

Issue Brief

What Impact? The E10 and the 2011 Security Council

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Introduction

Much has already been written about the 2011 Security Council. This has been with good reason. The current configuration of powerful non-permanent members with aspirations for permanent seats is notable. As a result, there has been widespread speculation regarding the impact so many large members will have on the tone and substance of the Council's work this year. Like last year, when countries like Brazil, Japan, Mexico, Nigeria, and Turkey all served together, the collective strength of the non-permanent or elected membership is impressive.

All of the new members have been on the Council before, though in quite different times and circumstances: When India last served on the Council, in 1991-1992, it was emerging from a financial crisis and had just witnessed the demise of its Soviet patron; today, it is an assertive aspirant to major-power status.¹ When Germany assumed its seat in January 2003, one would have been hard-pressed to predict how much relations with the United States would sour over the next couple of years over the US decision to invade Iraq without Council support. When South Africa last served on the Council in 2007-2008, it challenged the US and other Western countries on issues such as Iran and Zimbabwe. It has also been many years since Colombia (2001-2002) and Portugal (1997-1998) last held a seat on the body.

In recent weeks, the Council has been in the spotlight over its handling of the situation in Libya, adopting two significant resolutions. On February 26th, it unanimously passed resolution 1970, which imposed an arms embargo on Libya and an assets freeze and travel ban on key figures of the Qaddafi regime. The resolution also referred the situation in Libya to the International Criminal Court, the first time the Council has made such a referral in a unanimous vote. On March 17th, the Council adopted resolution 1973, which imposed a no fly zone over Libya and authorized the use of "all necessary measures...while excluding a foreign occupation force of any form on any part of Libyan territory" to protect civilians, helping to pave the way for the current air campaign over Libya. Unlike Resolution 1970, the vote on Resolution 1973 exhibited divisions within the Council, including among the elected members. While ten members voted in favor of the resolution, five abstained (Brazil, China, Germany, India, and Russia). The Council invoked the "responsibility to protect" in both resolutions, 1970 and 1973, something it had not done in four and a half years, since Resolution 1706 in August 2006 on Darfur.

¹ W. Pal Sidhu, "The Security Council Challenge," livemint.com, October 17, 2010, available at www.livemint.com/2010/10/17212155/The-security-council-challenge.html#.

In light of these momentous events in the Council, a few important questions bear closer consideration at this early point of the year.

While this issue brief will look at the implications of the new configuration for all members, the main emphasis will be on the five new members.

- First, this brief will address how a strong elected membership might challenge some of the traditional advantages of the permanent members.
- Second, it will explore the interests and perspectives of some of the new members on key issues on the Council's agenda.
- Third, it will analyze emerging issues of interest to the elected membership.
- And fourth, it will investigate what a Council with such a strong elected membership might mean for the prospect of Security Council reform.

The Elected Members: Leveling the Playing Field

It is often said that the main advantage of the P5 over elected members is the veto, which gives them the ability to quash prospective resolutions not to their liking on all but procedural issues. The veto privilege is so important that many of the formulas for Security Council reform distinguish between new permanent seats with the veto and those without it. While the veto has not been used much in recent years, the threat of its use looms over many Council decisions, sometimes guiding discussions over the substance of resolutions and at other times preventing draft resolutions even from being considered.²

While the veto is undeniably a great source of power, other advantages of permanent membership are sometimes overlooked. The institutional memory that the P5 have developed over the years facilitates their ability to wield the rules of procedure to their advantage, to build relationships with the UN Secretariat that can be of long-term assistance, and to better understand the form and

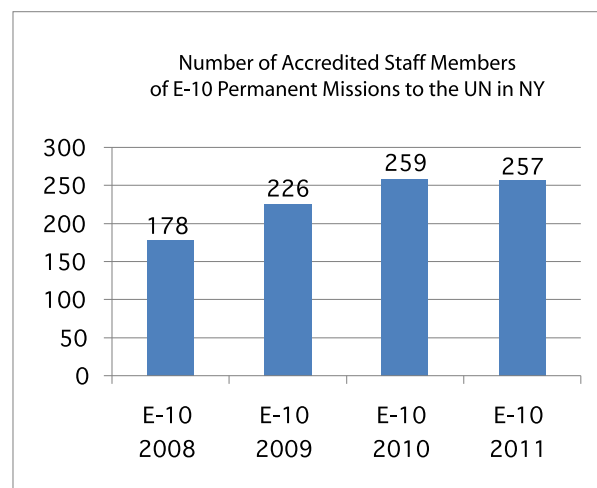


Figure 1

substance of the Council's work. Permanent members also boast well-staffed and well-resourced missions that elected members are often unable to match for their brief tenures. Finally, the P5 often have a larger number of embassies and representatives in the field that potentially can provide them with timely information.

This year—more than is usually the case—the playing field is less tipped toward the permanent members.³ For one, 2011 continues a recent trend in which the E10 has greater staffing capacity than previously. According to the Protocol and Liaison Service's "blue book," the elected members to the Council currently have 257 accredited staff members serving in their permanent missions in New York; this compares to 259 in 2010; 226 in 2009; and 178 in 2008 (cf. Figure 1). This is primarily because larger countries with well-staffed missions, such as Brazil, Germany, South Africa, and Nigeria, are on the Council. Likewise, India, which has traditionally had a small mission in New York compared to its political aspirations, has increased its staffing by 40 percent, although it has expressed concerns that this may yet be insufficient given the rigors of Council membership. Furthermore, Portugal, a traditionally smaller mission which gained a seat this year, has enhanced the size of its delegation over the past several months, bulking up the number of experts in its mission focusing on African issues.

2 It should be noted, however, the veto has already been used in 2011, with the US vetoing a draft resolution condemning Israeli settlements in February. See UN Security Council, UN Doc. S/2011/24, February 18, 2011.

3 This was noted by several diplomats from elected members of the Security Council in our interviews.

This has important implications for the work of the Council. While the pace and volume of the Council's work may still seem overwhelming at times (even for larger missions), there is a larger pool of diplomats from the E10 to read, learn, and assimilate information relevant to their work than has heretofore been the norm. Consequently, they may also be better prepared to brief their ambassadors or to negotiate the content of resolutions than has traditionally been the case. One diplomat noted a tendency among colleagues from smaller missions to grow silent in negotiations on the substance of resolutions, in large part because they have not had the time to prepare properly.⁴ That being said, a small mission is not per se a disadvantage, as modestly sized delegations can serve as inconspicuous brokers on issues in which they do not have a strong national interest and can often facilitate progress by providing important ideas.

While having a large mission clearly does help, the number of staff does not automatically result in enhanced quality of information or diplomatic effectiveness. One only needs to recall Costa Rica's strong voice on issues such as Security Council working methods, arms control, and the International Criminal Court when it served on the Council in 2008-2009. In this year's incoming class,

Portugal and Colombia may yet leave their mark on such issues as climate change, peacebuilding, and women, peace, and security through the power of their ideas and the initiative of their diplomats.

Given their standing in world affairs, elected members Germany, Brazil, India, and Nigeria have diplomatic missions in more than half of the countries on the Council's agenda (cf. Figure 2). Indeed, Germany has made this point in support of its candidacy for permanent status.⁵ Nigeria has representations in almost all African countries dealt with in the Council and a large network of embassies outside of Africa. Brazil, India, and South Africa can also rely on a vast network of diplomatic missions. Of course, how states process and utilize the information drawn from their embassies depends largely on political interests in the capital and on intra-governmental coordination—a challenge faced by most large bureaucracies.

Regardless, in general, the P5 cannot afford to give short shrift to the viewpoints of the more powerful elected members. India and South Africa are in many ways standard bearers for the developing world. If South Africa challenges the P3 (US, UK, and France) as strongly as it did when it was last on the Council, it may not win any friends in Western

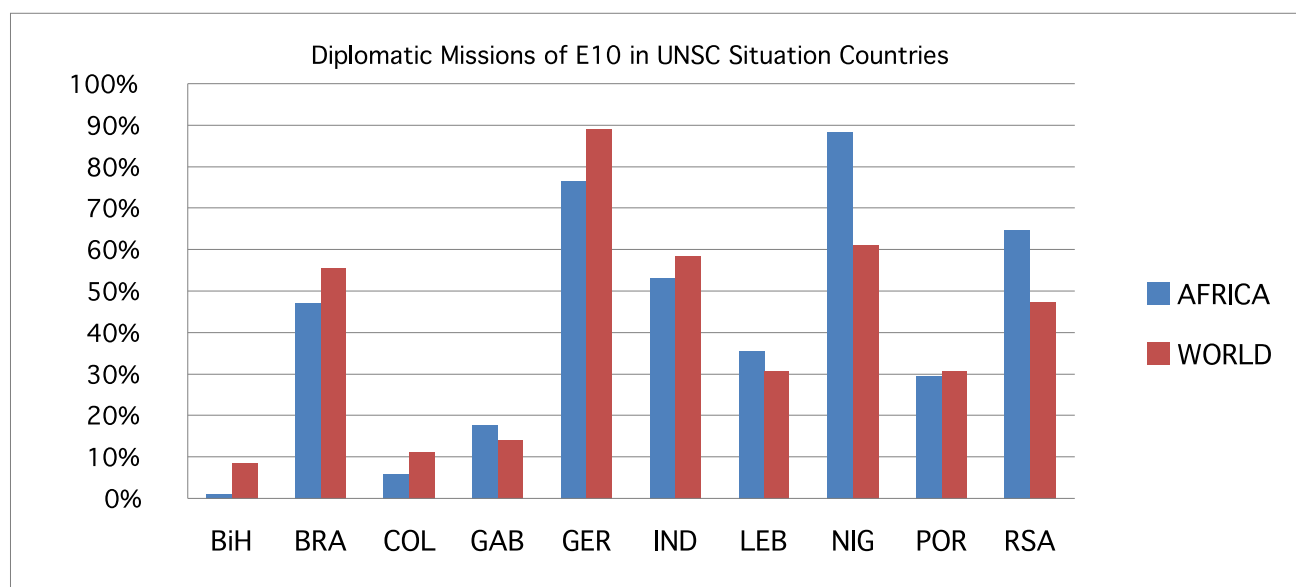


Figure 2 (Data on diplomatic missions of E10 are taken from websites of the respective E10 foreign ministries.)

⁴ IPI off-the-record discussion with Security Council diplomat, December 22, 2010, New York.

⁵ Colum Lynch, "Germany Makes its Case to Join the P-5; America Shrugs," Foreignpolicy.com's Turtle Bay blog, January 20, 2011, available at http://turtlebay.foreignpolicy.com/posts/2011/01/20/germany_makes_its_case_to_join_the_p_5_america_shrugs.

capitals, but its voice will likely resonate strongly within much of the developing world. When India discusses the concerns of troop-contributing countries, it speaks with the legitimacy and clout that comes from long being among the top contributors of military and police personnel to UN operations.⁶ Moreover, its support among the broader membership of the UN is reflected by the fact that it received 187 of 192 votes in the General Assembly as the sole candidate for the Asian seat during Security Council elections. Germany is a leading financial contributor to UN peacekeeping with significant development engagements in Africa. The P5 also have very strong economic ties with India and Germany.

Another area in which some of the elected (and permanent) members may be able to exert their influence is through South-South cooperative associations. BRIC (Brazil, Russia, India, and China) and IBSA (India, Brazil, and South Africa) are fully represented in this Council. The prospect of coordinated responses to issues on their part highlights the prospect of some important policy alignments in 2011.

Elected Members on Three Key Issues: Peacekeeping, Peacebuilding, and Counterterrorism

Peacekeeping, peacebuilding, and terrorism are three key issues in which several of the elected members share a strong interest. In particular, peacekeeping and peacebuilding are also umbrella issues relevant to much of the Council's country-specific work.

PEACEKEEPING

It is not surprising that the elected members are especially interested in peacekeeping issues. Many

of them have a long history of engagement as troop-contributing countries (TCCs). This continues to be the case.⁷ India, Nigeria, Brazil and South Africa are among the top thirteen troop contributors to UN peacekeeping operations.⁸ Clearly they have considerable stake in the success of the operations in which they participate. Common among these elected members is a desire for more realistic mandates and well-resourced missions, often cited concerns that have been raised in several UN reports on peacekeeping over the course of a decade, including the *Report of the Panel on United Nations Peace Operations* (the "Brahimi Report," 2000), *UN Peace Operations: Guidelines and Principles* (the "Capstone Doctrine," 2008), and the non-paper, "A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping" (2009) from the Department of Peacekeeping Operations and the Department of Field Support.

African Council members Gabon, Nigeria, and South Africa have mentioned the high financial cost of peacekeeping as a justification for greater investment in conflict prevention (as does Brazil and as did Uganda previously).⁹ This issue became a more significant part of the Council's work in 2010 and has appeared on its agenda in 2011. The debate over the 2009 "Prodi Report,"¹⁰ which recommended that the UN provide assessed funds to African Union (AU) missions, revealed some of the disagreements between African countries and donor countries on the Council over mission financing. African members of the Council, including South Africa, the driving force behind the Prodi Report, remain concerned that African troops continue to fight and die in regional peacekeeping missions, without having the resources they need to fulfill their mandates. Debate over resourcing an enhanced AU mission in Somalia (AMISOM) continues to reflect this tension.¹¹

6 United Nations Department of Peacekeeping Operations, "Ranking of Military and Police Contributions to UN Operations," available at http://www.un.org/en/peacekeeping/contributors/2011/jan11_2.pdf. These figures are as of January 31, 2011.

7 Security Council Report, "Peacekeeping," November 2010, available at www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.6355221/k.366E/November_2010brPeacekeeping.htm.

8 United Nations Department of Peacekeeping Operations, "Contributors to United Nations Peacekeeping Operations," available at http://www.un.org/en/peacekeeping/contributors/2011/jan11_1.pdf. These figures are as of January 31, 2011.

9 See UN Doc. S/PV.6360; See also speech by H.E. Mr. Ali Bongo, President of Gabon, "Preventive Action and Multilateralism in Africa," at the International Peace Institute in New York, March 9, 2010, available at www.ipinst.org/images/pdfs/transcript_bongoenglish.pdf.

10 Romano Prodi, former Prime Minister of Italy, chaired the panel that produced the report, United Nations, *The Report of the African Union-United Nations Panel on Modalities for Support to African Union Peacekeeping Operations*, UN Doc. A/63/666-S/2008/813, December 31, 2008.

11 Security Council Report, "Somalia," January 2011, available at www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.6453287/k.F2CC/January_2011brSomalia.htm.

India also continues to be vocal on peacekeeping issues. It has stated that the peacekeeping budget is “little more than 0.5% of worldwide military expenditures,” and that Council members must be accountable when they establish mandates that are not backed up by appropriate resources or are motivated by political expediency.¹² It has also suggested that the Council needs fresh approaches to peacekeeping, with TCCs substantively consulted and listened to during the establishment and renewal of mandates for peace operations.

There has been enhanced interaction between the Council and troop-contributing countries in recent years. Since August 2009, when the UK held the Council presidency, there has generally been an interval of about a week between the consultations with troop contributors and mandate renewals. Prior to this date, consultations were held closer to and sometimes even on the same day as mandate renewals, creating the impression (and perhaps the reality) that the concerns of troop contributors were not being heeded. One E10 diplomat we interviewed expressed concern that these consultations have yet to yield concrete results in terms of appropriately financing and resourcing missions so that they can successfully conduct mandated tasks.¹³ However, authority over financial matters ultimately resides in the 5th Committee of the General Assembly.

The issue of appropriately resourcing UN and other peace operations that troop contributors on the Council have brought up is an ongoing challenge, heightened by the global economic crisis and the continued high demand for peace operations. Tension between donor countries and TCCs on this matter is likely to continue throughout 2011 and beyond, especially if major troop-contributor Pakistan, which is a candidate for the Council next year, joins the body in 2012.

PEACEBUILDING

In the last couple of years, peacebuilding has also assumed a greater role in the Security Council's work. Given the high incidence of post-conflict countries relapsing into conflict, there is growing recognition among Council members that

peacebuilding is essential to the maintenance of international peace and security. Several thematic debates have been held on the subject, presidential statements have been issued outlining the Council's perspectives on peacebuilding, and country-specific chairs of the Peacebuilding Commission (PBC) have briefed the Council during the renewal of mandates.¹⁴ Additionally, peacebuilding activities are now consistently incorporated into the mandates of peacekeeping operations.

New members of the Council have been strong supporters of the UN's peacebuilding architecture. Brazil chairs the Country-Specific Configuration for Guinea-Bissau. Germany recently finished its term as chair of the PBC. South Africa was one of the three co-facilitators of the 2010 PBC review, and serves on country-specific configurations for all six countries on the PBC's agenda. Portugal's interest in peacebuilding issues and West Africa more generally is reflected by the fact that it serves on the country-specific configurations for Guinea, Liberia, Sierra Leone, and fellow Lusophone country Guinea-Bissau.

There has been much discussion both inside and outside of the Council about the need to strengthen the Council's linkages with the PBC. The July 2010 report of the co-facilitators (Ireland, Mexico, and South Africa) of the 2010 review of the Peacebuilding Commission recommended that more could be done in this respect. In a presidential statement issued in February 2011 in the aftermath of a debate during the Brazilian presidency on the relationship between security and development, the Council reiterated “its readiness to make greater use of the Commission's advisory role.”¹⁵ However, according to one E10 diplomat we spoke with, some permanent members of the Council may feel uncomfortable about giving the PBC significant opportunities to engage with the Council in mandate design and review.¹⁶

All of the new members share a strong interest in development issues. This does not come merely out of a desire to promote better global living standards. On the Council, the interest in develop-

¹² UN Security Council, February 12, 2010, UN Doc. S/PV.6270 (Resumption 1).

¹³ Off-the-record interview with E10 diplomat, January 7, 2011.

¹⁴ United Nations, July 21, 2010, UN Doc. A/64/868-S/2010/393, OP 104, p. 26.

¹⁵ UN Doc. S/PRST/2011/4

¹⁶ Off-the-record interview with E10 diplomats, January 11, 2011. For a good overview of the Council's recent work on peacebuilding, see Security Council Report, “Peacebuilding,” October 2010, available at www.securitycouncilreport.org/site/c.gkWLLeMTIsG/b.6280877/k.1E2F/October_2010brPeacebuilding.htm.

ment among many of the E10 is also organically connected to peacebuilding, and for that matter, conflict prevention. While development is not in the Security Council's jurisdiction, there is a growing sentiment in the Council (among permanent and elected members alike) that peacekeeping and peacebuilding efforts need to form a strong foundation for long-term social and economic development and that there should be greater coherence among the UN's entities in conflict and postconflict settings.¹⁷

TERRORISM

In 2011, the three counterterrorism-related subsidiary bodies—the Counter-Terrorism Committee (CTC), the 1267 Committee (on Al-Qaida and Taliban Sanctions), and the 1540 Committee (on Terrorism and Weapons of Mass Destruction)—will be headed by India, Germany, and South Africa, respectively.¹⁸ Each is an aspirant to permanent membership on the Council, which means that they will have to tread a fine line between showcasing their independent added value to the broader membership and establishing a constructive relationship with the permanent members.¹⁹

This dynamic is particularly salient in the case of India, whose Permanent Representative, Hardeep Singh Puri, currently chairs the CTC. With a declared interest in directing greater attention toward combating terrorism, India is likely to continue—and expand upon where possible—efforts to make the CTC more active and politically relevant, following the example of the outgoing chair, Turkish Ambassador Ertuğrul Apakan.²⁰ This September will mark ten years since the attacks in New York, Washington, DC, and Pennsylvania and the subsequent adoption of UN Security Council

Resolution 1373. There have been several suggestions that Council members might use this as an opportunity to focus greater attention on collaborative international efforts to combat terrorism. India's presidency of the Council in August might therefore yield a thematic debate and/or a presidential statement on that topic, though that cannot be a foregone conclusion given also their active interest in topics such as peacekeeping, peacebuilding, and Africa.²¹

Germany has indicated a concern that the 1267 Committee has been too retrospective in its work, focusing on historical rather than future challenges.²² Moreover, some Council members have raised concerns that the technical nature of the Committee's work sometimes renders it isolated and disconnected from political developments on the ground.²³ It is therefore possible that the 1267 Committee may turn its attention to making its work more reflective of contemporary political realities and terrorist threats and modifying the Consolidated List accordingly.

Preventive counterterrorism measures appear to have gained greater appeal among states due to recognition that military means alone cannot address terrorism over the long run or forestall the emergence of new generations of terrorists. Two additional factors—the increased risk posed by “homegrown” extremists with little or no direct affiliation to transnational groups and limitations on government spending due to global financial crises—contribute to the appeal of preventive measures. Thus, it is likely the Council's counterterrorism work will focus more on prevention in 2011 than in the past.²⁴

Historically, debates on international terrorism at the United Nations have been colored by a rift

17 Among the new members of the Council, see in particular the statements of Colombia and South Africa (S/PV.6479). See also Brazil's statement during last year's debate on transition and exit strategies from peacekeeping (S/PV.6270). Finally, see the presidential statement (UN Doc. S/PRST/2011/4) issued by the Council in the aftermath of the thematic debate on the relationship between development and peace and security held during the Brazilian presidency in February 2011.

18 See Security Council Report, “Update Report No. 1: Security Council Subsidiary Bodies,” January 6, 2011, available at www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.6476781/k.6B0F/Update_Report_No1brSecurity_Council_Subsiidiary_Bodiesbr6_January_2011.htm.

19 Colum Lynch, “India Joins the Security Council, with Aspirations for More,” Foreignpolicy.com's Turtle Bay blog, December 13, 2010, available at http://turtlebay.foreignpolicy.com/posts/2010/12/13/india_joins_the_security_council_with_aspirations_for_more.

20 IPI discussions with senior Indian diplomat, New York, December 2010.

21 IPI discussions with Indian diplomat, New York, December 2010.

22 UN Security Council, UN Doc. S/PV.6390, September 27, 2010.

23 IPI discussions with member-state diplomats, New York, December 7, 2010.

24 This subject was also discussed in some detail at an IPI roundtable in December 2010, on the Security Council's work to address global terrorism. Note: Pillars one (addressing “conditions conducive to the spread of terrorism”) and four (focused on ensuring human rights in international counterterrorism measures) of the UN Global Counter-Terrorism Strategy have loosely been considered the remit of the CTITF, while pillars two (preventing and combating terrorism) and three (building states' counterterrorism capacities), have been more closely associated with CTED. However, as both bodies evolve, these divisions are constantly in flux. See www.un.org/terrorism for more on the Global Strategy.

between industrialized and developing countries, the global “North” and “South,” respectively. In the 1960s and 70s, many in the latter group saw international efforts to address terrorism as a means of restricting anti-colonial and nationalist groups. Today, some member states remain skeptical of the UN’s involvement in countering terrorism, worried that it detracts from their development priorities and further strengthens the “hard security” approach associated with the P5, especially after the adoption of UNSC Resolution 1373 in September 2001. This year, the simultaneous tenures of several powerful developing countries among the E10 on the Security Council could help assure the broader membership that the discourse on international counterterrorism efforts will take their varied views into greater account.

Indeed, as indicated by the September 2010 thematic debate on terrorism, there has been an expression of interest on the part of numerous permanent and elected members for greater cooperation with the General Assembly on this issue.²⁵

These interests were reflected most recently in UNSC Resolution 1963 (December 2010), which renewed CTED’s mandate until 2013 and recognized a mutually reinforcing relationship among development, peace, security, and human rights.²⁶ The resolution reflects an increasing interest of Council members in broadening the work of the body beyond the traditional “hard” counterterrorism measures and in acknowledging the importance of what are often called “softer” approaches. In particular, the subject of human rights is likely to find a champion in Portugal, which has a declared interest in the topic.²⁷

Other Areas of Interest to the Elected Members

Two other areas of interest among many elected members are conflict prevention and, in the case of Germany and Portugal, climate change. The Council’s work in conflict prevention is firmly anchored in the UN Charter. The preamble of the Charter notes the UN’s determination to “save

succeeding generations from the scourge of war.” Likewise, Article 1 states that one of the purposes of the organization is “to maintain international peace and security, and to that end: to take effective collective measures for the *prevention* and removal of threats to the peace,” (emphasis ours). Finally, Article 34 entrusts the Council with the authority to “investigate any dispute, or any situation which might lead to international friction or give rise to a dispute.”

While many developing countries have been wary of conflict prevention, associating it with potential violations of sovereignty, there has been greater receptivity to conflict prevention in recent years among the wider UN membership and within the Security Council. There is growing recognition among permanent and elected members of the Council that conflict prevention is—and should be—an important aspect of the Council’s work, given the human toll of warfare and the high financial cost of UN peacekeeping. Successful mediation efforts in Africa have further underscored the important potential of preventive efforts, and the emphasis on conflict prevention is likely to be an important focus of the Council’s work throughout this year.

Last November, under the UK presidency, the Council held a “horizon scanning session.” This was a closed session during which the Department of Political Affairs briefed Council members on potential hotspots, which included countries on the Council’s agenda as well as some that were not. The Council has held similar sessions so far in 2011. As Council President in January, Bosnia-Herzegovina organized consultations on conflict prevention in the Council with the Department of Political Affairs (DPA) with a focus on elections in Africa. Similar consultations with DPA focused on mediation, were held under the Brazilian presidency in February. As Council President in March, China has organized conflict-prevention consultations with DPA as well. In July, the Council will also receive, and likely debate, the Secretary-General’s report on preventive diplomacy, requested by a presidential statement issued during Nigeria’s July 2010 presidency of the Council.²⁸

25 See United Nations Security Council, UN Doc. S/PV.6390, (September 27, 2010).

26 UN Security Council Resolution 1963 (February 26, 2011), UN Doc. S/RES/1963.

27 IPI discussion with member-state diplomats, January 19, 2011, New York.

28 See UN Doc. S/PRST/2010/14.

South Africa, chair of the Council's Working Group on Conflict Prevention and Resolution, is also planning an ambitious agenda to give greater attention to this topic.

Fifteen presidential elections are scheduled for the remainder of 2011 in Africa (including in countries on the Council's agenda, such as the Democratic Republic of the Congo and Liberia), in addition to a host of local and municipal elections. If past is prelude, the Council may have an important conflict-prevention and mediation role to play in the coming months, given the instability that has accompanied several African elections in recent years, most notably in Zimbabwe, Kenya, and, recently, Côte d'Ivoire. Likewise, the unrest in the Middle East may provide additional conflict-prevention challenges to the Council in the coming months.

Germany and Portugal are both interested in promoting the issue of climate change and its relationship to peace and security during their 2011-2012 Council membership. The issue has been on the Council's agenda, having been debated once before under the UK presidency of the Council in April 2007. During the 2007 open debate, several Council members (China, Russia, and South Africa) questioned whether the Council was the appropriate venue to discuss climate change. There was no outcome to the meeting.

Germany and Portugal have publicly noted the linkages between climate change and peace and security, arguing that the existence of South Pacific island nations is threatened by rising sea levels. Portuguese diplomats have also expressed concern that climate change is a major source of population displacement, a point underscored by the High Commissioner for Refugees in Copenhagen in late 2009.²⁹ Germany has stated that the international community "will only be able to get to grips with ecological, social, and political consequences of climate change if we cooperate."³⁰

It is hard to gauge the receptivity of the broader Council to climate change as a peace and security issue, and in what format Germany and Portugal

hope to develop these discussions. Germany will hold the Council presidency twice during its 2011-2012 tenure and Portugal once. Perhaps a thematic debate on the topic could be held, although getting an outcome, such as a presidential statement or a resolution, would, at least at this juncture, appear to be extremely challenging. Short of a thematic debate, the issue may be highlighted in the context of an Arria formula meeting.³¹

Security Council Reform

STRUCTURAL REFORM

While structural reform of the Security Council has been a regular topic of discussion over the last two decades, it began to receive heightened attention again late last year when three aspirants to permanent membership, Germany, India, and South Africa, were elected to the Council. They have been extremely vocal about the need for reform of the Council. In the most recent annual General Assembly debate, among the new members, India, South Africa, Germany, and Portugal all underscored the importance of structural reform of the Council. The IBSA Dialogue Forum, a trilateral mechanism for political coordination that strives to promote South-South collaboration on a wide variety of global challenges, issued a press statement soon after the October 2010 Security Council elections in which it reiterated the "urgent need to expand the Security Council in both its permanent and non-permanent categories" and more generally, "reaffirmed its commitment to...increased participation of developing countries in the decision-making bodies of multilateral organizations and institutions."³² Most recently, on February 11, 2011, the External/Foreign affairs ministers of the G4 (Brazil, Germany, India, and Japan) jointly issued a press statement in which they reaffirmed their commitment to each other's candidacies for a permanent seat—as well as a permanent African seat—and "recognized that there is widespread support for a Member-States driven initiative to take the process of the much-needed reform of the

29 IPI interview with Portuguese diplomats, January 2011, New York.

30 "Germany in the United Nations," Federal Foreign Office, Berlin, 2010, p. 16.

31 The Arria formula enables a member of the Council to invite other Council members to an informal meeting, held outside of the Council chambers and chaired by the inviting member. The meeting is called for the purpose of a briefing given by one or more persons considered expert in a matter of concern to the Council.

32 IBSA, "Press Statement of the India-Brazil-South Africa Dialogue Forum on the Occasion of the Election of India, Brazil, and South Africa as Non-Permanent Members of the UN Security Council," October 12, 2010.

Security Council towards a concrete outcome in the current session of the UN General Assembly.³³ Along these lines, the President of the General Assembly, Joseph Deiss of Switzerland, and the chair of the intergovernmental negotiations, Zahir Tanin, Permanent Representative of Afghanistan to the UN, have been holding discussions on structural reform among member states.

The thrust of the arguments in favor of structural reform is that the permanent membership no longer reflects the political and economic realities of current world affairs. While this argument has strong merit, the prospects for enlargement any time soon remain dim. Notwithstanding US President Barack Obama's call to give India a permanent seat on the Security Council late last year, divisions remain among and within regional groups in the General Assembly on the appropriate formula for structural reform. For there to be a serious chance of structural reform of the Council, a formula must be developed that has greater appeal among a cross-section of the UN membership.

This will require intensive negotiations (and significant concessions) within and among the different regional blocs in consultation with the permanent members of the Council. The Charter places a high bar on structural reform of the Council. An enlargement of the Council requires amending the UN Charter via a positive vote and subsequent national ratifications by two thirds of the members of the General Assembly. A veto from one of the permanent members would quash the amendment during the ratification process.³⁴ Structural reform has only occurred once before: in 1965 four additional non-permanent seats were added to the Council, expanding it from eleven to fifteen members.

WORKING METHODS

Unlike structural reform of the Council, which is negotiated in the General Assembly, the Council determines its own working methods. It will be interesting to see how the current composition of the Council affects the body's working methods

over the next several months.

Given the strong interest in conflict prevention among Council members, it may be the case that many elected and permanent members will continue to hold briefings with DPA in the Council on conflict-prevention related issues during their monthly presidencies. Such briefings have been held four of the past five months under the presidencies of the UK (November 2010), Bosnia-Herzegovina (January 2011), Brazil (February 2011), and China (March 2011). One potential innovation to working methods with respect to conflict prevention, raised at the Security Council's Istanbul retreat last June, would include the establishment of a conflict-prevention working group in which individual member states take the lead on keeping track of and reporting to the Council on potential crises.³⁵ Additionally, strategies may continue to be explored to enhance the consultative role of troop-contributing countries in mandate design and renewal and to improve the quality of information available to them, given their significant representation on the Council. Finally, to help satisfy demands for an enhanced consultative role for the PBC, country specific chairs could be invited to participate in closed consultations.

Conclusion

This year will confront the Council with a variety of challenging issues, some longstanding and others emerging. Though this report focused only on a small selection of issues, it appears that the Council will pursue an ambitious agenda even on these few topics in the upcoming months. The interests of troop-contributing countries will likely color much of the Council's discussion of peacekeeping.³⁶ Peacebuilding, especially in the context of UN peace operations, will continue to be a major concern of the Council. As evidenced by the thematic debate under Brazil's presidency in February, there is a growing sentiment in the Council that UN peace operations ought to be connected to the longer-term development needs of

33 Joint press statement of the G4, February 11, 2011, available at www.german-info.com/press_shownews.php?pid=3392.

34 See *Charter of the United Nations*, Chapter XVIII, Article 108.

35 Adam Smith and Vanessa Wyeth, *rapporteurs*, "Security Council Istanbul Retreat: At the Crossroads of Peacemaking, Peacekeeping, and Peacebuilding," New York: International Peace Institute, October 2010, p. 6.

36 Security Council Report, "Peacekeeping," November 2010, available at www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.6355221/k.366E/November_2010brPeacekeeping.htm. Moreover, with Pakistan slated to join the Council in 2012 and Bangladesh a possible member in 2015, major TCCs will be represented on the Council in close succession and their views are likely to shape peacekeeping discussions significantly.

post-conflict states and the work of other UN organs.

As has already become apparent, the Council will probably continue its recent proactive efforts at conflict prevention, while focusing greater attention on terrorism prevention. With the addition of several strong voices from the global South, the Council's counterterrorism efforts could gain greater legitimacy in the eyes of many. In addition, with the recent referral of Libya to the International Criminal Court (notably, the first such unanimous referral by the Council)—as well as ongoing investigations and indictments in Sudan and Kenya—international justice discussions will likely have a direct impact on Council dynamics this year. Finally, Germany and Portugal will likely strive to raise the issue of climate change as a threat to international peace and security.

One caveat is in order, however. While a more holistic approach to security may continue to develop in the Council over the next year, one should not expect equal progress on all of the issues on the Council's agenda. Multiple agenda items and emerging crises may divert energy and attention from ambitious goals. As a result of the workload, members may at times feel that they are more

reactive than proactive in their work. Indeed, delegations have often expressed their concern at the sheer number of hours that the Council requires from mission staff, especially for permanent representatives tasked with chairing subsidiary organs and working groups.

Finally, while it seems unlikely that structural reform of the Security Council will happen in the near future, pressure for it remains strong.

There is a tension between the concepts of legitimacy and effectiveness in much of the discussion of potential Council expansion. On the one hand, it is argued that the Council suffers from a legitimacy deficit because its permanent composition does not equitably represent the global community; on the other hand, it is frequently noted that an expanded Council might become less effective and more unwieldy by virtue of its enhanced size. While both of these arguments have merit, what remains certain is that the Security Council remains extremely relevant. This is a major reason why Security Council enlargement remains such a hot-button issue, and why many of the world's influential and powerful countries continue to seek elected membership.

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