

The European Dimension of the Debate on UN Security Council Membership

*Christopher Hill**

The debate over the membership of the United Nations Security Council (UNSC) surfaced once more after the end of the Cold War. It had been in hibernation since the expansion of the elected members from six to ten in 1965. It began with the idea floated by the US, and discreetly encouraged by the candidates themselves, that Germany and Japan should simply be added to the Permanent 5 (P5), largely on the grounds of their wealth and contributions to UN funding, but also as a sign of their reinstatement in the community of nations. This was the so-called "quick fix". It led to the creation in 1993 of the "open-ended" General Assembly Working Group on how to proceed, which met more than 30 times in 1994-95 and is still meeting. Most states canvassed accepted that membership of the UNSC should be expanded, but there was little consensus on exactly how. From the European viewpoint, the most significant development was the rapidly rising discontent of Italy at the German candidature, which Britain and France had seemed to regard as unproblematic.

** Christopher Hill is the Sir Patrick Sheehy Professor of International Relations and Director of the Centre of International Studies, at Cambridge University, Cambridge. This article draws on a much longer piece, "The European Powers in the Security Council: Differing Interests, Differing Arenas", in Verlin Laatikainen, K. and K. E. Smith (eds), *Intersecting Multilateralisms: the European Union at the United Nations* (Houndsmills: Palgrave, 2006 forthcoming).*

The issue of the European presence in the UNSC is critical to the functioning of both the UN and the European Union's Common Foreign and Security Policy (CFSP), although it has a surprisingly low profile in the latter context. The debate over the reform of the Security Council inherently involves the British and French seats, since it starts from the premise that the arrangements made in 1945 are no longer appropriate sixty years later. There is also a lingering undertone of disbelief that the EU can get its act together so as to have collective representation, and an overt resistance to the notion that extra European members can be added, on top of the British and French permanence. So far as the CFSP is concerned, it will never be fully effective as long as its two leading players see themselves as free agents in the UNSC, with the remaining 23 member states forced into a choice between silent dependency and public opposition to their own "representatives". If, as over Iraq, Britain and France are divided, then there is a good chance that the EU will split in an unseemly way, into two rival camps.

Britain and France had approved the "quick fix" both because they regarded it as a sensible way of drawing the newly united Germany more into responsibilities for the wider international order and because it would strengthen the European position in the UNSC – given that they had no intention of relinquishing their own seats. At that stage, they probably did not think in terms of helping to create a three-country *directoire* in the CFSP. In Rome, however, this likely consequence was blindingly obvious and, combined with the traditional Italian concern for rank, produced a well-organised and enduring campaign of opposition to the German candidature, orchestrated by a supposedly close ally! This has been wholly successful in the negative sense of stopping German accession.

It has so far failed if the goal was to achieve Italian entry. That seems unlikely. Since Italian diplomacy is, if anything, too realist in its assumptions, key figures like former Foreign Minister Lamberto Dini and Ambassador (to the UN) Paolo Fulci were not so naïve to think that Italy could gain a seat of its own – although they may have had idealist hopes about moving the EU closer to the idea of a single seat.¹ Their aim was more to stir up a broader debate about membership which might disturb the comfortable assumption of the P5 that the future would resemble the past.

In this too they have succeeded. Although it has taken a dozen years – with no end in sight – a debate has ebbed and flowed over how to

¹ P. Fulci, "Italy and the Reform of the UN Security Council", *The International Spectator*, vol. XXXIV, no. 2, 1999.

restructure the UNSC so as to ensure a "fairer" representation of the international community, without losing that tie between power and responsibility which marked the UN's main departure from its wholly ineffective predecessor. Thus, while no-one contests the right of the United States, China and even Russia to permanent seats, almost everything else is in the balance, including the very idea of a veto. Most recently, the UN Secretary General Kofi Annan's High-level Panel recommended two possible options for change, one with new permanent members and one with rotating seats, neither of which involved extending the veto beyond its current holders. Its report also made sensible suggestions for hemming in the actual use of the veto by making it inapplicable to cases such as genocide and through a round of "indicative voting" to precede the final ballot.²

These ideas have in turn been overtaken by events, with a counter-proposal from the "G-4" of India, Brazil, Japan and Germany for their own addition, together with two more permanent members from Africa – a form of tokenism, given the weakness of even the larger African states. It has little chance of success given the need for any measure to get both a two-thirds majority in the General Assembly and ratification by two-thirds of the membership, including all the existing permanent members. The many rival interests, including once again that of Italy, will ensure a stalemate.

The implications of the current stalemate

What, then, are the implications of the current situation for the UN, and for Europe? Will the stand-off of the last decade be perpetuated *ad infinitum*, and with what consequences? What possible scenarios can be envisaged, and which are most likely?

The implications for the UN of a continued stalemate are serious. The chances of a revived P5 unity – the chimera of the first years after the end of the Cold War – are minimal. Even if it were to revive, the resentment of the emerging powers such as Brazil and India would be ever more evident. Germany and Japan, insofar as they may be expected to continue their current slow trend towards more political activism, might also be alienated by perpetual exclusion, although it will not be easy for either to envisage foreign policy actions which are not anointed by UN legitimacy.

² "A More Secure World: Our Shared Responsibility" Report of the Secretary General's High-level Panel on Threats, Challenges and Change (New York: United Nations, 2004) paragraphs 244-60 <<http://www.un.org/secureworld/report3.pdf>> .

In fact, the three issues are interconnected: the reform of UNSC membership; European foreign policies, national and collective; the return of Germany and Japan to international "normality". It will be difficult for the Security Council to re-form itself without acknowledging the weight of Berlin and Tokyo. Equally, German entry as a permanent member automatically raises questions about the status of Europe's common foreign policy, and may in any case be held hostage by Italian opposition. Given this classic case of "inter-blocking institutions", the UN risks becoming ever more by-passed by coalitions of the willing which cut across the formal membership of the UNSC and/or stuck in its own self-regarding problems. No doubt it can and will continue for some years in the same way that it has since 1965 without collapse or even existential crisis, but its place as the central public forum of international politics will slowly, perhaps imperceptibly, degrade.

The implications of such a stalemate for the European Union and its world role are less critical but still serious. If Britain and France remain the only member states with permanent access to the UNSC this must place limits on the development of the CFSP and of the ESDP. It will encourage Paris and London in their current assumption that they are not only the indispensable nations for European action in the world, but also on another level from the rest of their EU partners, in terms of both status in international politics and the capacity (and responsibility) to use force in the pursuit of foreign policy goals, preferably, but not inevitably, legitimised by the UNSC. It will sharpen tensions – or at least foster misunderstandings – between the two and the other twenty-three, and will damage the kind of confidence-building processes within the EU, such as the sharing of information and trust, which are needed if solidarity is to become the norm for the CFSP. It is no good having the general trend (clearly observable) towards convergent voting in the UN General Assembly if that simply reinforces the impression that the Europeans cannot move beyond declaratory diplomacy (Britain and France are significantly out of step with their partners even in the GA).³

On the important and practical issues before the UNSC, the EU does not only not always speak with one voice; it does not have the opportunity to

³ From the enlargement to 15 in 1995 until the end of the 1999-2000 session, Britain's average figure for voting with its partners stands at 88.26 per cent, and France's at 85.62 per cent. Most member states have a figure similar to that of Germany, at 97.14 per cent (K. Laatikainen, in *FORNET CFSP Forum 2004*, Table 1, pp. 7-8; see also E. Johansson-Nogués, *CFSP Forum 2004*, p. 89).

speak at all, unless the EU presidency is held either by one of the big two or by a European state which happens to have an elected two-year seat. Nor is it clear that this position would be changed by creating the posts of a semi-permanent president of the EU and/or a Foreign Minister. Without fundamental change in either the UNSC itself or in Europe's willingness to be represented in common, a growing disjuncture would be all too evident between the two diplomatic fora. It should be noted that High Representative Javier Solana is already in close touch with both the European permanent members of the UNSC and Secretary General Kofi Annan, which represents a significant change over the situation in the 1990s, but he is almost wholly dependent on Britain and France for information, access, and status – as his initial exclusion from, and embarrassment over, the *directoire* diplomacy towards Iran showed.

Article J.5 of the Treaty of Maastricht states that:

Member States which are also members of the United Nations Security Council will concert and keep the other Member States fully informed. Member States which are permanent members of the Security Council will, in the execution of their functions, ensure the defence of the positions and interests of the Union, without prejudice to their responsibilities under the provisions of the United Nations Charter.

This statement was retained unaltered in the Treaty of Amsterdam version, although the relevant article is numbered J.9. It was also contained in the Treaty Establishing a Constitution for Europe (Article III-206), sandwiched between references to the need to keep informed on matters of common interest not only member states not represented in the UNSC (or other international gatherings) but also the proposed Union Minister for Foreign Affairs. In practice, however, Britain and France have maintained their freedom of manoeuvre. It was they who insisted on the Maastricht formulation. They had no objection to consulting, informing and coordinating with their EU partners, but saw their UN status as representing a higher calling and would not be bound even by existing commitments to common European positions. They were steadfast in the common determination to retain their permanent seats, and remain so. Moreover they are both caught up in the circular relationship between the possession of nuclear arms and entitlement to permanent seats – the one apparently necessitating the other. That a reformed UNSC would break the link between nuclear weapon states and permanent membership is in itself a reason why London and Paris are much more cautious in practice than in their public encouragement of change. At present they can gain cheap credit in Berlin and elsewhere by accepting the need for some new members, in the sure knowledge 1) that

they can veto any undesirable reform package; and 2) that the situation is stalemated in any case. It is not a very noble or long-sighted strategy to adopt, but it is an entirely predictable one.

Scenarios for the future

There are three possible scenarios for the likely future development of the UNSC reform debate and the European place within it. They will be outlined here, with their policy implications sketched in.

The first is continued, prolonged stalemate. Given that everything changes in the end, the question must be, how long is "prolonged"? The High-level Panel envisaged a full review of the position in 2020 (with all the implications of that date for clear-sighted vision). The hope was that (among other changes) the Europeans might by then be more ready to allow for the possibility of a single seat. Anything beyond that date would represent a serious impasse, and a period of 55 years in which the UNSC membership would not have changed. This is perfectly possible, but in that case there would almost certainly be a drift away from the UNSC as a focal point of world politics, with the Europeans probably making *ad hoc* decisions on interventions in conjunction with a range of third country partners regardless of UN legitimisation.

A second, contrasting, scenario is that the current blockage could, following the Marxist notion of the sharpening of contradictions, produce a crisis and a forced but unpredictable resolution, with the UNSC either falling apart, or dramatically reconstituted. In this case it is impossible to see where the EU would end up. But one might safely guess that Britain and France would no longer retain their comfortable monopoly on European representation.

A third scenario, slightly more likely than the first two, is some kind of deal on the basis of a combination of the two principles of regional/continental representation and revolving membership. This will only take place if the existing P5 members do not feel threatened by change, and if the major middle-range (and potential great) powers in each continent can agree on some principle of rotation which satisfies their respective interests and *amours propres*. An agreement of this kind is not imminent, but it is by no means beyond reasonable possibility. If achieved, it would represent a victory of sorts, perhaps pyrrhic, for Italian foreign policy, which has marshalled General Assembly opinion for ten years around this kind of alternative to the "quick fix".

In terms of the meaning of such a deal for the EU, we come across another problem of circularity: if a resolution of the UNSC membership

problem is to come about, it will involve decisions on the European candidates, notably Germany. Britain and France will not allow a settlement which removes their own seats. Italy and its GA allies will prevent simple German accession. Ergo, the only path forward is some kind of rotation which accepts that the EU will not have a single seat for the foreseeable future, and that German participation will be regular but not permanent, on a similar basis, indeed, to analogue EU member states such as Italy, Spain and Poland. Perhaps these four would share a third European seat, taking one year in turn. Conceivably, Germany would be in a "super" rotating category, having two years out of every five on the UNSC, with Rome, Madrid and Warsaw sharing the remaining three years. Of course, if the EU in general could not guarantee some convergence between the positions of its member states, there would be no continuity and the whole exercise would go to waste.

If this kind of semi-permanence came about, it would not represent such a change as might be imagined for the Europeans. The current arrangements for elected membership of the UNSC mean that many of the smaller EU member states are rarely, if ever, eligible, while the bigger middle range powers figure frequently. Over the last twenty years, EU members have represented about 15 percent of the available tenure for elected members of the UNSC, which serve a two-year term. Of this, Germany has served three terms, Italy, Spain and Denmark two each and Belgium, Ireland, Greece, the Netherlands, Portugal and Sweden one each.

The effect of a structural reform would thus be to reinforce the access of the big to middle-sized European states while reducing even more drastically that of the small member states. The European foreign policy system would thus be pushed more in the direction of elitism, if not towards an actual three-power *directoire* of the kind so often canvassed, and certainly implied by the candidature of Germany for the UNSC. Furthermore, insofar as this would be a "settlement", enshrined in formal agreements, it would postpone the prospect of a single European seat even further into the future. By being member state-friendly, such a deal would *ipso facto* erect yet another barrier on the road to federalism.

The implications in terms of policy substance of a settlement of this kind would be interesting, if not wholly clear. On the one hand, the European voice in top table discussions would be institutionalised, if not actually amplified, by a permanent presence of three major member states. On the other hand, if the permanent membership of the UNSC expanded to 25, the proportional presence would be less. This would be particularly important if the UN thereby gained more legitimacy and became critical to international order and conflict resolution. This would no doubt turn European attention

more towards the UN, but it might actually reduce the scope for the development of the ESDP, given that individual states would be more likely to focus on UN peacekeeping operations. Perhaps the UN would be happy to franchise out some of its activities to regional entities like the EU, thereby encouraging the development of the ESDP missions which could involve far more than just the bigger member states, but this is only a theoretical possibility.

There is little doubt that the emergence of more confident national foreign policies in Germany, Italy and Spain since 1991 has only been possible because of the frameworks and legitimacy provided both by the UN and the EU. The dangers of nationalism are still keenly felt in all three countries, and without these forms of multilateralism they would have remained inhibited by the past – or caged within NATO structures. It follows that a constructive partnership between the UNSC and the EU will help these countries to take on further responsibilities commensurate with their potential contributions to international relations, while perhaps helping France and Britain to get off the hook of the excessive burden of their own perceived national importance. Such a partnership might continue to evolve even without changes in UNSC membership, but it would be much more likely to succeed in the context of a settlement which recognised the impossibility of a single seat, while encouraging the participation of rather more than two of the Union's major players.

Conclusion

A degree of realism is thus required on all sides. The existing European members of the UNSC need to accept that the issue of changing membership has wide ramifications for their own allies and partners, as well as for the wider international system. Any idealists who are left still dreaming about a single European seat need to accept that this possibility has to be put on ice at least until 2020, assuming another review might take place then. Germany, Italy, and other European states with a desire to sit more regularly on the Security Council will need to accept both that it will not be a question of either/or, inside or outside, but rather of heightened degrees of participation, coupled with growing structural links between the EU's foreign policy system and the UN's apparatus for peacekeeping and preventive diplomacy. And yet to some degree the whole European discussion is solipsistic; the membership of the UNSC is not, and never has been, something to be settled by a deal among a small group of privileged states. Now, more than ever, it is tied up with the variegated conceptions of international order held by the 191 members of the General Assembly, and

thus with issues of justice which take the debate well beyond the technical. The reform of the membership of the Security Council is at once an important instrument of change in the international system, and a process which is hostage to the great, unpredictable dramas of international politics. For Europeans, it is also a mirror in which to contemplate their own place in the world – more important than post-colonial decline once indicated, but much less central than the talk of “a force for good” would have us believe.