IIya V. Gaiduk, *Divided Together: The United States and the Soviet Union in the United Nation 1945-1965.* (Washington: Woodrow Wilson Center Press, 2012), 300.

[142]David L. Bosco, *Five to Rule Them All: The UN Security Council and the Making of the Modern World.* (New York, New York: Oxford University Press, 2009), 9.

[143]Bosco, *Five to Rule Them All*, 9.

[144]*Ibid.*,5, 256.

throughout the Council's history when the Great Powers collectively authorized numerous

resolutions, be they to impose sanctions; despatch armed troops; or to employ the Council as a

high level forum to facilitate the prevention or the cessation of conflict.[145] As discussed in this

paper's preceding chapter, advocacy for reform is, however, ever present. Many hope, if not

expect, that it will transform the Security Council into a more representative, accountable,

legitimate, democratic, transparent, efficient, and fair organ of the UN.[146]

Perhaps advocacy may eventually achieve the consensus required to develop a resolution

for Council expansion, and calls for working method reform that doesn't require a Charter

amendment may continue to advance.[147] In theory, then, a larger Council may better represent

the UN's membership, and continued advancements in working method reform may further

enhance Council transparency and efficiency.

When it comes to the veto, however, such reform is significantly less likely to occur.

During the UN's founding conference, as discussed at this paper's outset, the Great Powers

adamantly argued that no restrictions could be placed upon their use of the veto. It's noteworthy

to recall that the lesser powers' attempt to implement such caveats in San Francisco almost

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[145]*Ibid.*,3-9.

[146]James Paul and Celine Nahory. "Thesis towards a democratic reform of the Security Council," Global Policy Forum, [Journal on-line]; available from http://www.globalpolicy.org/security-council/security-council-reform/41131 html?itemid=917; Internet; accessed 2 February 2014; and Eric Fawcett and Hanna Newcombe, United Nations Reform: Looking Ahead After Fifty Years, Science for Peace Dundurn Series 000-009 (Toronto: Dundurn Press Limited, 1995), 309-310.

[147]Fakiha Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," *Perceptions, Winter 2013, Volume XVIII, November 4,pp. 117-138,* available from http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf; Internet, accessed 25 March 2014; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 130. The P5 members actually support Council expansion.

derailed the UN.[148] Advocacy to reform the veto must never reach that point again. Yes, certainly

the Security Council has warts. That said, its utility as a forum to help to negate conflict between

the Great Powers cannot be understated. Global security rests precariously on the Council's – the

Great Powers' – ability to continue to do so. No other alliance exists that can keep the Great

Powers from annihilating each other and many lesser powers with them as collateral damage.

In any event, as to the veto, the P5 members remain in almost complete agreement to not

support any 'reform' that threatens to diminish their power. This is significant because reform of

the veto is required to make the Council more democratic, accountable, legitimate and fair. For a

proposed resolution on veto reform to pass, that is if advocacy ever reaches consensus, all P5

members must support it. There is no evidence to suggest that such P5 consensus and support is

any more forthcoming today than it was in 1945. That said, when that Great Powers exercise

restraint to not use the veto, as they commenced to do more often from the mid 1990s, the

Council certainly operates more effectively. The restraint is directly linked to the Great Powers'

attitudes. As such, given that the UN cannot control the attitudes of the Great Powers – they are

very powerful sovereign states – restraint to not use the veto isn't guaranteed.[149]

The expectation of fairness also warrants comment. Notwithstanding the lack of

consensus, calls to reform the veto will persist. True, advocacy is unlikely to reform of the veto.

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[148] Chapnick, *The Middle Power Project*, 136, 146; and White, *Keeping the Peace*, 9-10.

[149] Natalie Reid, "Informal Consultations," *Global Policy Forum* available from
http://www.globalpolicy.org/component/content/article/188/32941 html; Internet; accessed 15 February 2014; and
Ilya V. Gaiduk, *Divided Together: The United States and the Soviet Union in the United Nation 1945-1965.*
(Washington: Woodrow Wilson Center Press, 2012), 300; and "Background on Security Council Reform," *Global
Policy Forum,* available from http://www.globalpolicy.org/security-council/security-council-
reform/49885 html?itemid=1321; Internet, accessed 3 April 2014; and Mahmood, "Power Versus the Sovereign
Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-
content/uploads/2014/03/Fakiha_Mahmood.pdf, 125,129,130; and Bosco, *Five to Rule Them All*, 256.

It is, however, still wise for advocates to try. This will continually remind the Great Powers that their dominance over the majority and abrogation of their exceptional responsibilities to maintain international peace and security – as they have declined to do for ongoing local conflicts around the globe – is not welcomed. Cessation of advocacy to reform the veto would signal that the lesser powers 'cried uncle.' The Great Powers would then internalize that their unfair dominance and abrogation of their responsibilities may continue un-checked. The practice would then become entrenched as a Council working method.

Great Power dominance was and remains an underlying design pillar of the Security Council. The veto is the principle mechanism that ensures the Great Powers can follow their political self-interests with, or without, Council interference. Advocacy to reform the veto, therefore, creates an unrealistic expectation of the possibility for significant change. Without veto reform the Great Powers will not routinely elect to engage, with a positive attitude, in the prevention or cessation of local conflict. They will only do so when it's in their political interest.[150]

Expectation Management – The Devil in the Details

Although existing and potential future reform of the Council's working methods will partially achieve expectations that the Council will become more transparent and efficient, many other expectations from reform are unlikely. The Great Powers' historic use of the veto and their

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[150]Reid, "Informal Consultations," http://www.globalpolicy.org/component/content/article/188/32941 html; and Gaiduk, *Divided Together*, 300; and "Background on Security Council Reform," *Global Policy Forum,* available from http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321; Internet, accessed 3 April 2014; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 125,129,130; and Bosco, *Five to Rule Them All*, 256.

insistence on preventing reform of their veto power is proof. From 1946 to 2014, the P5

members used the veto to kill 270 resolutions. The vast majority were from the Soviets, who

used the veto 125 times. The Americans were not far behind, using the veto 82 times. All of the

Great Powers have used the veto. Sometimes, they have provided no reason for their decision.

Other times, they have argued that the veto was meant to block resolutions that were not in their

political interest. Although the Great Powers adopted a positive attitude to significantly restrain

their use of the veto after 1996, ongoing conflict in several regions of the world clearly indicates

that this attitude is inconsistent. The Council therefore remains ineffective when called upon to

deter or cease localized state conflict. But, again, it was never intended to achieve such an end.

Adamant advocacy to achieve such unrealistic goals, specifically to reform the veto, could again

threaten the UN's existence.[151]

The Council's own steps towards reform slowed the veto's usage. That reform resulted in

the now common practice of having frequent informal gatherings in advance of the formal

sessions. The gatherings permit consultation and facilitate compromise prior to the formal

sessions and contribute significantly to the Council's ability to pass resolutions. The informal

gatherings, however, dash expectations that the Council will become more accountable,

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[151]Reid, "Informal Consultations,"http://www.globalpolicy.org/component/content/article/188/32941.html; and "Changing Patterns in the Use of the Veto in the Security Council," *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/102/32810 html; Internet; accessed 15 February 2014; and Gaiduk, *Divided Together*, 300; and "Background on Security Council Reform," *Global Policy Forum*, available from http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321; Internet, accessed 3 April 2014; and Tables and Charts on Security Council, Changing Patterns in the Use of the Veto in The Security Council," *Global Policy Forum*, available from http://www.globalpolicy.org/security-council/security-council-as-an-institution/the-power-of-the-veto-0-40/tables-and-charts-on-the-power-of-the-veto.html; Internet; accessed 07 April 2014; and "United Nations Research Guides & Resources, Security Council – Veto List," *United Nations Dag Hammarskjold Library*, available from http://www.un.org/depts/dhl/resguide/scact_veto_en.shtml; Internet, accessed 7 April 2014.

legitimate, transparent and fair. Nevertheless, given that they enhance Council effectiveness, they are likely to remain embedded in the Council's working methods.[152]

These informal gatherings don't adhere to the Charter's Provisional Rules for Debate. Attendance is restricted to Council members only. No formal records are kept (members do, however, keep their own notes). This process is inconsistent with reform advocates' calls for transparency and fairness. Positions taken by the members are not formally debated. When and if the issue becomes a resolution, its passage is almost certain. No or limited subsequent debate occurs. This too detracts from making the Council more transparent and fair. Also, the lack of formal records denies the requirement to communicate Security Council work externally. Furthermore, these informal meetings detract from the creation of Presidential Statements or General Assembly resolutions. Both facilitate building corporate knowledge given that non-permanent members come and go and the Great Powers are not trusted to perform as impartial arbiters. This prevents the Council from becoming more accountable, transparent and fair.[153]

A lack of trust of the P5 members, specifically that they would permit the Council to become more democratic, representative and fair, was certainly apparent when they denied Council expansion in the mid 1950s and shortly after they approved it in 1965. In the mid 1960s, the General Assembly and the Council's new Asian and African non-permanent members experienced Great Power dominance. Subsequently, as detailed in this paper's previous chapter, in 1979, 1990, 1992, and from 1995 to current day the General Assembly and Secretaries

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[152]Reid, "Informal Consultations," http://www.globalpolicy.org/component/content/article/188/32941 html; and Gaiduk, *Divided Together*, 300; and "Background on Security Council Reform,"http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321.

[153]Reid, "Informal Consultations," http://www.globalpolicy.org/component/content/article/188/32941 html.

General have unsuccessfully advocated Council expansion. The goal was and remains to achieve a more representative, democratic and fair Council. However, without changes to the veto, or a positive attitude of the Great Powers to self-restrain use of the veto, none of the latter expectations can be achieved.

Understanding that veto reform is likely not achievable and that influencing the Great Powers' attitude to restrain its use is also not a realistic expectation, and then by default nor is a more representative, democratic and fair Council, why then does advocacy for expansion exist? The reasons are numerous. Since the Council is the single most powerful organ of the UN, nations generally determine that it's better to belong to it than merely be relegated to the General Assembly. Notwithstanding the Great Powers' dominance, the non-permanent members, at either the informal or formal sessions, still occasionally exert policy influence. An additional reason for the less fortunate non-permanent members, as research statistics show, is that during their Council tenure USA foreign aid increases as does their access to loans from the World Bank, International Monetary Fund, and the Asian Development Bank. Also, the domestic prestige of their foreign affairs departments increases as does its funding. This correlates with the department's new importance.[154]

[154]JT Nguyen, "Vote buying in the Security Council," August 25, 2006, *Global Policy Forum*, available from http://www.globalpolicy.org/component/content/article/196-membership/39949-vote-buying-in-un-security-council.html; Internet, accessed 6 April 2014; and Erik Voeten, "Why would states want or not want a seat on the United Nations Security Council?" *The Washington Post,* 19 October 2013, available from http://www.washingtonpost.com/blogs/monkey-cage/wp/2013/10/19/why-would-states-want-or-not-want-a-seat-on-the-united-nations-security-council/; Internet; accessed 27 April 2014; and Ilyana Kuziemko and Eric Werker, "How Much is a Seat on the Security Council Worth? Foreign Aid and Bribery at the United Nations," *Journal of Political Economy*, Volume 114, no.5, (October 2006): 905-930; available from http://www.jstor.org/discover/10.1086/507155?uid=2&uid=4&sid=21104072551303; Internet; accessed 27 April 2014; and Axel Dreher, Jan-Egbert Sturm, James Raymond Vreeland "Development aid and international politics: Does membership on the UN Security Council influence World Bank decisions?" *Journal of Development Economics*, Vol 88, Issue 1, (January 1999): 1-18 available from http://www.sciencedirect.com/science/article/pii/S0304387808000187; Internet; accessed 27 April 2014; and Axel Dreher, Jan-Egbert Sturm, James Raymond Vreeland "Global horse trading: IMF loans for votes in the United

Indeed, as outlined within the plethora of literature on Council reform, it's expected that the Great Powers will leverage any reason to slow or deny substantive change. This includes their existing support for Council expansion, especially if the proposed reform could diminish their veto power. As discussed earlier in this paper, from the mid-1960s until the early 1990s preoccupation with the Cold War's east-west tensions gave the USA and Soviet Union a convenient excuse to ignore reform advocacy. Therefore, any chance that the Council would become more democratic during that period was quashed. Specifically, Cold War domestic issues were first and foremost between the USA and the Soviet Union. All other international security issues for the Council were, therefore, secondary. Optimists' belief that the Security Council would prevent conflict between states saw their expectations shattered when the Cold War's east-west tensions crippled the Council from achieving tangible results.[155]

Expectations, however, were restored when the Cold War ended. Specifically, it was after Boutros Boutros-Ghali was appointed Secretary General. With Cold War tensions over, he hoped and half expected that the General Assembly and more importantly the P5 would build upon the General Assembly's growing desire to find consensus for UN reform. General Assembly members' governments had even higher expectations that reform would be achieved.[156]

Nations Security Council," *European Economic Review,* Volume 53, Issue 7, (October 2009): 742-757; available from http://www.sciencedirect.com/science/article/pii/S0014292109000312; Internet: accessed 27 April 2014.

[155]"An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," A/47/277-S/24111 17 June 1992,1, Global Policy Forum, available from http://www.globalpolicy.org/component/content/article/226/32313 html; Internet; accessed 9 March 2014.

[156]"An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping,"http://www.globalpolicy.org/component/content/article/226/32313.html; and Bosco, *Five to Rule Them All*, 167-169; and Eric Rouleau, "The US and World Hegemony, Why Washington wants rid of Mr. Boutros-Ghali," *Le Monde Diplomtique,* available from http://mondediplo.com/1996/11/un; Internet; accessed 11 March 2014.

During the 1991 selection process for the Secretary General, the American media depicted Boutros Boutros-Ghali as an ideal candidate. After initially training as a Professor of Law, in 1977 he commenced his political career. Success as an architect of the Camp David Accords[157] earned him praise from Egyptian's President Anwar Sadat. He was awarded key appointments in Egypt's diplomatic corps. Boutros Boutros-Ghali was multi-cultured, African, Arab, Christian and married into a prominent Egyptian Jewish family. He was also anti-communist and pro-Israel. For Americans, he was a seemingly perfect candidate for the Secretary General assignment. The USA Central Intelligence Agency (CIA), however, did not share this opinion. The CIA warned the USA President George W. Bush to not support the nomination. The organization based its concerns on a CIA psychological profile. It suggested Boutros Boutros-Ghali could be neither controlled nor predicted. Bush nonetheless assessed him as being the 'best' of the available candidates and supported his nomination.[158]

Boutros Boutros-Ghali's initiative to champion reform, as outlined in his Agenda for Peace and as evident by his directed establishment of the five Working Groups (discussed in this paper's preceding chapter), was welcomed by the General Assembly. It was not, however, viewed with high regard in Washington. The White House believed that the Agenda was counter to its political goals and expectations. It wanted its newly acquired Security Council dominance

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[157]The Camp David Accords were signed on 17 September 1978 at the USA president's retreat in Camp David, Maryland. (Hence, the Accords' name.) The official name of the Accords, however, is "Framework for Peace in the Middle East." The agreement was the preliminary agreement that led to the 1979 peace treaty between Israel and Egypt. The Camp David Accords were significant. The Accords permitted the first peace treaty between Israel and her Arab neighbours; Jimmy Carter, "Camp David Accords," *Encyclopedia Britannica*, available from http://www.britannica.com/EBchecked/topic/91061/Camp-David-Accords; Internet; accessed 12 April 2014.

[158]Rouleau, "The US and World Hegemony, Why Washington wants rid of Mr. Boutros-Ghali,"http://mondediplo.com/1996/11/un; and Craig Turner, "U.S. Vetoes 2nd Term for Boutros-Ghali," *Los Angeles Times,* available from http://articles.latimes.com/1996-11-20/news/mn-976_1_boutros-ghali; Internet, accessed 11 March 2014.

to remain extant. That dominance was directly attributed to the end of the Cold War and the December 1991 breakup of the Union of Soviet Socialist Republics (USSR). It broke up into fifteen separate nations. Russia was one of the nations. The USA wanted to dominate the Council so it could influence UN resolutions that would further its own political interests, such as when it persuaded the Council that it was in 'their' best interest to permit the USA (and its allies) to commence and conduct the First Gulf War as generally deemed fit.[159]

On 2 August 1990 Iraq invaded Kuwait. Some eight hours after the invasion, the USA drafted UN Resolution 660. The resolution passed. It directed Iraq's immediate and unconditional withdrawal from Kuwait. Iraq, however, ignored the resolution. With solid international support, orchestrated by USA Secretary of State James Baker, under the authority of a series of Council resolutions, on 16 January 1991 a USA led coalition bombed Iraq's capital city, Baghdad. As reports of civilian casualties arose, the UN's Arab states called for Council debate. Under USA's dominant insistence, the Council resisted. However, after continued pressure, the Council relented. Official debate, again under the USA's insistence, was closed to the public. This practice was contrary to Security Council procedure for public debate. In any event, the coalition's military campaign continued. Council members, including Russia, tried to dissuade the use of ground troops. However, on 24 February 1992, the ground war commenced. One hundred hours later, as the coalition forces entered Kuwait city, surviving Iraqi forces crossed back into Iraq and the war ended. Washington's ability to persuade the Security Council

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[159]An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping,"http://www.globalpolicy.org/component/content/article/226/32313.html; and Bosco, *Five to Rule Them All*,168-169, 171-175, 200-201; and Rouleau, "The US and World Hegemony, Why Washington wants rid of Mr. Boutros-Ghali,"; and Turner, "U.S. Vetoes 2nd Term for Boutros-Ghali,"http://articles.latimes.com/1996-11-20/news/mn-976_1_boutros-ghali.

served to underscore its desire to achieve its own political requirements.[160] For Washington, it was in America's best interest to garner Council support. That being said, if the Council's and Washington's requirements didn't align, Washington's requirements would have trumped that of the Security Council. Expecting Council reform to change American strategic thinking is foolish.

Expectations for Council reform, as outlined in the Agenda for Peace, and as supported by the General Assembly, were purposely squandered by the Security Council when it declined to amend the UN Charter in December 1991. As outlined earlier, when the Cold War ended, so too did the USSR. Given that the USSR and not Russia signed the UN Charter, strong legal grounds existed to amend the Charter. The P5 members, however, deflected all calls to amend it. They assessed that if the Charter was opened to make the change, during the process the General Assembly's advocacy for Security Council reform could not be contained. Specifically, the Great Powers feared they would be forced into realigning the Council's composition and working procedures with current political realities. No such requirement was supported. The P5 members sought to maintain control over the Council. All threats to diminish such would be nullified. By not adhering to the rule of law, to amend the Charter with Russia as a signatory, the P5 members clearly signalled that there were no limits to their concern for the rule of law – specifically as applicable to the Charter. This reaffirmed that although the Council is a semi-democratic body operating under the under the authority of the UN Charter, and is expected to conform to democratic practice, the Great Powers ignore democratic practice when they deem adherence to such risks a diminishment of their power. As applicable to reform, the same remains true today.

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[160]Bosco, *Five to Rule Them All*, 155-163.

The Great Powers, therefore, saw themselves as the ultimate authority, even above the

Charter.[161]

The lack of Council reform was not the only casualty of the conflict between Boutros

Boutros-Ghali and Washington. The Secretary General himself was also a casualty. The USA

vetoed the General Assembly's nomination to re-install him for a second term. Their reasons

were numerous, but can be summed up in that they wanted a less independently-minded

Secretary General: one who would obey, or be gone. Boutros Boutros-Ghali was certainly not

like his immediate predecessor. Instead of merely being a civil servant, he **a**ttempted to broaden

the UN's role. Given that he would not obey the USA, like the majority of his predecessors, on

20 November 1996 the USA Ambassador Madeline Albright vetoed the General Assembly's

nomination to re-install him for a second term. The use of the veto to deny a Secretary General a

second term was uncommon. They usually remained for two terms.[164]

This action clearly foreshadowed that although the vast majority of the Security Council

and General Assembly supported re-installing Boutros Boutros-Ghali into the Presidency, and by

default supported his Agenda for Peace reform initiatives, expectations that he could successfully

champion Security Council reform were unrealistic. The self-interests of the veto toting

Americans were discounted by the reformers. Washington trumped the interests of the collective.

Calls for the Council to practice democracy were again quashed. As Madeline Albright stated

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[161]Bosco, *Five to Rule Them All*, 166-167.

[164]"An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," http://www.globalpolicy.org/component/content/article/226/32313 html; and Bosco, *Five to Rule Them All*, 168-169, 171-175, 200-201; Rouleau, "The US and World Hegemony, Why Washington wants rid of Mr. Boutros-Ghali," http://mondediplo.com/1996/11/un; and Turner, "U.S. Vetoes 2nd Term for Boutros-Ghali," http://articles.latimes.com/1996-11-20/news/mn-976_1_boutros-ghali.

with reference to her government's direction to veto his nomination, "Her government's decision is unchangeable: Mr Boutros-Ghali must go, whatever the opinion of the community."[165] The international media in turn widely reported about the USA's arrogance to deny his nomination. Theorists and Boutros Boutros-Ghali himself expected that once President Clinton replaced Bush the new administration would reverse the veto before the Secretary General's 31 December 1996 term ended. This didn't occur. The USA followed its own path. Today, in 2014, it continues to do so.[166]

Given Boutros Boutros-Ghali's first term UN achievements, great power support for his second term nomination should have been unanimous. Although many P5 members agreed that he had shortcomings, Washington stood alone to deny him a second term. American self interest took priority over that the UN.[167] USA officials argued that Congress would not authorize payment of the UN owed $1.45 million back dues while Boutros-Ghali was Secretary General. Madeline Albright and other USA officials also launched 'Operation Orient Express' to discredit him. He became the target of a negative smear campaign. Washington accused him of being "an obstacle for reform, as well as being useless, conceited and a megalomaniac into the bargain, if not corrupt."[168] Albright mused that his Agenda for Peace was merely a means for him gain status and it was not what the UN needed. The smear campaign was ineffective. The General

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[165]Rouleau, "The US and World Hegemony, Why Washington wants rid of Mr. Boutros-Ghali," http://mondediplo.com/1996/11/un.

[166]Bosco, *Five to Rule Them All*, 201; and Turner, "U.S. Vetoes 2nd Term for Boutros-Ghali," http://articles.latimes.com/1996-11-20/news/mn-976_1_boutros-ghali.

[167]Bosco, *Five to Rule Them All*, 200-201.

[168]Rouleau, "The US and World Hegemony, Why Washington wants rid of Mr. Boutros-Ghali," http://mondediplo.com/1996/11/un; Of note, the US owed $1.45 million was almost half of all dues owed to the UN in 1996; and Turner, "U.S. Vetoes 2nd Term for Boutros-Ghali," http://articles.latimes.com/1996-11-20/news/mn-976_1_boutros-ghali.

Assembly and all Council members, excluding Washington, continued to support Boutros-Ghali. The Council tired of the debate that was going nowhere and the British ambassador suggested it was time to consider other nominees. After Bush nominated Madeline Albright as the next USA Secretary of State, given that debate wasn't achieving success, the other P5 members recanted their support.[169]

Today, in 2014, P5 members' domestic priorities and concerns still take precedence over all other general UN requirements. As a result, the Council has been unable to engage in any significant fashion to halt conflict as currently exists in Syria and the Ukraine. It's hamstrung to use its full power.

In October 2011 and again in February 2012, Russia and China collectively vetoed the proposed resolutions towards seeing the Syrian conflict resolved. On 15 March 2014, Russia stood alone to veto a proposed resolution towards cessation of the Ukraine conflict. Given that the Great Powers continue to prevent reform of the veto, and as applicable to the two conflicts Russia and China have not demonstrated any willingness to restrain themselves from using the veto, the Council is not fully effective. No aspect of Security Council reform can change this attitude to use the veto.[170]

The Syrian civil war commenced in March 2011, when its President Bashir al-Assad used force in an attempt to halt protest against his dictatorship. Well over 100,000 civilians have been

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[169]Rouleau, "The US and World Hegemony, Why Washington wants rid of Mr. Boutros-Ghali," http://mondediplo.com/1996/11/un; and Turner, "U.S. Vetoes 2nd Term for Boutros-Ghali," http://articles.latimes.com/1996-11-20/news/mn-976_1_boutros-ghali.

[170]"United Nations Research Guides & Resources, Security Council – Veto List," *United Nations Dag Hammarskjold Library,* available from http://www.un.org/depts/dhl/resguide/scact_veto_en.shtml; Internet, accessed 7 April 2014.

killed. Also, some 2.5 million refugees have either sought refuge in surrounding countries or

safer regions within Syria.[171]

From April 2012 to February 2014 the Council did, however, approve five resolutions on

Syria. Although one resolution resulted in Syria's ongoing destruction of chemical weapons,

which is certainly a positive outcome, none brought the conflict closer to an end. None

authorized armed military force to resolve the conflict if Syrian President Bashar al-Assad

reneged on commitments he made in March and April 2012.[172] The first three resolutions (2042,

2043, and 2059) were associated with deploying unarmed military observers to Syria. Since

Syria reneged on its promise to cease using heavy weapons and the mission's unarmed personnel

were under an increased risk of personal injury, the mission pulled out of Syria and the mandate

ended on 19 August 2012.[173]

On 27 September 2013, resolution 2118 passed. It resulted from Syria's 21 August 2013

use of chemical weapons against its citizens in Rif Damascus. Russia's Foreign Minister Sergei

Lavrov didn't veto the resolution given that its content was predetermined and agreed upon

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[171]"Syria's civil war: key facts, important players," What's at stake in an increasingly bloody and dangerous conflict, 3 April 2014, available from *CBC / World*, http://www.cbc.ca/news2/interactives/syria-dashboard/; Internet, accessed 14 April 2014; and "UN Documents for Syria," *Security Council Report*, available from http://www.securitycouncilreport.org/un-documents/syria/; Internet, accessed 13 April 2014.

[172]In the spring of 2012, Syria agreed to cease sending troops towards population centres, cease all use of heavy weapons in those areas, and to start pulling its military concentrations back from and around the population centres. All requirements had commenced implementation before the agreed upon 10 April 2014 deadline. However, the use of heavy weapons was not fully implemented and fighting continued. Syria soon turned to the use of an even more terrible weapon. "UNSMIS United Nations Supervision Mission in Syria," UNSMIS Background, *Welcome to the United Nation. It's your world,* available from http://www.un.org/en/peacekeeping/missions/unsmis/background.shtml; Internet, accessed 13 April 2014; and "UN Documents for Syria," http://www.securitycouncilreport.org/un-documents/syria/;

[173]"UNSMIS United Nations Supervision Mission in Syria," UNSMIS Background, *Welcome to the United Nation. It's your world,* available from http://www.un.org/en/peacekeeping/missions/unsmis/background.shtml; Internet, accessed 13 April 2014; and "UN Documents for Syria," http://www.securitycouncilreport.org/un-documents/syria/.

between Moscow and Washington, providing yet another example of the Great Powers'

collaboration among themselves first and then bringing their predetermined decision to the lesser

powers' after the fact. Specifically, it was agreed that the resolution would not threaten

sanctioned military force and that Syria President Bashar al-Assad would not be referred to the

International Criminal Court for possible war-crimes. Of note, the resolution authorized the

verification and destruction of Syria's chemical weapons stockpiles.[174]

The last resolution, 2139, passed on 22 February 2014. The resolution resulted from the

fighting that trapped hundreds of thousands of civilians in besieged areas, and stranded some

three million others in hard-to-reach areas. Of note, the resolution demanded that the

belligerents, and specifically Syria's forces, permit delivery of food and medicine and stop

depriving such supplies from the civilian population. It also expressed a hollow intent to take

further steps if Syria didn't comply. It was hollow as Syria knew that Russia would veto any

resolution that authorized military force.[175]

As to the Ukraine conflict, it commenced in November 2013 when its then president

Viktor Yanukovych rejected a European Union (EU) trade agreement. This agreement was

required to shore up the nation's failing economy. Although he actively lobbied the EU and

Russia for financial assistance, the majority of Ukraine's populace wanted him to side with the

EU. After significant pressure from Moscow, he signed a deal with Russia. Protests ensued. In

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[174]Anne Gearan, Colum Lynch and Karen DeYoung, "U.S., Russia reach agreement on seizure of Syrian chemical weapons arsenal," *The Washington Post, World, 13* September 2013, available from http://www.washingtonpost.com/world/officials-us-wont-seek-un-approval-for-strike-if-syria-reneges-on-chemical-arms-pact/2013/09/13/a203b068-1cb3-11e3-80ac-96205cacb45a_story html; Internet; accessed 13 April 2014; and "UN Documents for Syria," http://www.securitycouncilreport.org/un-documents/syria/.

[175]"UN Documents for Syria," http://www.securitycouncilreport.org/un-documents/syria/.

February 2014, Yanukovych attempted to respond aggressively. His parliament quickly deposed him. He fled to Russia and Ukraine's interim speaker Oleksandr Turchynov became the interim president. Shortly thereafter, Ukraine elected Arseniy Yatsenyuk as its temporary president. After a referendum, on 16 March Moscow annexed the Ukraine's Crimean region. Many Western leaders argued the referendum was illegal. Against the wishes of the Ukraine president, Western leaders, the UN and NATO, Russian military forces invaded the Crimea region. Moscow argued it wasn't an invasion: the forces were there to protect Russian speaking peoples on the Crimea peninsula. Today, Russian forces remain in Ukraine and protests and unrest have expanded throughout Ukraine. The nation is heading towards a civil war.[176]

The Security Council met several times to discuss the conflict in Ukraine. On 15 March 2014, however, it voted on a USA resolution to reaffirm Ukraine's sovereignty, unity and territorial integrity. That resolution also maintained that Ukraine opposed the referendum and it wasn't valid. Russia vetoed the resolution and China abstained.[177]

On 21 March 2014 the Security Council authorized an Organization for Security and Co-operation in Europe (OSCE) election monitoring mission. This group posed a public relations risk to Russia. During its monitoring of the 25 May 2014 presidential election, it would also be able to provide an unbiased report to the UN and the world media on the ongoing situation. In any event, Russia, facing obvious intense negative public opinion, reluctantly supported the

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[176]"Ukraine in crisis: Key facts, major developments. Russia and West in diplomatic standoff over Crimea." *CBC News / World*, 13 April 2014, available from http://www.cbc.ca/news2/interactives/ukraine-dashboard/; Internet; accessed 28 April 2014.

[177]"April 2014 Monthly Forecast, Europe, Ukraine," *Security Council Report,* 31 March 2014, available from http://www.securitycouncilreport.org/monthly-forecast/2014-04/ukraine.php; Internet; accessed 28 April 2014.

unarmed deployment. The OSCE suffered a set-back when some of its members were kidnapped and later released.[178]

On 13 April 2014, as a result anti-Russian unrest in Ukraine, Russia, attempted to give the impression that it had legitimate authority over Crimea by requesting an emergency meeting of the Security Council. The Russian Ambassador unsuccessfully argued that Washington and other Western leaders should cut aid to Kyiv authorities.[179]

Given Russia's use of the veto, and its attitude to continue using it, it's clear that the UN cannot end the Ukraine conflict on its own - with or without reform. On 15 April 2014 NATO Secretary General, Fogh Rasmussen, stated that NATO "will take to further strengthen collective defence at sea, in the air and on land [and]. *These measures will follow three tracks; re-enforced defence plans, enhanced exercises and appropriate deployments.*" Two days later, showing concern about the Russian expansion into Ukraine, and seeking to counter Russia's actions through NATO, the Canadian Prime Minister Steven Harper authorized his military to deploy six CF18 fighters to the region. Their role is to assist other NATO allies in the former Soviet nations as part of a reassurance package for Ukraine. Early that month, at least six NATO members,

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[178] "Observation of Early Presidential Election in Ukraine, 25 May," *Organization for Security and Co-operation in Europe,* available from http://www.osce.org/odihr/elections/ukraine/116545.; Internet; accessed 29 April 2014; and Ukraine in crisis: Key facts, major developments. Russia and West in diplomatic standoff over Crimea." http://www.cbc.ca/news2/interactives/ukraine-dashboard/; and "Swiss OSCE Chair calls for release of abducted military inspectors, OSCE working at all levels for setting them free," *Organization for Security and Co-operation in Europe,* 27 April 2014, available from http://www.osce.org/node/118047/.; Internet; accessed 29 April 2014.

[179]"April 2014 Monthly Forecast, Europe, Ukraine," *Security Council Report,* 31 March 2014, available from http://www.securitycouncilreport.org/monthly-forecast/2014-04/ukraine.php; Internet; accessed 28 April 2014; "Observation of Early Presidential Election in Ukraine, 25 May," *Organization for Security and Co-operation in Europe,* available from http://www.osce.org/odihr/elections/ukraine/116545.; Internet; accessed 29 April 2014.

including the USA and Britain, committed to also sending fighter jets. In March 2014, NATO also increased its air patrols over the Eastern European NATO states.[180]

In summary, if Council reform excludes the veto, and the Great Powers maintain an attitude to use it whenever they deem appropriate, the Great Powers will continue to dominate the Council. Moreover, they will only support resolutions that are in their political interest. Therefore, advocates' expectations for the UN to retain or regain its credibility;[181] to maintain international peace and security; foster friendly relations amongst nations; be a change agent to rectify international problems; promote human rights and fundamental freedoms; and harmonize nations' actions towards achieving such are not realistic.[182] Without veto reform or at least consistent, predictable restraint upon its use (when the Council does operate effectively), although the Council's non-permanent membership may be expanded and its working methods such as informal gatherings may make the Council more effective, the Council will not be more representative, accountable, legitimate, democratic, transparent, efficient, and a fair organ of the UN. Rather, the Council will remain a collection of member states that will endeavour to ensure that a proposed resolution meets their own domestic and

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[180]"NATO Secretary General says Ukraine crisis amplifies need to boost defence cooperation." *North Atlantic Treaty Organization,* 15 April 2014, available from http://www.nato.int/cps/en/natolive/news_109187.htm; Internet; accessed 28 April 2014; and Steven Chase and Kim Mackrael, "Canadian fighter jets to support NATO response to Ukraine crisis," *The Globe and Mail,* 17 April 2014, available from http://www.theglobeandmail.com/news/politics/canada-sending-cf-18s-as-nato-mobilizes-over-ukraine-crisis/article18053391/; Internet: accessed 28 April 2014**;** and "Security Council SC/11351," *United Nations,* available from http://www.un.org/News/Press/docs//2014/sc11351.doc.htm; Internet; accessed 29 April 2014.

[181]Joseph Deiss, *"Without Security Council Reform, UN Will Lose Credibility – General Assembly Chief.″ United Nations News Centre (16 May 2011) [on-line];* available from http://www.un.org/apps/news/story.asp/html/story.asp?NewsID=38390&Cr=Security+Council&Cr1=reform#.UsLj1_RDtA2 ; Internet; accessed 2 February 2014.

[182]"Charter of the United Nations," *Welcome to the United Nations. It's your world*; available from; http://www.un.org/en/documents/charter/chapter1.shtml; Internet; accessed 9 February 2014.

international goals first before they support a resolution. However, as is evident throughout the

Council's history, the Great Powers will work together when all interests are aligned to deter

or halt local conflict. Rest assured, then, it can be expected that the Great Powers will certainly

save us from 'Hell'.

CHAPTER 4

Conclusion

World War II demonstrated that the League of Nations had failed to promote and

maintain international peace and security. It, therefore, held its final session on 18 April 1946.[183]

The failure did, however, facilitate creation of the UN.[184] The UN Charter came into force on 24

October 1945. The Security Council met shortly thereafter. Ever since the Council's 17 January

1946 inaugural session, its exceptional technical powers have made it most powerful organ of the

UN[185] Yes, its formal aim is to maintain international peace and security.[186] That aim is also two

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[183]"Milestones: 1914-1920; The League of Nations, 1920," *U.S. Department of State, Office of the Historian*; available from http://history.state.gov/milestones/1914-1920/league; Internet; accessed on 2 January 2014; and "League of Nations Photo Archives, Timeline, Chronology," *Indiana University Centre for the Study of Global Change;* available from http://www.indiana.edu/~league/1919 htm; Internet; accessed 2 January 2014; and *The League Hands Over*, Series of League of Nations Publications, General, 1946.1 (Geneva, Switzerland: 1946), 57, 93; and David L. Bosco, *Five to Rule Them All: The UN Security Council and the Making of the Modern World* (New York, New York: Oxford University Press, 2009), 3.

[184]Bosco, *Five to Rule Them All,* 13; and Roberts and Benedict Kingsbury, *United Nations, Divided World,* 8-9; and Evan Luard, *The United Nations: How it Works and What it Does* (New York: St Martin's Press, 1979), 14, 18.

[185]"UN Security Council," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council.html; Internet; accessed 31 December 2013; and Bosco, *Five to Rule Them All,* 3; and Roberts and Benedict Kingsbury. *United Nations, Divided World,* 238, 256; and Lev Voronkov, "International Peace and Security: New Challenges to the UN," in *The United Nations in the New World Order: the World Organization at Fifty, ed.* Dimitris Bourantonis and Jarrod Wiener, 1-18 (New York: St. Martin's Press, 1995), 1.

tiered. First, for the Great Powers it's paramount to maintain peace and security amongst themselves, and only then for other nations.[187]

From as early as the UN's forming conference, this two tiered aim has resulted in advocacy for Security Council reform. The Great Powers, however, will not permit 'reform' to dissuade them from their two tiered aim.[188] They continually ignore advocates' arguments that reform is required to prevent the Great Powers from paralyzing the Council with their use of the veto.[189] This confirms that the Great Powers do not welcome advocacy that would reform their use of the veto. After all, why would they? The UN Charter was not intended by its founding fathers to obligate the Great Powers to collectively prevent or halt local conflict. It was expected they would likely disagree.[190] The Great Powers certainly adhered to that expectation by vetoing 270 resolutions. Great Power disagreement remains evident today with their inability to prevent or halt conflict in numerous regions worldwide. Ongoing conflict in Syria and Ukraine are most recent examples. The Security Council was always intended to serve as a Great Power forum to prevent aggression on the scale of the two World Wars. Today, this prevention of aggression has

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[186]"Overview of the United Nations, Main Bodies, Security Council," *Permanent Mission of Canada to the United Nations* ; Available from http://www.canadainternational.gc.ca/prmny-mponu/canada_un-canada_onu/overview-survol/un-onu.aspx?lang=eng&menu_id=25; Internet; accessed 28 December 2013; and "UN Security Council," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council.html; Internet; accessed 31 December 2013; and Bosco, *Five to Rule Them All,* 3,41; and Roberts and Benedict Kingsbury, *United Nations, Divided World,* 5.

[187]Bosco, *Five to Rule Them All,* 5.

[188]Roberts and Benedict Kingsbury, *United Nations, Divided World,* 5-6; and Bosco, *Five to Rule Them All,* 36.

[189]Bosco, *Five to Rule Them All,* 31.

[190]Andrew Boyd, *Fifteen Men on a Powder Keg: A History of the UN Security Council* (London: Methuen & Co Ltd., 1971)*,* 62.

expanded towards an even greater scale of destruction that would occur if a Great Power nuclear war occurred.[191]

Early in the 1950s, it became apparent that the Council no longer satisfactorily represented the General Assembly.[192] Calls to enlarge the Council were, however, largely ignored for fifteen years. In August 1965, the Great Powers finally conceded their past excuses to refuse expansion, and authorized the Council's expansion of four non-permanent members.[193] The expansion temporarily correlated with the geographical and ethnic origins of Assembly members as well as the general population of the world's regions.[194] However, the reform didn't achieve its intended aim. The Great Powers continued Council dominance over the lesser powers.

Today, the UN General Assembly has 193 members.[195] The Security Council's composition remains as it was in 1965, and so too does the Great Powers' dominance over the Council. This is notwithstanding that over the past several decades UN General Assembly members, General Assembly presidents, and Secretaries General have demanded more Council

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[191]Roberts and Benedict Kingsbury, *United Nations, Divided World,* 33; Bosco, *Five to Rule Them All,* 5, 9, 13, 21-22; and Luard, *A History of the United Nations*, 68.

[192]"History of the United Nations," *Welcome to the United Nations. It's your world*; available from http://www.un.org/en/aboutun/history/index.shtml; Internet; accessed 31 January 2014; and "History of the United Nations," *San Francisco Conference;* available from http://www.un.org/en/aboutun/history/sanfrancisco_conference.shtml; Internet; accessed 31 January 2014.

[193]Bosco, *Five to Rule Them All,* 101-102; and Boyd, *Fifteen Men on a Powder Keg,* 110; and "United Nations Security Council" *Frequently Asked Questions, How are the Non-permanent Members Selected?* Resolutions adopted on the reports of the Special Political Committee, General Assembly – Eighteenth Session, available from http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/1991(XVIII); Internet; accessed 13 February 2014.

[194]Boyd, *Fifteen Men on a Powder Keg,* 111.

[195]"United Nations Member States," *Growth in United Nations Membership, 1945 – present*; available from http://www.un.org/en/members/growth.shtml; Internet; accessed 2 February 2014.

reform.[196] Unlike the pre-1965 era Council reform, today's advocates demand more inclusive

reform.[197] Specifically, they seek growth in the Council's permanent and non-permanent

membership, the allocation of the veto to additional nations, and changes to the Council's

working methods.[198]

After a couple of failed reform attempts in the late 1970s, in the early 1990s reform re-

commenced. Advocates assessed that the end of the Cold War would facilitate a positive attitude

of the Great Powers to accept reform.[199] As such, in 1992, then Secretary General Boutros

Boutros-Ghali engaged into the reform movement.[200] Although, Security Council reform was

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[196]Joseph Deiss, "Without Security Council Reform, UN Will Lose Credibility – General Assembly Chief," *United Nations News Centre* (16 May 2011) [on-line]; available from *http://www.un.org/apps/news/story.asp/html/story.asp?NewsID=38390&Cr=Security+Council&Cr1=reform#.UsLj 1_RDtA2 ;* Internet; accessed 31 December 2013; and "General Assembly GA/11451*," United Nations Department of Public Information, News and Media Division, New York* (8 November 2013) [on-line]; available from *http://www.un.org/News/Press/docs/2013/ga11451.doc.htm*; Internet; accessed 31 December 2013.

[197]"Background on Security Council Reform," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321; Internet; accessed 2 February 2014.

[198]Fakiha Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," *Perceptions, Winter 2013, Volume XVIII, November4,pp. 117-138,* available from http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf; Internet, accessed 25 March 2014. 121; and Jonas von Freiesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013",Volume 1, September 2013, ed. Lydia Swart and Estelle Perry, Chap 1, 1-22, Reform of the Security Council from 2007-2013, 23, *Centre for UN Reform,* available from http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&dispos ition=0&alloworigin=1; Internet, accessed 24 March 2014, 2.

[199]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 121.

[200]General Assembly Working Group: 1993 to 1997 and following," *Global Policy Forum,* available from http://www.globalpolicy.org/un-reform/un-reform-initiatives/general-assembly-working-groups-on-reform.html; Internet; accessed 4 March 2014; and "An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," A/47/277-S/24111, 1, 17 June 1992, Global Policy Forum, available from http://www.globalpolicy.org/component/content/article/226/32313 html; Internet; accessed 4 March 2014; and Freiesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013"http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC& disposition=0&alloworigin=1, 2.

officially added to the General Assembly's agenda, were it remains today,[201]it has not been difficult for the Great Powers to ignore reform advocacy.

Many groups such as the G4, L69, UfC, Pacific SIDS, CARICOM, and African Group were formed to advance reform. These groups, however, have yet to reach consensus. Since the groups cannot reach an agreeable proposal, and the Great Powers have no interest to negotiate a compromise, it's unlikely that reformers will be able to convince the legislatures of members of the P5 to agree to significant change. This agreement is needed for the Great Powers to change the UN Charter. Without it, meaningful reform will not occur.[202]

The post-Cold War period also saw commencement of unsuccessful working groups and high-level panels aimed to advance Security Council reform. One such 'dedicated' working group was the *Open-ended Working Group on the Question Equitable Representation on an Increase in the Membership of the Security Council and Other Matters related to the Security Council.* [203] In September 2007 it reached a stalemate. Consequently, to salvage the UN's official reform movement, the General Assembly's membership agreed to transform it into the *Intergovernmental Negotiations Working Group*. That working group remains in existence today.

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[201]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,", 121; and Freiesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013" http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 2.

[202]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 118.

[203]"General Assembly Working Groups on Reform: A Listing," *Global Policy Forum,* available from http://www.globalpolicy.org/component/content/article/225/32584 html; Internet; accessed 14 March 2014; and "General Assembly Working Group: 1993 to 1997 and following," *Global Policy Forum,* available from http://www.globalpolicy.org/un-reform/un-reform-initiatives/general-assembly-working-groups-on-reform.html; Internet; accessed 4 March 2014.

However, it too hasn't advanced reform of the Council. Again, like its predecessor, it has not

achieved a consensus as to reform proposals. [204] Although advocacy seeks to enlarge the

Council, reform the veto and the Council's working procedures, the latter is the only area of

reform where agreement exists.[205] Perhaps reform advocacy may eventually reach consensus

required to develop a resolution for Council expansion, and working method reform may

continue to advance.[206]

The Council warrants some credit for self-reform. This slowed the veto's usage. The

reform initiative resulted in the now common practice of having frequent informal gatherings in

advance of the formal sessions. These informal gatherings facilitate compromise prior to the

formal sessions, therefore, contributing significantly to the passage of Security Council

resolutions. However, those who expected that the Council will become more accountable,

legitimate, transparent and fair will be disappointed. The informal gatherings are closed to non-

[204]"General Assembly Working Group: 1993 to 1997 and following," http://www.globalpolicy.org/un-reform/un-reform-initiatives/general-assembly-working-groups-on-reform html; and "An Agenda for Peace Prevention, diplomacy, peacekeeping and peace-keeping," http://www.globalpolicy.org/component/content/article/226/32313 html; and Science for Peace. Dundurn Series, *United Nations Reform: Looking Ahead After Fifty Years*, ed Eric Fawcett and Hanna Newcombe, 309-314, (Toronto: Dundurn Press Limited, 1995), 311; and "General Assembly Working Groups on Reform: A Listing," http://www.globalpolicy.org/component/content/article/225/32584 html; and "United Nations General Assembly Sixty-Fifth Session, 118th Plenary Meeting," A/65/PV.118, 12 September 2011, *The Official Documents System on the United Nations*, available from http://documents.un.org/mother.asp; Internet: accessed 15 March 2014, 8-9; and "The Advisory Group's Non-Paper: Will it Facilitate Security Council Reform?", Background, *Centre for UN Reform Education*, available from http://www.centerforunreform.org/; Internet; accessed 23 March 2014; and Lydia Swart, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013",Volume 1, September 2013, ed. Lydia Swart and Estelle Perry, Chap 2, 23-59, Reform of the Security Council from 2007-2013, 23, *Centre for UN Reform*, available from http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1; Internet, accessed 24 March 2014, 23.

[205]Freisesleben, "Governing & Managing Change at the United Nations, Reform of the Security Council from 1945 to 2013"http://nebula.wsimg.com/d1c5ba495f003b04e7f766a3b570ea28?AccessKeyId=41791172F0E6AB1AA1DC&disposition=0&alloworigin=1, 5.

[206]Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms,"http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf; and *Ibid.*, 130.

Council members, no formal minutes are kept, and resolutions brought to the official session are approved with inadequate debate. Nevertheless, the informal gatherings enhance Council effectiveness. Therefore, they will likely remain.[207]

Advocacy to reform the use and misuse of the Great Power veto is the most controversial and less likely to occur.[208] This was evident as early as the UN's founding conference.[209] Today, the Great Powers remain in almost complete agreement to not support any 'reform' that could threaten their veto power. This is significant because veto reform is required to make the Council more democratic, accountable, legitimate and fair. These too are the majority of the important expectations from Security Council reform.[210]

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[207]Natalie Reid, "Informal Consultations," *Global Policy Forum* available from http://www.globalpolicy.org/component/content/article/188/32941 html; Internet; accessed 15 February 2014; and IIya V. Gaiduk, *Divided Together: The United States and the Soviet Union in the United Nation 1945-1965.* (Washington: Woodrow Wilson Center Press, 2012), 300; and "Background on Security Council Reform," *Global Policy Forum,* available from http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321; Internet; accessed 3 April 2014.

[208]"Background on Security Council Reform," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321; Internet; accessed 2 February 2014.

[209]Adam Chapnick, *The Middle Power Project: Canada and the Founding of the United Nations* (Vancouver, British Colombia: UBC Press, 2005), 136, 146; and N.D. White, *Keeping the Peace: The United Nations and the Maintenance of International Peace and Security* (Manchester, United Kingdom: Manchester University Press, 1997), 9-10.

[210] James Paul and Celine Nahory. "Thesis towards a democratic reform of the Security Council," *Global Policy Forum*, [Journal on-line]; available from http://www.globalpolicy.org/security-council/security-council-reform/41131 html?itemid=917; Internet; accessed 2 February 2014; and Eric Fawcett and Hanna Newcombe, *United Nations Reform: Looking Ahead After Fifty Years*, Science for Peace Dundurn Series 000-009 (Toronto: Dundurn Press Limited, 1995), 309-310; and Reid, "Informal Consultations," http://www.globalpolicy.org/component/content/article/188/32941 html; and Gaiduk, *Divided Together*, 300; and "Background on Security Council Reform," http://www.globalpolicy.org/security-council/security-council-reform/49885 html?itemid=1321; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf ,125,129,130; and Bosco, *Five to Rule Them All*, 256.

That said, when the P5 attitudes change towards restraint to not use the veto, as was evident in the mid 1990s with the introduction of the informal meetings, the Council certainly operates more effectively. This restraint is dependent upon the Great Powers' attitudes. As such, given that Secretary General, members of the General Assembly, or the non-permanent members of the Security Council cannot successfully influence the attitude they would like the P5 to permanently adopt, nor can Security Council reform, restraint to not use the veto is not guaranteed.[211] The Council's collection of sovereign states will endeavour to ensure that a proposed resolution meets its political aspirations before it is supported.[212] Indeed, this was recently evident. In February 2012, Russia and China used the veto to block a resolution towards cessation of the Syrian conflict, and in March 2014, Russia used the veto to block a proposed resolution towards cessation of the Ukraine conflict.[213]

Without veto reform – which again is unlikely – and if the Great Powers keep using their veto, they will continue to dominate the Council. Therefore, the many expectations from reform are not realistic.[214] Without veto reform or restraint upon its use, although the Council's non-permanent membership may be expanded and its working methods such as informal gatherings

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[211]Reid, "Informal Consultations," http://www.globalpolicy.org/component/content/article/188/32941.html; and Gaiduk, *Divided Together*, 300; and "Background on Security Council Reform," *Global Policy Forum,* available from http://www.globalpolicy.org/security-council/security-council-reform/49885.html?itemid=1321; Internet, accessed 3 April 2014; and Mahmood, "Power Versus the Sovereign Equality of States: The Veto, the P-5 and United Nations Security Council Reforms," http://sam.gov.tr/wp-content/uploads/2014/03/Fakiha_Mahmood.pdf, 125,129,130; and Bosco, *Five to Rule Them All*, 256.

[212]Jones, *The United Nations in the New World Order,* 25-26; and Bosco, *Five to Rule Them All,* 4; and Luard, *The United Nations,* 27.

[213]"United Nations Research Guides & Resources, Security Council – Veto List," *United Nations Dag Hammarskjold Library,* available from http://www.un.org/depts/dhl/resguide/scact_veto_en.shtml; Internet, accessed 7 April 2014.

[214]"Charter of the United Nations," *Welcome to the United Nations. It's your world*; available from; http://www.un.org/en/documents/charter/chapter1.shtml; Internet; accessed 9 February 2014.

may make the Council more effective, the Council will not be more representative, accountable, legitimate, democratic, transparent, efficient, and a fair organ of the UN. However, as is evident throughout the Council's history, the Great Powers will work together when all interests are aligned to deter or halt local conflict. Rest assured, then, Great Powers can certainly be expected to save us from 'Hell'

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