



**Faculty of Law
Lund University**

**MASTER DISSERTATION
IN HUMAN RIGHTS AND INTERNATIONAL LAW**

**REFORM OF THE UNITED
NATIONS SECURITY COUNCIL
- A REQUIREMENT OF THE TIMES -**

By

NGUYEN HONGHAI

Supervisor: Prof. Gudmundur Alfredsson

Autumn 2004

FOREWORD

Reforming the United Nations Security Council (UNSC) is not a new subject matter. More than the last decade, it has emerged as one of the topics on the UN agenda, international forums or media most discussed, most consumed time and energy, most wasted paper and ink to write about, but concurrently least results made. Therefore, should it be necessary to spend more time, invest more in paper and ink to write about this topic? Or even if any, is there anything else to write about it? Frankly, there is nothing new to write, not alone a feeling is prevailing that “write to write, little progress has been made”.

However, having said as such does not mean all writers should hang their pens and stop writing about the most challenging and interesting issue; international law students have nothing more otherwise to repeat what could have been written down. Understanding as such is wrong.

The recent US-led Iraq War, in military terms, completely was finished. The international community is being called upon to provide assistance to the people of Iraq for their country’s reconstruction; the role of the United Nations, especially the UNSC – the most powerful body in the UN system, which can decide war anywhere in the world - seems to get on more weight in the aftermath of the war. It is too late, but a pleasant sign. Better late than never, nevertheless, a doom picture of the weakness and failure of the UNSC to prevent the war from its breakout made the public ever more concerned about the effectiveness and efficiency of this body, demanding the speed up of the UNSC’s revision. And, this eventually demonstrates the necessity of the Thesis at the time being.

Exceeding the concern about the reform of the UNSC, the Thesis aims to clarifying and challenging almost all matters laid down on the reform agenda table, on the basis of both theoretical and practical perspectives.

The most important significance of the Thesis is to help readers, especially international law students interested in this subject further understand of the role, functions as well as the requirement of reform of the UNSC.

Finally, the timeframe should not be always used as a justification for any limitations, but in this case it can be since the reform of the UNSC is a huge, extremely difficult and politically sensitive issue, requiring more time for in-depth study. Furthermore, it is also the rule for a Master Thesis. It is the significance and importance of the subject matter that it can be a topic for a higher level of study.

INTRODUCTION

The United Nations (UN) is celebrating the sixtieth anniversary of its birthday next year. So is the UNSC. Within such a period of sixty years full of ups and downs, the mankind, on the one hand, has been lucky to stay away from the third tragic world war – the nuclear confrontation between the United States and the former Soviet Union in the 1960s - like the World War One or the World War Two, by each of the two alone millions of lives were taken; on the other hand, thanks to stormy development of science and technology, peoples around the world in general have been enjoying unprecedented better living conditions. Human rights are being duly protected in a way that we truly wish to live up the words of the Universal Declaration of Human Rights. However, in that historical course, we have had to witness numerous internal conflicts carried out and disguised under different forms, with various dimensions - big and small – and caused by such elements as diseases, poverty and hunger that are thought to be likely tackled by the support of advanced technologies. These conflicts not only threaten the peace and security within a country alone, but of the international community as well. Therefore, the international community still needs a powerful organ whose mandates are to maintain order and security, bring peace back to the world at large. But, that organ is adversely also required to act in a democratic, transparent and effective manner, keeping up with realities of the times.

Over the last nearly six decades, the UNSC – the principal organ vested with the primary responsibility for the maintenance of international peace and security as prescribed in the UN Charter – has been constantly trying to fulfil this task. Encountering new developments in the world situation, new challenges to the international peace and security, especially after the terrorist attacks on 11 September 2001, the international community ever more increasingly wishes and relies on a Security Council undertaking as truly effective tasks as vested upon it by the UN Charter. However, it has been clear that if it keeps working as it does now, it is certainly far away to meet such aspiration of the international community.

Except one formal amendment was made in 1965 to the UN Charter, paving the way for an increase in its non-permanent membership, the UNSC has not gone through any other changes, including its mandates. That is something inappropriate, particularly when the present world is far different from the one sixty years ago. It is not quite true to say that changes can always make sense, but for the UNSC, especially when we saw its failure to respond to not a few crisis cases, such as in Rwanda, Somalia or Kosovo, threatening the peace, security and humanity over the last decades, it has been widely recognised that it is time for the UNSC to reform.

Subject matters on the reform debates are diversified, from expansion of the membership, enhancement of working methods to the right to veto, cooperation with the other main organs in the UN system, regional arrangements, and the civil society.

Based upon such a diversified reform agenda as well as the practice, the Thesis is to trace after that mainstream, dealing with the main issues on this reform agenda. The Thesis is particularly composed of six chapters as follows:

- **Forward**
- **Introduction**
- **Chapter I: Overview**
- **Chapter II: Membership**
- **Chapter III: Working methods**
- **Chapter IV: The right to veto**
- **Chapter V: Cooperation with other UN main bodies, regional arrangements and civil society**
- **Chapter VI: Breakthroughs to the UN Charter**
- **Thesis Conclusion**

Bibliography

Annexes (*a separate part attached*)

Each of the Chapters shall concentrate on a particular issue; and theoretical and practical aspects, the current status and reform solutions are discussed thereof. At the end of the Chapter, there will be a conclusion and recommendations.

TABLE OF CONTENT

	<i>Pages</i>
<i>Foreword</i>	2
<i>Introduction</i>	3
<i>Table of content</i>	5
<i>Abbreviations</i>	8
<i>Acknowledgement</i>	9
EXECUTIVE SUMMARY	10
CHAPTER I: OVERVIEW	13
1. A Charter-based principal body	13
<i>1.1. Brief history of the inception of the United Nations and the Charter</i>	13
<i>1.2. The Security Council</i>	15
2. Functions and powers	16
3. Why is necessarily reformed?	19
<i>3.1. An objective demand</i>	19
<i>3.2. A question of the Security Council itself</i>	20
4. When is appropriately reformed?	21
CHAPTER II: MEMBERSHIP	22
1. Current status	22
<i>1.1. Permanent members</i>	22
<i>1.2. Non-permanent members</i>	23
2. Expansion of membership	23
<i>2.1. Why it should be expanded?</i>	23
<i>2.2. How large it should be?</i>	24
<i>2.3. What criteria should be used for new admissions?</i>	25
<i>2.4. Expansion of the permanent membership</i>	25
<i>2.5. Expansion of the non-permanent membership</i>	27
<i>2.6. Other options for the composition of the Security Council</i>	27
3. A question of the term ‘permanent’	28
<i>3.1. Should there be a position as permanent as it is prescribed in the UN Charter?</i>	28
<i>3.2. Equal status</i>	29
Conclusion and recommendations	29
CHAPTER III: WORKING METHODS	31
1. Meetings	34

1.1. <i>Types of meeting</i>	34
1.1.1. <i>Periodic or formal meetings</i>	35
1.1.2. <i>Private (closed) meetings</i>	35
1.1.3. <i>Informal consultations</i>	36
1.1.3.a. <i>Informal consultations of the whole</i>	36
1.1.3.b. <i>Informal consultations/consultations</i>	37
1.2. <i>Enhancing the UNSC's transparency by holding more different types of meeting?</i>	37
1.2.1. <i>Creating fresh meetings</i>	39
1.2.2. <i>More analysis on informal consultations</i>	42
Conclusion and recommendations	43
2. Voting	44
2.1. <i>What is the legal basis for this procedure?</i>	44
2.2. <i>Different types of voting</i>	45
2.2.1 <i>Affirmative vote</i>	45
2.2.2. <i>Abstentions</i>	45
2.2.3. <i>Absence</i>	46
2.3. <i>Significance of voting</i>	46
2.3.1. <i>Is this a substantial or formula act?</i>	46
2.3.2. <i>Are transparency, accountability and democracy workable?</i>	47
Conclusion and recommendations	47
CHAPTER IV: THE RIGHT TO VETO	48
1. A substantially powerful right	48
1.1. <i>What is the legal basis for this right?</i>	48
1.2. <i>Who are beneficiaries of the right to veto?</i>	48
2. Different types of veto	49
2.1. <i>Open or real veto</i>	49
2.2. <i>Double veto</i>	49
2.3. <i>Hidden veto or indirect veto</i>	49
2.4. <i>Artificial and imposed veto</i>	50
2.5. <i>Veto by proxy</i>	50
2.6. <i>Collective veto</i>	50
3. The question of use	50
3.1. <i>Should the veto power be omitted?</i>	53
3.2. <i>Should the right to veto be given to new permanent members?</i>	54
3.3. <i>Should the right to veto be based on regional representation or regional rotation regime?</i>	55
Conclusion and recommendations	56
CHAPTER V: COOPERATION WITH OTHER UN MAIN BODIES, REGIONAL ARRANGEMENTS AND CIVIL SOCIETY	57
1. Cooperation with other UN main bodies	57
1.1. <i>The General Assembly</i>	57
1.2. <i>The Social and Economic Council (ECOSOC)</i>	58
1.3. <i>International Court of Justice (ICJ)</i>	59
1.4. <i>The Secretariat</i>	61

1.5. Trusteeship Council	63
Conclusion	64
2. Cooperation with regional arrangements	64
2.1. Legal basis for such cooperation	64
2.2. Closer cooperation	65
2.3. ASEAN and the Security Council: An example of regional cooperation	65
Conclusion and recommendations	66
3. Cooperation with civil society	67
3.1. Increasingly indispensable actors in the world arena today	68
3.2. Closer cooperation	68
Conclusion and recommendations	71
CHAPTER VI: BREAKTHROUGHS TO THE UN CHARTER	73
1. A philosophical approach	73
2. The 1965 breakthrough: Increased non-permanent seats	74
3. Is it time for the second breakthrough?	75
3.1. Are there sufficient conditions to change?	75
3.2. Where are obstacles?	77
4. What is the future prospect for Charter amendment?	78
Conclusion and recommendations	78
THESIS CONCLUSION	80
BIBLIOGRAPHY	81
- Academic works	
- Reports, speeches	
- Additional Articles	
ANNEXES (A separate part attached)	
I. Membership of the Security Council	
II. Structure of the Security Council	
III. Year-on-year Meetings of the UNSC	
IV. Veto	

Abbreviations

The following abbreviations will be used in the whole Thesis:

ASEAN:	<i>The Association of Southeast Asian Nations</i>
AU:	<i>The African Union</i>
CHR:	<i>The United Nations Commission on Human Rights</i>
CIS:	<i>The Commonwealth of Independent States</i>
ECOSOC:	<i>The United Nations Economic and Social Council</i>
ECOWAS:	<i>The Economic Community of West African States</i>
EU:	<i>The European Union</i>
FFO:	<i>The Federal Foreign Office of Germany</i>
GA:	<i>The United Nations General Assembly</i>
ICJ:	<i>The International Court of Justice</i>
NAM:	<i>The Non-Aligned Movement</i>
NATO:	<i>The North Atlantic Treaty Organization</i>
NGOs:	<i>Non-governmental Organizations</i>
OAU:	<i>The Organization of African Unity</i>
OAS:	<i>The Organization of American States</i>
OSCE:	<i>The Organization for Security and Cooperation in Europe</i>
P-5:	<i>The current five permanent members of the UNSC</i>
RP:	<i>The Rules of Procedure</i>
UN:	<i>The United Nations</i>
UNSC:	<i>The United Nations Security Council</i>
U.S.S.R:	<i>The Union of Soviet Socialist Republics</i>
WGSC:	<i>The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council</i>

Acknowledgement

Learning is a long, continuing and never-ending process in the life of a person. I am so delighted to be accepted to participate in this Master programme, thanks to which, my vision on international human rights law is broadened. I am very proud to be a student of the Raoul Wallenberg Institute on Human Rights and Humanitarian Law, whose name is dedicated to a Swedish diplomat, a human rights champion, Sir Raoul Wallenberg. His career is worthy to be a mirror for us to look in. I salute his vigorous efforts in the field of human rights protection.

First of all, I would like to thank and dedicate this paper to my beloved wife, who willingly sacrifices the lack of help in domestic work, caring spirit and encouragement by a husband to her; to my beloved children, to whom I own a debt of caring by a father. I also want to thank my parents, both exterior and interior, for their encouragement and support.

A person to whom I cannot help paying my sincere gratitude is my supervisor, Professor Gudmundur Alfredsson whose rich knowledge and expertise in human rights deserve to be respected and exploited, and his dedication to work deserves to be learned as well.

My thanks also go to a friend of mine who is at the time of my paper preparation working for the Permanent Mission of the Socialist Republic of Vietnam to the United Nations in New York. She is the person who provided me some clues in searching for literature on the reform of the Security Council.

Last but not least, I would like to thank both Lena Olsson and Habteab Tesfay who are really kind, generous and enthusiastic librarians, especially tirelessly patient in putting books left on table by me sometime back into order.

Thank you all.

Lund – 2004

EXECUTIVE SUMMARY

The Thesis, which is titled **“Reform of the United Nations Security Council: A Requirement of the Times”**, consists of six chapters.

Chapter I, “Overview”, begins with the very brief historical background of the United Nations, the Charter and the UNSC. The focal point in this Chapter is about the functions and powers, the reasons – both objective and subjective – presenting the need for reform of the UNSC.

For nearly six decades, except the 1965 increase in the non-permanent membership of the UNSC following an amendment to the UN Charter, the composition of this body remains under-representation of the UN membership, particularly representatives from developing or least-developed countries, in the UNSC’s permanent and non-permanent membership categories; while the United Nations saw substantial growth in its membership, from 51 in 1945 to 191 at present. Additionally, some of the current permanent members of the UNSC are no longer major players in the international arena, could not bear the responsibilities entrusted on them by the UN Charter as permanent members with the veto power. Therefore, challenged by the intricate world situation, it is more than ever the high time for the UNSC to change.

Chapter II, “Membership”, is the first of the five remaining chapters dealing with each specific topic on the agenda of the UNSC reform debate. The UNSC is the representative body acting *“on behalf of”* and its decisions binding all the UN member states. Thus, the international community requires that more countries should be brought in the UNSC on the principle of *“geographical equality”*.

Going into the concrete nature of the above requirement, this Chapter discusses a series of questions: Why the UNSC should be expanded? How large the UNSC should be? What criteria should be used for new admissions? And, more specified is the expansion of the permanent and non-permanent membership. The answer for the question concerning the reason for enlargement is clear, but debates on the composition and criteria are never ended. For instance, with regard to the increase in the permanent membership, it is far from agreement in how many and who should be elected for the permanent membership, even there is nothing to guarantee for Japan and Germany – the world-wide influential potential candidates - for permanent membership; or concerning the criteria, whether or not contributions to the UN by member states should be the basic criterion.

Finally, a bold point challenging all readers in this Chapter is the discussion about the term *“permanent”*. As for the author, this term should be reinterpreted in accordance with the reality of modern politics.

Chapter III is about the **“Working methods”**. Since the GA officially launched the reform of the UNSC in 1993 with the establishment of the WGSC, revision of the UNSC’s working methods has been most probably clear. To some extent, the picture of a transparent, democratic, accountable and efficient UNSC could be seen.

However, criticisms on the UNSC's working methods in general remain. Two of the procedures relating to the UNSC's routine work are meetings and voting particularly discussed in this Chapter. Though much has been improved in the former with different and more open types of meeting, such as open debates, open meetings and *Arria* formula meetings, the latter seems to be the job of the UNSC's members only, even that it is dominated and used by the permanent members for their own sake. Therefore, a question raised in this connection is the significance of this procedure. Is voting a substantial or formula act?

Chapter IV is especially reserved for discussing one of the most controversial issues on the UNSC's reform agenda, **"The Right to Veto"**. In fact, this issue challenged the existence of the UN at the outset of this organization. *"Without the veto there would be no United Nations"*. That was the feeling of many states participating in the San Francisco conference for the establishment of the UN in 1945.

Nevertheless, like the Charter itself, the right to veto is deemed by many the relic of the past. The permanent members constitute the elite in the most powerful body of the UN thanks to the *stupidly magic and supreme sword* – the right to veto - in their hands. This Chapter reviews different types of veto; discusses the question of use of the veto power.

After all, in connection with the enlargement of the UNSC's membership, questions relating to the abolition of the veto power; or giving the right to veto to new members, and if any, the basis for giving this right to permanent members, are deliberated in this Chapter as well.

Chapter V, "Cooperation with the Other UN Main Bodies, Regional Arrangements and Civil Society", focuses on the cooperative mechanisms between the UNSC and the other five UN main bodies, regional organizations and non-governmental organizations in the framework of the Charter provisions and the UNSC's Rules of Procedures.

In order to emphasize the importance of these cooperative mechanisms, each of them is discussed separately in three separate items of this Chapter: (1) cooperation with the other main UN bodies; (2) cooperation with regional arrangements; and (3) cooperation with civil society. The first two mechanisms are basically based on and governed by the provisions in the Charter. With regard to cooperation between regional organizations and the UNSC (item 2), this is a rather complicated mechanism, not only governed by the Charter, but also subject to operational rules of individual regional organizations. The case of cooperation between ASEAN and the UNSC was taken as an example in this regard, aiming at pointing out difficulties as well as solutions to improve that relationship.

The last cooperative mechanism discussed in this Chapter is between NGOs and the UNSC (item 3). Though there is no point to deny their increasingly important role in the UN work, NGOs involvement in the UNSC is something revolutionary. Therefore, this item took a cautious approach by citing only recent developments in the relationship between the highly political sensitive body, on the one hand, and the free and outspoken society.

Chapter VI is something like the so-called *"last but not least"*. This Chapter titled **"Breakthroughs to the UN Charter"** aims to point out the organic interaction between the UN Charter amendments and the UNSC's reform. To

reform the UNSC, it is necessary to revise the UN Charter; and *vice versa*, amending the UN Charter is to reform the UNSC. Therefore, this Chapter essentially focuses on possible amendments to the UN Charter, paving the way for the UNSC's reform.

To justify the need for the UN Charter's revision, this Chapter begins with arguments based on philosophical standpoints of K. Marx on material dialectics. However, whatever it is, as K. Marx said, "*reality is the measurement of the truth*". The world has profoundly changed and the UN Charter is anachronistic. This is a crucial precondition for the call for UN Charter's amendments.

The 1965 amendment to the UN Charter is considered in this Chapter as the first breakthrough, which becomes a comparative argument for the question of the possible second breakthrough to the reform of the UNSC.

Finally, this Chapter discusses basic obstacles to the UN Charter's amendments. Unlike many considering politics decisive to the UN Charter's amendments, the author argued that differences in viewpoints and division among the UN members are the most fundamental obstacle in that process.

The Thesis is wrapped up with the Conclusion, which summarizes the whole reform process of the UNSC. The last sentence of the Conclusion is a borrowing act by the author, from a popular English idiom, to emphasize the importance of personality, which is "*A talent in difficulty is a talent indeed*". This is always true, and also complies with the motto "*people are placed at the centre of development process*".

CHAPTER I

OVERVIEW



A typical photo copied from the Homepage of the UNSC

“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, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of international disputes or situations which might lead to a breach of the peace”

(Article 1.1 of the Charter of the United Nations)

1. A Charter-based principal body

1.1. Brief history of the inception of the United Nations and the Charter

There is no durable treaty, which is not founded on reciprocal advantage. And indeed, a treaty that does not satisfy this condition is no treaty at all and is apt to contain the seeds of its own dissolution.

Upon the failure of the League of Nations and fresh-minded aftermath of the World War Two, the desire of having a united organisation of the international community was ever-more prevailing by the time.

The term '*The United Nations*' suggested by Franklin Delano Roosevelt was first formally used in the Declaration of United Nations¹. The representatives of 20 nations participating in the San Francisco Conference in 1942 adopted the Declaration. This event was widely considered the '*first landmark in the evolution of the United Nations*'².

However, the idea of founding of such an international organisation of world nations acting together, advancing together and being harmonized in one voice for peace to replace the failed League of Nations was demonstrated in the 1941 Atlantic Charter signed by the leaders of the two major Allies against the Axis Powers then, the United States of America and the United Kingdom:

... They believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea, or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential³.

The melody of the 1941 Charter for the organisation was heard to some extent similarly in the 1943 Moscow Declaration on General Security adopted by the Foreign Ministers of the four Great Powers: China, the United States, the United Kingdom and the Soviet Union. It reads:

...They recognise the necessity of establishing at the earliest practicable date a general international organisation, based on the principle of the sovereign equality of all peace-loving States and open to membership by all such States, large and small, for the maintenance of international peace and security⁴.

However, it was not until a series of conventions held in 1944 that the design of the United Nations was primarily formulated. If we looked more closely at how these meetings were conducted and working, it is quite interesting that these functions were taken in a manner of tri-partite negotiations among mainly in practice the four Great Powers mentioned above. The outcome of these negotiations at last became known as the Dumbarton Oaks Proposals. The Proposals, of course with other documents – bilateral or multilateral - adopted at other events, became the skeleton of the Charter of the United Nations, which was officially passed in 1945. For instance, we can find a provision in the Proposals stating the principal organs, including the Security Council and if there is one

¹ The 1942 Declaration by United Nations, see the full text of the Declaration at the following website: <http://www.yale.edu/lawweb/avalon/decade/decade03.htm>

² YEARBOOK OF THE UNITED NATIONS, Special Edition, UN Fiftieth Anniversary 1945 – 1995, Department of Public Information United Nations, New York, Martinus Nijhoff Publishers, 1995, p. 3;

³ The 1941 Atlantic Charter, see the full text of the Charter at the following website: <http://www.yale.edu/lawweb/avalon/wwii/atlantic.htm>

⁴ The 1943 Moscow Declaration on General Security, see the full text of the Declaration at the following website: <http://www.yale.edu/lawweb/avalon/wwii/moscow.htm>

incompatible to the present Charter in this regard is lacking of the Trusteeship Council⁵.

On the 25th of April 1945, in the city of San Francisco of the United States of America, there was an international conference opened, which was particularly known as the United Nations Conference on International Organization. The Conference was in fact also considered the Grand Inauguration Conference of the United Nations. And, precisely two months later, after long and not easy to be agreed discussions, representatives of the 50 participating Governments without against vote overwhelmingly adopted the Charter of the United Nations.

1.2. The Security Council

Upon the approval of the UN Charter, the UN machine has since then been in operation in parallel with the ups and downs of the world over the last 59 years plus.

Article 7, Chapter III of the Charter provides that there are established as the '*principal organs*' of the United Nations. These organs include the General Assembly, Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice and Secretariat. The word '*principal*' has so far demonstrated how its significance really is, but in my viewpoint it is insufficient, at least lacking of a word in the phrase itself. It likes in order for a thing to be, both necessary and sufficient conditions are indispensable. However, there remains lacking of such a word, but nobody can deny their special importance in reality, even it is not quite true for some as in the case of the Trusteeship Council at the time beings.

Among these *principal and crucial organs*, the Security Council (herein after abbreviated as the UNSC) is widely acknowledged the most powerful, and again in my standpoint, the most important organ.

It is clearly understandable the reason for as the UNSC always remains the very mainstay body of the United Nations, not only in text of the Charter or in practice it is, but I think even in the consciousness of our UN founders and Charter drafters from the outright. We can find '*war*' or '*scourge of war*' in the very first words of the Preamble of the UN Charter, and because of this '*which twice in our lifetime*' '*has bought untold sorrow to mankind*', '*We the peoples of the United Nations determined to save succeeding generations*' from it⁶. Is this fresh memory of '*war*' and '*untold sorrow*' is superfluous for peoples in our universe to comprehend the price of peace and security? Yes. So as to ensure the durable existence of peace and security (we can have various interpretations of '*peace*' and '*security*' separately, but in this paper, I just want to focus on the aspects of their meaning truly in connection with what the Charter drafters thought about then), we need an organization of the whole international community within which a body is given power to be in charge of (monitoring,

⁵ The Proposals for the Establishment of a General International Organization, YEARBOOK OF THE UNITED NATIONS, Special Edition, UN Fiftieth Anniversary 1945 – 1995, Department of Public Information United Nations, New York, Martinus Nijhoff Publishers, 1995, p. 6;

⁶ Charter of the United Nations, you can get the full text of the Charter on the website of the United Nations at: <http://www.un.org/aboutun/charter/>

fostering) and maintaining international peace and security. That is the Security Council.

The world situation has experienced profound changes over the last nearly six decades. Every thing under this sky is changing, not exclusive to the United Nations that is also ‘in the midst of change’⁷. But change must be taken place in order, in peace and security, otherwise it turns into chaos and the horrible consequences of the past would have land to claim. In this context, we surely still need an international organisation like the United Nations, an organ like the Security Council.

2. Functions and powers

In describing an organ in operation, it naturally has to mention its functions and powers. To speak of functions is to say about its duties or tasks, and the organ should achieve more or less the utmost objectives; while powers refer to the legal basis, methods and measures undertaken to fulfil those functions. People sometime try to separate functions and powers into un-interactive categories. It is acceptable if they simply want to draw an organizational graph or description; otherwise it should not since they are intertwined. With that philosophy in mind, I would not be trying to divide the functions and powers into separate parts in the case of the UNSC.

No literature can do better than the UN Charter in describing the functions and powers of the UNSC. Charter provisions directly relating to the UNSC’s functions and powers are contained in Chapter V (Articles 24 – 26), Chapter VI (Articles 33 – 38), Chapter VII (Articles 39 – 51), Chapter VIII (Articles 52 – 54), Chapter XII (Articles 76; 82 – 84), and of course we can find other such provisions in the Charter directly or indirectly mentioning the role and responsibility of the UNSC as Articles 1, 2, 4 – 7, 10 – 12, 18, 20, 65, 93, 94, 96 – 99, 106 and 109; Articles 4, 7 – 15, 35, 41 and 69 of the Statute of the International Court of Justice (ICJ).

A crucial qualification to the bedrock principle is Article 24 of the Charter:

In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council [has] the primary responsibility for the maintenance of international peace and security...⁸

It should be noted that the first of the four purposes of the United Nations prescribed in the UN Charter is to ‘maintain international peace and security...’ Therefore, speaking about the role of the UN in maintaining international peace and security or preventing armed conflicts, both international and internal, is impossible without mentioning the role of the UNSC, and vice versa ‘in carrying out its duties under this responsibility, the Security Council acts on their [UN] members behalf.’⁹

⁷ Kofi A. Annan, Secretary-General, in his Foreword given to the BASIC FACTS ABOUT THE UNITED NATIONS, a publication of the Organization itself, 1998;

⁸ Article 24.1, Chapter V of the UN Charter, <http://www.un.org/aboutun/charter/>

⁹ Article 24.1, Chapter V of the UN Charter, <http://www.un.org/aboutun/charter/>

How have these functions worked over the past fifty-nine years? Do they really link to human rights?

Since the end of the World War II, peoples fortunately have not been victimized by any world wars. Nevertheless, fears of the breakout of a third world war were prevailing when the nuclear crisis in the 1960s between the two super-powers representing the so-called West and East blocs, the United States and the Soviet Union who were also the permanent members of the UNSC, was like an egg on the tip. The world was taken to the brink of a nuclear war. If it happened, the death toll and catastrophes would be even hundredfold higher and heavier in comparison with the two previous world wars in combination. Luckily, it did not blow out. It is certain that when war breakouts, regardless large- or small-size, human rights as a whole and the right to life - the first of which - of a proportion of the world population is denied.

Though it has such primary responsibility and is powerful, the fact is that the UNSC itself is not an organ with its own military forces armed with weapons. Therefore, in order for it to fulfil the tasks, it has to call upon contributions of UN Members. With the time passing, the UNSC has gained both success and failure, and in a world today that is much incompatible to the one 60 years ago, it is facing more challenging developments in fulfilling its responsibility.

The existence of the UNSC for the first forty-five years was largely paralysed by the Cold War, but since 1990 and the thawing of the global political climate, it has been very active.¹⁰

Acting in accordance with Article 33, Chapter VI of the Charter, the UNSC may call upon the parties to a dispute using peaceful settlement means such as negotiation, mediation, conciliation, arbitration and judicial settlement when it deems necessary; or otherwise, the UNSC may make recommendations to these parties with a view to a peaceful settlement solution if it is requested by them (Article 38).¹¹ The fact is that the UNSC very often asks the Secretary-General or one of his Special Representatives to carry out mediation or negotiation under guidelines established by the UNSC. Nowadays, the UNSC members themselves have increasingly travelled to conflict areas in an effort to directly negotiate settlements or mediate conflicts.

Though the first UN peacekeeping force, which was established and sent to the Middle East region by the GA in 1948, subsequent forces have been established by the Security Council, which naturally has the authority and command over them. The UNSC delegates to the Secretary-General its powers to organize and to exercise command and control over the force, but it retains close management and oversight -- too much so in the view of many Secretariat officials and military commanders. As Danesh Sarooshi commented that though the Charter does not expressly provide powers to the UNSC for peacekeeping forces, the International Court of Justice in a 1962 case found that the UNSC has

¹⁰ Security Council, Danesh Sarooshi, <http://www.globalpolicy.org/security/gensec.htm>

¹¹ The Procedure of the UN Security Council, Sydney D. Bailey and Sam Daws, 3rd ed. Oxford, 1998, p. 18-19

an implied power for this purpose. The UNSC usually deploys peacekeeping forces only after ceasefires have been agreed upon and so the peacekeepers are only lightly armed and should not be confused with an army fighting against an opposing force. In the post-Cold War period, with greater consensus among its members, the UNSC has established far more peacekeeping operations than in the past. At a peak in the mid-1990s there were over 70,000 peacekeepers deployed. Some large and complex operations not only include soldiers but also civilian police, election monitors, de-mining and demobilization experts, and civilian administrative personnel.

Notably, Chapter VII of the Charter authorises the UNSC to determine and undertake enforcement measures when a threat to, or breach of, the peace has occurred, as well as authorises it among other things to impose economic and military sanctions. These factual enforcement measures are more robust than peacekeeping.

In his article written for the Global Policy Forum as mention above, Danesh Sarooshi explained, “the term ‘peace’ referred to in Article 39 may involve internal conflicts other than those between states. At the time the Charter was established, it was envisaged that conflicts within the borders of a state could also constitute a threat to or breach of the peace, and thus that the UNSC could order the use of enforcement measures. The UNSC has broadened its definition of these cases over time, so that gross violations of human rights may now be seen as a threat to the peace, as was the case with the genocide in Rwanda.

In exercising its enforcement powers, the Security Council has imposed economic sanctions against a number of States and other parties. The great majority of these sanctions regimes have been imposed in the post-Cold War period. The UNSC imposed general trade sanctions on Iraq in 1990, but since then the UNSC has preferred to impose more ‘targeted’ sanctions such as arms embargoes, travel bans, restrictions on diplomatic relations, and bans on key commodities like petroleum and diamonds or food.

Under Article 42 of the Charter, the Security Council has the power to order the use of force to maintain or restore peace and security. However the collective use of force as a military sanction does not operate in the way originally intended. It was envisaged that States would conclude agreements with the United Nations, enabling the UNSC to require troop contributions to create and carry out military enforcement operations. Due to the Cold War this procedure was not implemented, and more recently there has not been the political will to return to the original intentions of the Charter.

Nonetheless the Security Council has delegated its Chapter VII powers to member States who volunteer their forces to carry out the enforcement action. These delegations of power include a delegation of a power of command and control over such forces, usually to those volunteering. Recently, the UNSC has delegated its enforcement powers to NATO in certain Balkan conflicts, to a force assembled by the Economic Community of West African States (ECOWAS) in Liberia and Sierra Leone, and to a multinational force led by Australia in East Timor. These are sometimes referred to as coalitions of the willing. The best-

known case is the coalition led by the United States that assembled under Resolution 678 in response to Iraq's invasion of Kuwait in 1990"; Resolution 1368 paving the way for a coalition led by the United States in taking reprisals to the Taliban in Afghanistan in 2001 after the 11 September terrorist attacks.

In conclusion, within the days of its very first meeting in 1946, the UNSC was called upon to act when Iran complained that the presence of Soviet troops on its soil had caused a situation which threatened peace; and now on its routine agenda, many are pending on determined and effective action of the UNSC to bring in peace and security like the Middle-East Peace process, Iranian and North Korean nuclear issues, Iraq, etc.

Through provisions in the Charter, which are then turned into practice as it is shown, the functions and powers of the UNSC are demonstrated in intervention. It is clear that such intervention aims to protect human beings.

Numerous conflicts have been successfully brought to an end by the United Nations, more often than not through the actions of the UNSC. Peace and security have been created and maintained in many countries and regions across the world, from Asia, Africa to Europe and Latin America, by the legion of blue-cap soldiers under the authorization of the UNSC. But, not a few stories of failure by the UNSC, where it did not act promptly and effectively to prevent conflicts can be named. The four cases of Rwanda in 1994, Kosovo in 1999, Bosnia in 1995, Somalia in 1992 – 1993¹² and the (second) War in Iraq in 2003 in which the UNSC was profoundly divided are the clear stories of such failure. Because of this, consequences of human rights violations like genocide can never be washed away.

That is why States and non-state actors have made a variety of proposals concerning potential reform of the work, size, and composition of the Security Council¹³.

3. Why is necessarily reformed?

On the eve of the UN's 58th session of the GA, the UN Secretary-General Kofi Annan said, "*the need for Security Council reform is not questioned.*"

3.1. An objective demand

Over the last nearly six decades, especially in the last three decades of the twentieth century, dramatic changes in political and economic spheres have taken place around the world. In the political area, for instance, the 1960s witnessed a vast number of countries, in the black continent particularly, gained independence; and more recently, Europe, the old continent, also saw the split of the Federals into new smaller and independent countries. This is an objective and evolving trend; disintegrating and integrating are the rule of existence. Having become independent, all of these countries acceded to the United Nations, naturally increasing the membership of this world organisation. As of October

¹² 'The Responsibility to protect', a report by the Canadian International Commission on Intervention and State Sovereignty (ICISS), 2001

¹³ Security Council, Dr Danesh D. Sarooshi, <http://www.globalpolicy.org/security/gensec.htm>

2002, the United Nations has 191 member-states, approximately four fold of the membership of the organisation in 1945 (only 51 member-states).

At its inception in 1945, the Security Council was totally composed of eleven countries, in which permanent and non-permanent members were five and six respectively. Countering the pressing demand for the increase in its membership on the eve of the explosive growth in the UN membership in the early 1960s (from 51 to 114), the Security Council reluctantly increased its non-permanent members to ten, while the number of permanent members was remained, following an amendment to the UN Charter in 1965. Since then, the UNSC membership has stood at fifteen. Therefore, no one virtually can deny that the composition of the Security Council no longer reflects and is compatible with the increase in the UN membership and the geopolitical realities of the world today. The international community demanded a better reflection of their numbers and priorities in the UNSC. In his address to the GA at the annual meeting of this organ in September 2003, the UN Secretary-General Kofi Annan said the UNSC's composition "*seems at odds with geopolitical realities of the 21st century. I think that the need for Security Council reform is not questioned.*"

3.2. A question of the Security Council itself

At the outset, there was a question of effectiveness, efficiency and legitimacy of the Security Council. The early periods of this body seemed passing rather easily. Nevertheless, during the Cold War, the Security Council appeared to be born for the sake of the two superpowers, the United States and the Soviet Union (now succeeded by Russia) who are the two of five permanent members. These two superpowers used the UNSC to prevent one another from becoming the dominant superpower, or to protect their allies. The end of the Cold-War, which was marked by the break-up of the Soviet Union in late 1980s and early 1990s, brought about the brighter prospect of the Security Council playing the explicit role of a world actor vested with the task of maintaining peace and security as being specified by the terms of the UN Charter. Yet hopes were covered by black clouds within a decade. It began with the UN sanctioned liberation of Kuwait, which was followed by failures in decision-making or in action in Somalia, Rwanda and Bosnia. The collision between the two permanent superpowers was ended, but it has come to be dominated by the remaining single superpower, the United States. *The Economist* commented as early as 1992 that:

The Council, exult northerners, has been reborn to keep the peace in a manner that fits with modern times. No, grumble southerners, the Council is becoming a flag of convenience for old-time neo-imperialists.¹⁴

The picture of the UNSC was even bleaker after the terrorist attacks on 11 September 2001 and the US-led war in Iraq in 2003. International community was absolutely depressed by the fierce division and failure within the UNSC, which was unable to vow and decide 'either war or negotiation', and finally had to bow before the hawks applying the logic that if you are not with us, you are against us.

The unevenness in response to and interest in various conflicts of the UNSC, at the same time, the step back and decrease as major powers of France and the United Kingdom in the scene made the public questioning of the

¹⁴ "Open the Club", *the Economist*, 29 August 1992, p. 14.

weakness of this body. It is believed that if the UNSC is supposed to carry out effectively its responsibilities in the new century spotted with conflicts here and there, it must be strengthened and reformed to improve its effectiveness, efficiency and legitimacy.

4. When is appropriately reformed?

Now it is widely acknowledged that the UNSC must be reformed. Various ideas about the revision of the UNSC have been proposed, but more than a decade has passed without any concrete actions. Differences in the international community have prevented plans from being translated into reality. A question is raised – is it the high time for the UNSC to be reformed? If not, when? Certainly, the answer is ‘Yes. It is time’. The matter is that action must match with ideas and imagination; political will must be converted into determination and concrete deeds.

CHAPTER II

MEMBERSHIP

1. Current status

People shall get a clear idea of the membership of the UNSC immediately when they read Article 23 of the UN Charter¹⁵. It is composed of fifteen UN member States and distinguished in two basic categories of membership: the permanent and non-permanent members.

1.1. Permanent members:

‘Great powers, realistic might is never known’

The five permanent members as it is enumerated in the Article 23.1 are the United States of America, the United Kingdom, France, the Russian Federation¹⁶, and China. Since there is no amendment has been made to the wording of this Article, the names of ‘the Republic of China’ (which is now the People’s Republic of China) and ‘the Union of Soviet Socialist Republics’ (now is the Russian Federation – see the footnote below) remain in the Charter. Ridiculously!

The permanent members have the power to ‘veto’ a substantive decision of the UNSC by voting against it. The veto is cast much less often now than it was during the Cold War (*See more details in ANNEX-IV attached*), but it is still very much in use as a threat which blocks Council action. I shall work on the issue of veto power in the following Chapters

The term ‘Great Power Unity’ is sometimes mentioned in order to more or less describe the relationship among these five permanent members. There is fear that they would unite to impose their will on the rest. But if it is to prevent war in general and human rights violations in particular, such fear is nonsense and useless. At the same time, another fear is the discord among them. President Nyerere of Tanzania used a proverb in this regard that, “*when two elephants fight, it is the grass that suffers*”. While former Singaporean Prime Minister Lee Kuan Yew spoke of in a gentler manner that, “*when elephants make love, the grass suffers equally*”¹⁷. I would like to harmonize my opinion in this symphony by quoting a Vietnamese saying that, ‘*the cows and oxen are in fight, mosquitoes and flies would be accidentally killed*’.

¹⁵ Article 23.1 and 2, Chapter V of the UN Charter, <http://www.un.org/aboutun/charter/>

¹⁶ The Union of Soviet Socialist Republics was originally a member of the United Nations and a permanent member of the Security Council since 1945 up to its disintegration in early 1990 as well. In 1991, the Russian Federation had a letter to the UN Secretary-General to inform that the membership of the U.S.S.R in the UN and all UN organs, including the Security Council, is being continued by the Russian Federation with the approval in a Joint Declaration by the 11 member countries of the Commonwealth of Independence States (CIS). Notably, this change has been acquiesced to, but so far not formally approved by, the UN GA.

¹⁷ The Procedure of the UN Security Council, Sydney D. Bailey and Sam Daws, Third Edition, Clarendon Press, Oxford, 1998, p. 138 - 139

1.2. Non-permanent members

‘In reality all members are not equal’

The remaining ten of the fifteen members of the UNSC is prescribed in Charter as "non-permanent members". They are elected by the GA for two-year non-renewable terms, of which five new members are elected every year. These ten elected members are selected according to a distribution formula from each of the world's major regions.

The election of non-permanent members is one of the crucial questions for which a two-thirds majority of the members of the GA present and voting is required (Article 18.2 of the Charter and Rule 85 of the GA's Rules of Procedure). In contrast to the five permanent members, the ten non-permanent members or other UN members at large have no right to veto.

After nearly six decades since the establishment of the UN, we have seen the birth of many countries as formal actors/subjects of international law. Consequently, the membership of this world organization has increased as well. As of October 2002, there were 191 states presented in the GA. The number also means that, exclusive to the 5 permanent members, there are 186 candidates to share the only ten elective seats on the UNSC.

2. Expansion of membership

Historically, the issue of increase in the membership of the UN dated back from the early days of the UNSC. Except its first increase following an amendment to the UN Charter in 1965, from eleven to fifteen, this issue was turned back in 1979, along with the question of equitable representation. However, it took more than a decade later, in 1991, it was formally discussed. The process gained more momentum in 1992 when states were asked to submit their views in writing about the composition and procedure of the UNSC; and in 1993 the GA under the Resolution 48/26 established the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council. Through such developments, it could be said that expansion of the UNSC membership has been always placed in the fore of the reform agenda of the UNSC.

2.1. Why it should be expanded?

Article 24(1) of the UN Charter confers the legitimacy of the UNSC for its action on behalf of all UN members. That means the present fifteen members of the UNSC shall act on behalf of the 191 members of the United Nations. More importantly, differing from other UN organs, all decisions made by the UNSC are binding on all UN members. Therefore, in order for the UNSC's decisions entering into force, the UNSC needs a broad-based support from the members of the UN. It could be done by this or another way, but an increase in the membership of the UNSC is a guarantee for getting such support. Because,

- The Charter is a relic of the past. It was drafted and adopted about sixty years ago by only 50 plus one member states, while that figure at the time being is 190 plus one, an increase of nearly four fold in the membership. That is why it is expanded to keep up with the realities of the times;

- The fact is that among the 191 member states of the UN, the number of least developed and developing countries accounts for the majority. Particularly, these countries are playing an increasingly crucial role in connection with the maintenance of peace and security. Nevertheless, few faces representing them are on the UNSC, especially none of them - as China now is considered higher-level developing country - is in the permanent membership. That is why it is expanded to bring more representatives of less developed and developing countries in this most powerful body;

- When decisions made by the most powerful body are binding on all members of the international community, then democracy and transparency in the decision-making process emerge as major concerns. That is why it is expanded to reflect more voices from the international community, contributing to clear up the above concerns. It is said that "*the name is legitimate; your words will be accorded and taken*". The expansion of the UNSC is aimed towards that end.

2.2. How large it should be?

Many proposals have been made. How large should it be in order that it can reflect both the representativeness and effectiveness, while maintaining its efficacy?

Generally speaking, it is agreed by the overwhelming majority that the size of the UNSC should be from twenty-one to twenty-six. There are a number of reasons for the increase to such extent:

- More countries, especially countries in the South, are added to both the permanent and non-permanent categories;
- Countries have more chances to be re-elected on the UNSC;
- The possibility of geo-balance representation is more realistic.

While the least developed and developing countries proposed a 26-member Security Council, the industrialised nations supported a smaller-sized enlarged body. Some argued for the same principle applied to the 53-member Commission on Human Rights. However, other objected such arguments, saying that it would be even harder to make a decision concerning the world's peace and security by a so crowded body; moreover, if it is composed too large, it will be a small version of the GA.

The United States, France, Britain and Russia are opposed to any enlargement that will bring its total number to over twenty-three members. In contradiction, the Organization of African Unity (OAU, which is now the African Union - AU) has vowed to support an initiative for increasing the UNSC's membership by twenty-six. The AU argued that such an increase would spare room for this region to have at least two permanent rotational seats and five non-permanent seats. The Non-Aligned Movement (NAM), the vanguard organization of the Third World's countries, put forward an increase in membership of the UNSC by no less than eleven states that is no less than twenty-six members.

In short, agreement on an expanded Security Council has been basically reached. However, differences over the size of this body are the major obstacles to translate all ideas into practice.

2.3. *What criteria should be used for new admissions?*

Should the principle of “sovereign equality of all its members” as described in Article 2(1) of the UN Charter is strictly observed and taken as the guideline for the admission of new members, it is more or less objective than other criteria. Of course, those criteria could be applied, but agreement in consensus on them is not guaranteed.

The 1945 San Francisco Conference put forward the following possible criteria for the election of non-permanent seats:

...Full equality of all member nations, geographic distribution, rotation, contribution of the members...towards the maintenance of international peace and security... guarantees regarding the active defence of international order and means to participate substantially in it, combinations of elements including population, industrial and economic capacity, future contributions in armed forces and assistance pledged by each member state... also special assignment...to certain groups of nations.¹⁸

Can such criteria be applied in the debate of the current reform, for both permanent and non-permanent members?

On the basis of lessons drawn through the mankind’s historical course and in the midst of the international realities, to some extent these criteria seem appropriate and rather sufficient, though they are not quite clear. For instance, in terms of contribution, what’s kind of contribution, troops or finance? What is the adequate yardstick for such contribution? Furthermore, one of the purposes of the current reform is to challenge the legitimacy of the UNSC; therefore, in order for a new member’s name and position are legitimate, a legal criterion should be added. That means any position in the UNSC must be elected and approved by the GA.

2.4. *Expansion of the permanent membership*

Anyhow, when discussing the permanent seats, it is normally thought of privileges that those occupying these seats are conferred upon, such as the veto power. Therefore, though all proposals remain undecided yet, including the fate of the veto power whether maintained or abolished, that thought sufficiently makes the expansion of the permanent membership more difficult and the struggle for a state being recognized to be eligible for a permanent member is fiercer. Who should be in or out? Should the current P-5 be remained and only new members added?

In the spirit of equal representation, the UNSC’s permanent membership should be composed of countries from all continents and regions. In the course of debating and searching for potential candidates for permanent seats in the future, there have emerged a number of heavyweight countries. For instance, countries from *South America*, should the representative be Brazil, the Portuguese-speaking, largest and most populous country in the region and a top-ten contributor to the UN’s regular budget, or Spanish-speaking Argentina? The factor of spoken language seems dominating this hard choice. From *Africa*,

¹⁸ *Charter of the United Nations: Commentary and Documents*, L. Goodrich and E. Hambro, 1969 pp. 196 - 197

should Nigeria, the most populous nation, or the multiracial and seemingly successful anti-apartheid leading South Africa, or Egypt, the oldest and a Muslim state be the representative? Religion can be an advantage, particularly following the discrepancy of Muslim states with the US-led war in Iraq. From *Asia*, should Japan, the second largest financial contributor to the UN's regular budget and proactive participant in UN's peacekeeping forces and humanitarian activities, or India, the self-proclaimed biggest democracy in the world and a nuclear weapons possessor, or another nuclear state, Pakistan be the representative? Should *Southeast Asia* have a representative, with Indonesia, the world's most populous Muslim state, as the first choice? And, should France and the UK be retrieved, in cooperation with Germany, for a single *European Union* seat?

Among these candidates, it seems that Japan and Germany adequately meet traditional criteria and have gained support from many countries, including three current permanent members: the United States, France and Britain; only China and Russia have said nothing about this matter. Japan itself even publicly claimed for a permanent seat on the basis that it contributes 20.6% to the UN's general budget, more than any other countries, except the United States (25%); while Germany also boasted itself as the third largest financial contributor in the world, even higher than France and Britain. However, financial contribution as an argument invoked by Japan and Germany for their eligibility for permanent seats was immediately objected by others, ironically saying that the UNSC permanent membership is NOT FOR SALE. Additionally, there remain visible and invisible barriers for both Japan and Germany on the road to the permanent status. The visible barrier appears in the wording of Article 107 of the UN Charter, "*Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter...*" Clearly, "an enemy" here is referring to Japan and Germany. It is the trauma on many members of the UN caused by the fascist regimes in the two countries that invisible opposition by their victim countries becomes another barrier to Japan and Germany.

Still, there appears a trend of objecting the enlargement of the permanent membership. Those standing in this side argued that the present permanent seats should not be increased; saying that the best way to democratize the UNSC would be to increase the non-permanent members, so that they are more in the UNSC and they can check the power of the permanent members. Furthermore, the new as well as the old permanent members escape what is the quintessence of democracy or the electoral process. They become unaccountable to the GA. Once they are made permanent members, they are unaccountable except to themselves. It seems that this line of thinking is too pessimistic. The fact is that, as it is stated in the UN Charter, the international community can control the power of the permanent members; the question is how much the members of the GA commit to a revolutionary change.

Though there remains division on how many seats allocated for the permanent membership category in an enlarged Security Council, the common trend is *pro of* rather than *against* the expansion of permanent membership. Based on general positions on the increase in permanent membership, as well as counting balance in an expanded Council as a whole, proposals tended to bring the total number of permanent member up to ten, in which the current five

members remain and the rest five members shall be distributed as follows: One for each of the developing states of Africa, Asia, Latin America and the Caribbean; and two for industrialized states.

2.5. Expansion of non-permanent membership

Unlike the matter of increasing the permanent membership, it is easier to come to the determination for the expansion of the non-permanent membership.

The only enlargement of the UNSC so far, which took place in 1965, is also the very increase in the non-permanent membership, from six to ten. Obviously, there has been strong endorsement for enlarging the non-permanent membership. Different standpoints on the significance of the expansion of this membership category are prevailing. Some argued that, by enlarging the representation of the international community in the non-permanent membership category, the legitimacy of the UNSC acting on behalf of the entire membership of the UN will be strengthened and consolidated; at the same time, it could contribute to improving the effectiveness, promoting the democratization and transparency of this body; especially, more states will have opportunities to serve on the UNSC, meeting the need to ensure equitable geographical representation. However, there were also objections to this matter. Many insisted that instead of bringing in good results, the enlargement of non-permanent membership would hinder the effectiveness and efficacy of the UNSC.

It would be perfect if the criteria put forward at the 1945 San Francisco Conference and those provided in Article 23(1) of the UN Charter are combined, supplementing one another, for the selection of new non-permanent members. However, some members are still sceptical of the possibility that these criteria are fully implemented and all UN members have an equal opportunity to serve on the UNSC. In fact, some larger and economic powerful states have been more frequently re-elected to the UNSC than others; even many UN members have never been in the UNSC.

With a view to ensure the presence of more developing countries in the UNSC, it has been generally acknowledged that the representation of Africa, Asia, Latin America and the Caribbean and Arab world should be strengthened. Therefore, in addition to the *status quo* non-permanent membership election regime, proposals have distributed additional seats on the basis of the following formula: two for each from Africa and Asia, and the rest two for Latin America and Arab states.

2.6. Other options for the composition of the UNSC

Uninterrupted efforts to find a comprehensive and satisfactory composition of the UNSC are still going on. Negotiation is compromising. There are a number of alternatives for the enlargement of both permanent and non-permanent membership categories.

As far as the permanent membership category is concerned, the *first option* could be an addition of five new permanent members without the veto power. Of these five new members, two could be selected on the global basis (likely Japan and Germany); the other three would be allocated to Africa, Asia and Latin America. The problem of this option is “without the veto power”. Even though candidates could be selected, whether at global or regional levels, would

these candidates accept such denying? The *second option* is: two seats for Japan and Germany without the veto power, three ‘tenured’ seats for each from Africa, Asia, and Latin America. This solution appears more dynamic, offering the possibility for more states to serve on the UNSC. A new idea is put forward in this option, the ‘tenured seats’. Perhaps, if it is possible, all permanent members should be granted ‘tenured or termed seats’. This is quite appropriate if we look at the matter from the perspective of contemporary politics. Furthermore, it will be more flexible in an attempt to set criteria beyond those prescribed in Article 23 of the UN Charter for the election of tenured members. The *third option* is a combination of the first and second options, under which two seats are allocated to Japan and Germany without the veto power, two tenured seats for Africa and Asia, and two global-based tenured seats. This regime appears offering more opportunities for large as small, developed as developing and less developed states to be elected on the UNSC.

With regard to the non-permanent membership category, one proposal that was made by some countries is to generate non-permanent rotating seats, of which some will serve longer terms than others. To some extent, this will create a mechanism with ‘senior members’ and ‘junior members’, enabling retiring members can run for re-election immediately. The proposal appears demonstrating democracy and equality among states, it is not clear and uneasy to put forward objective criteria to ensure such democratic and equal functions. Furthermore, should it be based on a global or regional democracy? Whether global or regional basis is determined, it will be difficult to implement adequately.

3. A question of the term ‘permanent’

Many proposals were made concerning whether the permanent membership category should be enlarged, maintained the status quo; or if it is expanded, should the new permanent members be rotated or granted ‘tenured terms’? Nevertheless, none of these mentioned the actual substance of the permanent position, or more precisely the meaning of the term ‘permanent’.

3.1. Should there be a position as ‘permanent’ as it is prescribed in the Charter?

The word ‘*permanent*’ is defined in the *Oxford Advanced Learners’ Dictionary* as follows: *lasting or expected to last for a long time or for ever*. While a world-wide known dictionary for lawyers, the *Black’s Law Dictionary*, gives a definition to this word as follows: *continuing or enduring in the same state, status, place, or the like, without fundamental or marked change, not subject to fluctuation, or alternation, fixed or intended to be fixed; lasting, abiding; stable; not temporary or transient; ...generally opposed in law to ‘temporary’, but not always meaning ‘perpetual’*.

As a rule of the thumb, from the philosophical perspective, the prosperity of one is the diminishing of the other; or as the *Tao (Path of Change)* goes, *Yin (negativity)* up, *Yang (positivity)* down. All of these are to say that the object is always moving, nothing is in stability forever.

In the modern world, a government or administration may elect a group of high-ranking officials, or elite, to control routine work of the government or administration. That group in different political cultures may be granted the ‘*permanent*’ or ‘*executive*’ or ‘*standing*’ status. But, whatever it is, they have

some common following characteristics: in charge of daily work, but their decisions may or may not be final; to be elected by terms, not posted forever. Of course, the whole process is subjected to specified legal procedures.

Similarly, we have the Charter as a legal document, institutionalizing all matters concerning the work, functions and organisation of the UN and its affiliate bodies nearly 60 years ago. The world realities have changed in that course, so in order to keep up with the times; such legal document must be amended and supplemented also. The since-then five permanent members are still there; it is an unacceptable practice, both from the philosophical perspective and the Tao of Change. It is high time for us to rethink of the word ‘permanent’ for the current five permanent members. It’d better to interpret as ‘standing’, which is subjected to tenure, rather than ‘for ever’ or ‘for life’ as it is confusingly construed now. If it is, the reform of the UNSC is less difficult partly.

3.2. Equal status

Vietnamese people have a saying, which is read as follows: “*A river is not subjected to be long or short; a mountain is not subjected to be high or low, as long as it has a name.*”

In that common spirit, all nations, small or big, rich or poor, strong or weak, must be respected and have an equal footing. There is no superior or inferior nation. Therefore, the permanency provided in the Charter should not be granted or possessed only by a group of the so-called superpowers. That is a relic of the past, incompatible with the modernity.

Conclusion and recommendations

The enlargement of the UNSC’s membership in keeping with realities of the times should not only be considered a badly necessary work, but must be conceived an obvious, unconvertible and indispensable trend. This is an extremely important awareness, since it will inspire all countries to put aside differences and seek for similarities, struggling with a practical determination for a Security Council expanded with successive representatives from members of the international community, on the basis of “sovereign equality” among all nations.

Being guided by such spirit, I would like to make following recommendations in this regard:

1. Principles on the enlargement

- Sovereign equality: The UN is a world organization whose members are sovereign states or national liberation movements – actors of international law. Therefore, all members of the UN are eligible to serve on the UNSC – a body as prescribed in the Charter can make decisions relevant to the destiny of all its members.

- Democratic representation: This is a function that requires objective nomination, election and approval. To that end, the process should commence from the basic level, that is regional or group, and end up at the GA. The GA in this regard will play the role as a non-elected Parliament. Furthermore, relevant decisions made by the GA should be examined, *as appropriate*, by the ICJ.

2. Concerning the permanent membership category

It is necessary to reinterpret the meaning of the term ‘permanent’, aiming at reflecting the rule of the Tao of the Change or movement of objects as discussed above. The election of the permanent members should be based on two following mechanisms: major regional and global. With regard to the major regional mechanism, it is assumed that the region-chairing country of regional arrangements, like EU, ASEAN, OAS, or AU, should also take the position of a permanent member, representing that region. This mechanism will unite and represent the voice of that region at both regional and global levels, appropriate with international relations in the world today. As for the global mechanism, direct election will be held at the GA on the basis of a set of criteria. But, members elected on this mechanism should not be allowed to run for more than two terms consecutively.

3. Concerning the non-permanent membership category

The election of non-permanent members should also be conducted on the regional basis. Regions should hold a general election, taking place coincidentally with the election of the Secretary-General of the UN, and a mid-term election. Countries that win in the general election should be considered as “senior members”; and countries elected in the mid-term review should be deemed as “junior members”. At the end of each term, there will be another mid-term election for new members to replace the out-going “senior members”. The old “junior members” now automatically become “senior members”. The out-going senior members should be allowed to run for a second term.

CHAPTER III

WORKING METHODS

“A good anvil does not fear the hammer”

A change in the membership of the UNSC is not sufficient to ensure ‘whole-hearted and expressed’ support for its decisions and efficacy. Thus, working methods of the UNSC have also become a focal point on the reform agenda of this body.

First of all, it should be confessed that while there have appeared strong criticisms over the last decade on the reform of the UNSC that few progress has been made thereof, pragmatic modifications in the UNSC’s working methods have been undoubtedly made¹⁹. New procedures initiated by member states of the UNSC responded in concrete, if small, ways to the need for more openness and accountability, as well as for more diverse inputs into the decision-making process²⁰.

Nevertheless, much needs to be done. Former Malaysian Prime Minister Dr. Mahathir Mohamad spoke at the UN GA’s annual session which was held on September 2003, that: “*The General Assembly is unfortunately subservient to the Security Council, which in turn is subservient to any single one of the five victors of war fought more than half a century ago.*” He continued, “*The United Nations is today collapsing on its feet...it is helpless to protect the weak and the poor. It can be ignored, pushed aside, gesticulating feebly as it struggles to be relevant. Its organs [including the Security Council] have been cut out, dissected, and reshaped, so that they may perform the way the puppet masters want.*”²¹ This bitter reaction of Dr. Mahathir partly demonstrated the depression of the international community over the weakness in general and the working methods of the UNSC in particular. For many countries, the UNSC’s work is closed-door. Furthermore, it is also dominated by and serves the interests of major superpowers. Therefore, the UNSC has been also called upon to reform its working methods. As a body that acts “on behalf of” its members, transparency, democracy, accountability and efficacy are required in the UNSC’s employment.

The first point required in the reform of the working methods of the UNSC is **transparency**. Since 1993, an informal Working Group of the Security Council Concerning the UNSC’s Documentation and Other Procedural Questions has made a number of proposals to improve the UNSC’s working methods and procedure. Of these proposals, which were adopted by the UNSC in a series of Presidential Statements, there was one on the intention of the UNSC to hold more

¹⁹ See “Note by the President of the Security Council, Procedural Developments in the Security Council – 2002,” S/2002/603, May 30, 2002; for a discussion, see Malone, *The Future of the UN Security Council*, p.4

²⁰ The discussion of innovation draws on Edward C. Luck, “Reforming the United Nations: Lessons from a History in Progress,” *International Relations Studies and the United Nations Occasional Papers* no. 1 (New Haven: Academic Council on the UN System, 2003), pp. 13-14. This paper can also be accessed at the following address: http://www.yale.edu/acuns/publications/UN_Reform/Luck_UN_Reform.pdf

²¹ UN Reform When? Haider Rizvi, InterPress Service, September 26, 2003

open meetings²²; on meetings between the UNSC, troop-contributing countries and the Secretariat²³; on increased transparency in the Sanctions Committees of the UNSC²⁴; on the resources necessary for the operations of the UNSC²⁵. Although these developments are positive signals given by the UNSC, many states still want to see greater institutionalization of the measures put forward in these Presidential Statements, to ensure that they are fully and consistently implemented.

By acceding to the United Nations, therefore, each of the current 191 member states has undertaken to implement the decisions made by the UNSC. Incidentally, there is no comparable provision for decisions made by the United Nations GA. They do so, for example, by implementing the sanctions imposed on a member state by the UNSC and by forbidding their own nationals to engage in trade with this member state. Or they provide troops for a peacekeeping mission mandated by the UNSC. Or they attempt to use their bilateral relations with another state or their membership of international organizations to support the UNSC's policy. The last two examples show that the implementation of the UNSC's decisions is also largely dependent on voluntary support by United Nations member states. In order to maintain this voluntary support, the UNSC first and foremost requires authority. This authority derives from the fact that five of the most influential states in the world are permanent members of the UNSC. However, it also depends on the transparency of its decision-making and the quality and impartiality of its decisions.

Efforts to have a Security Council enlarged by the international community also aim to increase and ensure *democracy* in the decision-making process of the UNSC. The increase in membership of the UNSC is synonymous with the participation of more countries or more representatives of the international community in the decision-making of the UNSC. Moreover, a democratic decision must be made by democratic voices. That means before a decision is made, the UNSC should hold consultations with all members of the UNSC, conduct hearings with the presence of even non-members of the UNSC as well as parties involved. Working methods of the UNSC is undemocratic when it was less representative in this body. It is unacceptable in the world today if decisions that determine the future of countries are taken without involving those countries or hearing their points of view. A trial court is without the plaintiff and defendant.

Under the provisions of Article 24 of the UN Charter, the UNSC acts "on behalf of" all UN member states. Therefore, *accountability* of the UNSC in taking its decisions, particularly in the use of force under its authorization is a concern of the international community. Some states have argued that there is now a need for a mechanism to oversee the legitimacy of the UNSC's decisions; others have advocated expanding the reporting mechanism of the UNSC to the GA to fulfil this accountability requirement. The representative of Cyprus, Constantine Moushoutas, in his speech delivered to the GA last year, said that "*the more accountability, the stronger the Security Council.*"

²² UN Presidential Statement, S/PRST/1994/81, 16 December 1994.

²³ UN Presidential Statement, S/PRST/1994/62, 4 December 1994.

²⁴ UN Presidential Statement, S/1995/234, 29 March 1995.

²⁵ UN Presidential Statement, S/1995/440, 31 May 1995.

Being criticized of doing nothing during the Cold-War period in its capacity as the world body in charge of preventing conflicts, both at international and national levels, that may constitute a threat to international peace and security, the post-Cold War UNSC placed more emphasis on authority vested on it by Chapter VII of the UN Charter. This was reflected by the increase in its adoption of resolutions. The UNSC should have gained credit from the international community for such its renaissance. However, the matter of accountability of the UNSC was raised in this process, especially when there had rumours that it was abusing its power. Kirgis, a United States lawyer in international law, in his article *'The Security Council's First Fifty Years'* published in the American Journal of International Law in 1995, wrote that the most serious legal or quasi-legal issues surrounding the post-Cold War UNSC have more to do with the abuse of power than its abdication. He suggested that the UNSC has invoked Chapter VII when the threat to international peace and security was not self-evident and has for the most part omitted any justification for finding such a threat. It has invoked Chapter VII to authorize member states to use armed forces to preserve or restore peace, without relying on Article 42 and without any Article 43 agreements in place²⁶.

Efficacy in the UNSC's work is the very three above requirements guaranteed possible. Furthermore, it is also demonstrated in how decisions and resolutions issued by the UNSC are fully implemented in practice. This is closely linked to the authority and legitimacy of the UNSC. Many decisions and resolutions of the UNSC over the past time are not yet enforced at all. If it is the case, how does the UNSC protect the weak and the poor in such a world that is challenged by the might of a single superpower?

One important term from the work of the UNSC, for instance, is that of the mandate. The mandate comprises the definition of the task in hand and the authorization for a particular measure or policy. Furthermore, it contains information on the conditions under which it will be implemented. For example, the mandate for a peacekeeping mission contains instructions on the circumstances under which the participating peacekeeping troops may use force in order to carry out their mandate. Or a mandate on sanctions states for how long they will be imposed and/or under what conditions they should be lifted again. For

²⁶ Article 42: "Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations."

Article 43:

1. All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.
2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.
3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

various reasons, the UNSC mandates are not always altogether unambiguous. Numerous important Security Council decisions therefore trigger off a public debate sooner or later on the content and limits of the mandates in question.

As noted above, the picture of the UNSC is always a meeting body with voting procedures, rather than other activities, which are directly involved with the decision-making. Thus, this Chapter will focus on two of various activities of the UNSC, meetings and voting procedures.

1. Meetings

‘Most men in handling public affairs pay more attention to what they themselves say than what is said to them... Menaces always do harm to negotiations, and they frequently push one party to extremities to which they would not have resorted without provocation.’

Sir Tom Richardson, former British Ambassador to Rome and Deputy Permanent Representative of the United Kingdom Permanent Mission to the UN, observed that the UNSC is very busy. It meets almost every weekday, often twice a day, and it can meet if necessary any night and any weekend, or even on public holidays.

Formal sessions in the UNSC hall, as seen on television, are rather the exception. Generally, they serve the announcement of declarations and votes on – usually already negotiated – resolutions.

1.1. Types of meeting

If one visits the homepage of the UNSC, he or she can find information relating to day-to-day activities, including news of various kinds of meetings, of the UNSC. Before a decision issued by the UNSC, every issue shall be discussed on the principle of consultations. Therefore, meetings are the most principal operational forms and unsurprisingly mentioned outright in the beginning part of the Rules of Procedure.

Though both the UN Charter and the Rules of Procedure do not mention what name or category a meeting shall be given or grouped into, by studying the record of the UNSC and other relevant literature, we can see there are a number of terms used to refer to meetings of the UNSC, such as formal meetings and informal consultations, or orientation and exchange of views meetings, periodic meetings, or open and private (closed) meetings. Now that, attributed to the nature and sensitivity of issues on its agenda, in fact it is not easy to determine which type of meetings should be referred to since we cannot stick to it just a brand by a simple word, but rather the nature of such meetings.

1.1.1. Periodic or formal meetings

What are Periodic meetings? What are to be discussed at these meetings? Who are eligible to participate in these meetings? When are they held?

Article 28.2 of the UN Charter stipulates that the UNSC ‘shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of their government or by some other specially designated representative’. In 1970, members of the UNSC, guided by this provision and proposals by other UN members with the support of the GA, reached a consensus that periodic meetings ‘could enhance the authority of the UNSC and make it a more effective instrument for the maintenance of international peace and security’. They reaffirmed that ‘periodic meetings, the purpose of which would be to enable the UNSC to discharge more effectively its responsibilities under the Charter, would provide members with an opportunity for a general exchange of views on the international situation, rather than for dealing with any particular question, and that such meetings would normally be held in private, unless it were otherwise decided.’²⁷

The question of when they are held is easily to be answered. They are convened ‘*twice a year, at such times as the Security Council may decide*’ – Rule 4 in the Rules of Procedure. Another question linked to periodic meetings is the proposed agenda. According to Rule 12, the provisional agenda for a periodic meeting is to be circulated to members of the UNSC at least twenty-one days before the opening of a summit meeting.

1.1.2. Private (closed) meetings

Are they really confidential? Who can attend these meetings? What are to be discussed at these meetings?

Sometimes, if we have a look at the archives of meetings held by the UNSC, our eyes normally are glued at the word ‘*closed*’ under the digits for the meeting. What does the word mean? It signifies that the meeting was held in private with only limited number of participants, which is contrary to what said by Woodrow Wilson as ‘open covenants of peace, openly arrived at’²⁸. It goes with diplomats’ arguments that ‘certain functions of criticism and debate are suitably undertaken in public, but negotiations are usually best conducted in private’.

Rule 48 of the UNSC provides that ‘unless it decides otherwise, the Security Council shall meet in public. Any recommendation to the GA regarding the appointment of the Secretary-General shall be discussed and decided at a private meeting’. So, there is only matter that must be always discussed in private meetings is ‘recommendation to the General Assembly regarding the appointment of the Secretary-General’. Even, the record of such meetings is made in a single copy only and to be kept by the Secretary-General as Rule 51 regulates it.

²⁷ SCOR, 25th year, 1544th meeting (12 June 1970), paragraph 2; Supplement for April to June 1970, p. 210, S/9835.

²⁸ The Procedure of the UN Security Council, Sydney D. Bailey and Sam Daws, Third Edition, Clarendon Press, Oxford, 1998, p. 53

Besides the above well-required matter conducted in private, other cases normally are undertaken in closed form where ‘only a communiqué was issued’, ‘both a communiqué and a public verbatim record were issued.’

1.1.3. Informal consultations

The UNSC spends most of its time in a relatively small side room on so-called informal consultations in which it acknowledges the reports submitted by the Secretary-General, discusses them and negotiates resolutions based on them. This type of meeting is usually referred as diplomatic or may be lobbying arrangements. Both the UN Charter and the Rules of Procedure of the UNSC do not regulate it. However, this type of meeting itself can be singled out into two categories following the UNSC practice: informal consultations of the whole and informal consultations or consultations.

1.1.3. a. Informal consultations of the whole

These consultations are private meetings held among only 15 members of the UNSC, presided over by the UNSC President, who notifies each member of the time, place and programme of work to be discussed. There are some differences in comparison with other types of meeting of the UNSC, lying in that no official records are kept and that non-members of the UNSC cannot attend. Furthermore, consultations of the whole are not held in the UNSC Chamber since they are not ‘meetings’ of the UNSC under the provision of the UN Charter and its Rules of Procedure. The aim of the consultations is to review decisions issued previously by the UNSC and other matter may arise as well without resort to a formal meeting. Sanctions regimes imposed by the UNSC under Chapter VII of the Charter, the question of contribution or termination of a UN peacekeeping operation, support to dispatch of a UN special mission, etc. are some examples to be named under the examination of informal consultations of the whole.

Informal consultations of the whole, otherwise known as ‘global consultations’, ‘informals’ or ‘formal informals’,²⁹ are perhaps the single most important procedural loophole in the functioning of the UNSC. As the representative from France said in 1994: “[I]nformal meetings are not even real Council meetings; they have no official existence, and are assigned no number. Yet it is in these meetings that all the Council’s work is carried out.”

This purportedly informal gathering of all the members of the UNSC has in fact become increasingly formalized over the years, and it is in the informal consultation chamber, next to the UNSC chamber, that the *travaux préparatoires* of the UNSC (working papers, draft resolutions etc.) are completed. While formal meetings do not last very long, an informal consultation of the whole can last for several hours and may run into several sessions. When a given resolution or action has been agreed upon, the consultation is adjourned and the members move next door to open a formal session of the UNSC, in which non-members may be invited to participate. After a few introductory remarks and the reading of prepared statements, a vote is taken and the resolution is adopted. This means that such statements, often the only opportunity for non-state actors to interact with the

²⁹ To be distinguished from other informal meetings: informal consultations, informal meetings of members of the UNSC, consultations, and informal informals.

UNSC, are presented too late to have any effect on the resolution about to be voted upon.

1.1. 3.b. Informal consultations/consultations

In a book titled *'The United Nations Security Council: Towards Greater Effectiveness'* published in 1982, Davidson Nicol had a very clear description of these consultations as follows:

...Informal consultations involving members of the Security Council can be either bilateral or multilateral. If bilateral, they may involve the President and one party who may or may not be a member of the Council; they may involve two members of the Security Council; or they may involve one member of the Security Council and one other party who may or may not be a member of the Security Council. If multilateral, they may involve the President and some other members of the Council; the President and parties to a dispute; the President and representatives of some regional groups; the President and Secretariat officials possibly including the Secretary-General; the President and representatives of liberation movements; or they may involve one or more members of the Security Council and persons in one or more of the above categories with or without inclusion of the President.²⁹

Due to the practical nature of these informal consultations, which have attracted the most attention, they have been normally referred as the meetings or meeting groups or 'Group of Friends' and the 'Contact Group'.

In short, there are three main types of meetings held by the UNSC: public meetings, which are conducted variably with meeting places, media attendance, participation of non-members of the UNSC without the right to vote; private meetings, which are not open to the public or media in terms of content and records; and informal consultations that are the most used form of meetings in the UNSC.

Today, it is possibly said that after all inaction for a long time, the members of the UNSC met more often than they ever had before to examine the issues of paramount significance of the world: peace and security.

1.2. Enhancing the UNSC's transparency by holding more different types of meeting

From at least the early 1990s onwards, and partly in reaction to the UNSC's high profile, there were growing complaints among non-members that the UNSC's proceedings were too secretive, and that the formal – and public – meetings simply rubber-stamped decisions taken elsewhere. In response, the UNSC has tried to make its working procedures, particularly its meetings, more transparent. Three are more formal meetings; not just to vote on resolutions, but to hear briefings from the Secretary-General. The President of the UNSC for the month is requested to brief both interested non-members and the media every working day, in general terms, on the work in progress in informal consultations,

²⁹ Davidson Nicol, *'The United Nations Security Council: Towards Greater Effectiveness'*, UNITAR, 1982, p. 76

and also summarises the UNSC' work at the end of his or her term. The UNSC also pays more attention than in the past to the preparation of its annual report to the GA, and not only establishes but also encourages full open debates. At the end of the day, however, informal meetings are where delegates can speak their minds freely and negotiate in private. The UNSC, admittedly, can not function without them.

No part in the reform package of the UNSC since 1993 has demonstrated more clear-cut progress than in the working methods in general; especially voices of the international community were heard in promoting the transparency of the UNSC's work. Such progress was reflected by the UNSC's holding more different types of information-providing and broader-representative meetings.

Examine experimentally the working programme of the UNSC for July of 2004 - the month presided by Germany.

PROGRAMME OF WORK OF THE UNSC, JULY 2004

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SAT	SUN
28 JUNE	29	30 CAR report due UNAMSIL report due UNMEE report due	1 Bilaterals (a.m. & p.m.) 4:30 p.m. - Coordinators Meeting	2 <u>Consultations</u> (a.m.) - Programme of Work	3	4
5 OFFICIAL HOLIDAY	6	7 <u>Consultations</u> (a.m.) - Briefing by the S-G <u>Consultations</u> (p.m.) - Central African Republic	8 <u>Consultations</u> (a.m.) - Bosnia and Herzegovina	9 <u>Formal Meeting</u> (noon) - SFOR draft resolution	10	11 <i>SFOR mandate Expires</i>
12	13 <u>Open Briefing</u> (a.m.) - Middle East Consultations (a.m.) - Middle East	14 <u>Consultations</u> (a.m.) - Somalia - Côte d'Ivoire; DRC <u>Formal Meeting</u> (a.m.) - Somalia PRST <u>Consultations</u> (p.m.) - Afghanistan	15 <u>Consultations</u> (a.m.) - UNAMSIL - UNMEE <u>Formal Meeting</u> (a.m.) - Afghanistan <i>DRC Expert Group report due</i>	16 <u>Public Meeting</u> (a.m.) - Report of the UNSC Mission to West Africa	17	18
19 <u>Consultations</u> (a.m.) - Threats to international	20 <u>Public meeting</u> (a.m.) - Cooperation between the	21 <u>Consultations</u> (a.m.) - Sudan	22 <i>SG's lunch</i>	23 <u>Private Meeting</u> (a.m.) - UNIFIL	24	25

peace and security caused by terrorist acts <u>Public meeting</u> (a.m.) - Threats to international peace and security caused by terrorist acts	United Nations and regional organizations in stabilization processes <i>MONUC report due</i>	<i>UNIFIL report due</i>	<i>UNOMIG report due</i>	TCC - MONUC TCC		
26 <u>Consultations</u> (a.m.) -UNOMIG <u>Consultations</u> (p.m.) - Iraq/IAMB <u>Private meeting</u> (p.m.) -UNOMIG TCC	27 <u>Consultations</u> (a.m.) -UNIFIL <u>Consultations</u> (p.m.) - DRC/ Sanctions Committee <u>Formal Meeting</u> (p.m.) - DRC/ Arms embargo draft resolution	28 <u>Consultations</u> (p.m.) - Sudan DRC Expert Group mandate expires DRC arms embargo expires	29 <u>Formal Meeting</u> (a.m.) -MONUC draft resolution -UNIFIL draft resolution -UNOMIG draft resolution <i>End of Presidency reception</i>	30 <u>Formal Meeting</u> (a.m.) - Sudan - <i>UNMIK report due</i> - <i>MONUC mandate expires</i> - <i>Afghanistan report due</i>	31 <i>UNIFIL and UNOMIG mandates expire</i>	

1.2.1. Creating fresh meetings

Over the last decade, in order to accord the requirement by the international community to know what and how the UNSC is doing behind its chamber rooms, the UNSC has conducted more different types of meetings that tend to be more open and mass participation.

With regard to the public meetings category, the following meetings were added: Open Debate, Open Briefing, and Open Meeting

- ***The Open Debate:*** This format provides an opportunity for non-Council members to address the UNSC on UNSC issues. Another version of the open debate is a.k.a. the "orientation debate". The same modality is employed, except that orientation debates are held to allow the UNSC to get the views of non-Council members on how to deal with specific issues before the UNSC proceeds to take action.

All non-Council members, representatives of regional organisations and other international bodies are permitted to attend as observers and participate in the debate without a right to vote under Rules 37 or 39 of

the Provisional Rules of Procedure. The UNSC nevertheless reserves the right to accede to or not to accede to any request of non-Council members to participate in the debate under Rules 37 or 39. Members of the media and the public are also allowed to witness the proceedings.

- ***The Open Briefing:*** This modality is used when the UNSC wishes to obtain a briefing from senior officials of the UN Secretariat (including Personal Envoy, Special Representatives or Special Envoys of the UNSG) or heads of UN agencies on developments relating to particular UNSC issues.

Participation is restricted to the members of the UNSC and the senior officials of the UN Secretariat or an appointment-holder of the UNSG, who will conduct the briefing.

- ***The Open Meeting:*** This format is used to allow the UNSC to conduct its debate on particular issues in public.

While non-Council members, the media and public are allowed to attend and observe the proceedings; participation in the debate is restricted to members of the UNSC and representatives of countries that are directly affected by the subject of the discussion. If the UNSC deems it necessary, it may also invite representatives of UN agencies and other international organisations to participate in the meeting.

One common point of the three additional meetings is that the President of the UNSC of the month chairs them all.

As far as the private meetings are concerned, along with the private closed-door meetings, there have been the so-called ***private open-door meetings***.

The term for the new kind of meeting seems triggering the prerequisite feeling at the first glance. This meeting is open to non-members of the UNSC to witness, to enhance the level of transparency of the work of the UNSC. However, participation is limited to Council members and countries and persons with whom the UNSC wishes to exchange views with. Non-Council members are permitted to attend as observers. Furthermore, the media and public are nevertheless not admitted. The meeting is usually held in the chamber of the UNSC and under the chairmanship of the President of the UNSC for the month. Though it is open, the UNSC could decide whether or not a communiqué should be issued. Normally, after the meeting was completed, general information is posted in the UN Journal.

The third breakthrough in allowing non-members of the UNSC to monitor the work of this body takes place in the informal consultations category. There are the so-called ***Arria Formula*** meeting, meeting of members of the UNSC, and wrap-up meeting.

- ***Arria Formula meeting:*** The meeting is named after former Venezuelan Ambassador, Diego Arria who in 1993 arranged an informal meeting with a visiting priest to discuss the conflict in the

former Yugoslavia. This is a meeting of the members of the UNSC rather than a meeting of the UNSC. It allows Council members to hear the views of representatives of non-Council members, representatives of non-state parties and NGOs in an informal and confidential setting.

An individual member of the UNSC can invite others for a candid exchange with independent experts and civil society. Therefore, meetings held under this formula are designed to allow members of the UNSC to obtain information related to issues under consideration from any source, not least of a non-governmental nature. Arria meetings are not the privileged format for the UNSC to meet with representatives of states – formal meetings of the UNSC, according to the Charter and the existing RP are. By virtue of their informal nature, Arria meetings do not require formal acquiescence by all members of the UNSC.

Usually the meeting is held at one of the Conference Rooms in the UN (usually Conference Room 5, 6 or 7); and chaired by any other member of the UNSC. (The choice of the Chair is made through informal consultations conducted by the President.).

No official records of the meetings will be taken; and the meeting will not be publicized in the UN Journal.

- ***Meeting of members of the UNSC:*** Like the *Arria meeting*, this meeting is not a meeting of the UNSC but a meeting of members of the UNSC. The modality is used to enable the UNSC members to hear the views and presentations of dignitaries from outside of the UNSC. The format was used when the members of the UNSC met the Chairman of the US Senate Committee on Foreign Relations Mr Jesse Helms in January 2000.

Non-Council members are allowed to attend as observers. But only members of the UNSC can make statements or interventions. There is also no official representative of the Secretariat who would attend the meeting. This kind of meeting is usually held in the UNSC Chamber. However, the country plaques are removed to emphasise the fact that it is not an official meeting of the UNSC.

Although notice of the meeting is not posted in the UN Journal, the member proposing the meeting is charged with informing the public about the meeting. Similar to the Arria formula meetings, no official records of this meeting are taken as well.

- ***Wrap-up meeting:*** This meeting is also known as “public wrap-up sessions”, that means the meeting is held in public. All 15 members of the UNSC participating in the meeting will discuss papers circulated by the President of the UNSC to them before.

The purpose of the meeting is to reflect and evaluate the procedural and substantive work of SC, normally held at the end of the month.

However, it is not a monthly regular meeting. Non-members of the UNSC can be invited to attend this meeting.

It could be said that the holding of the above meetings in addition to the fixed ones makes the work of the UNSC more dramatic, bringing in a feeling that the UNSC is organized in a way that is enabling it to function continuously, so as to be able to act promptly in situations relating to international peace and security at any time. Still, there are still a number of other meetings of the UNSC, such as extraordinary or emergency meetings, meetings with troop-contributing countries – a kind of meeting that is requested and promoted recently – hearings from the President of the ICJ or the Secretary-General, are not included in the discussion above. Therefore, to run a campaign for membership of the UNSC is one story, but challenges to elected countries in terms of personnel capacity and accountability are another story.

The remarkable point in reforming the working methods of the UNSC over the last few years is that the UNSC has held an increasing number of so-called open sessions. At these meetings all 191 UN member states can speak on any particular issue dealt with by the UNSC, for example the situation in the Middle East. However, no decisions are made. This is a limit that should be reconsidered. The media usually reports on these sessions.

1.2.2. More analysis on informal consultations

Among the whole package of meetings of the UNSC as mentioned, informal consultations have become the most important activities of the UNSC over the last decade. The number of these meetings steadily increased from year to year. According to statistics released by the Global Policy Forum, in 1988, there were only 62 informal consultations, but in 2002 the figure was up to 259. Thus, these consultations draw much attention from the public. There were commendations and criticisms of this category of meetings.

Although the UNSC's informal consultations are technically confidential, most diplomats in New York know the results in detail within a few hours. However, this transparency is very much desired. After all, the support of all member states is essential for the implementation of the resolutions and member states are more ready to support a decision if they know why and how it was reached.

The principal criticism made by Member States is that this insistence on informal privacy inhibits the creation and maintenance of institutional memory. If there are no records of the meetings in which the essential work of the executive organ of the United Nations system is done, not only are 'outsiders' unaware of how decisions were reached, they are also uninformed about the status of some situations that do not result in either a presidential statement or a resolution. What this means in practical terms is an extension of the institutional influence of the permanent members of the UNSC: with the constant replacement of non-

permanent members,³⁰ it is the non-elected members of the UNSC who both provide continuity and serve as reference. And as the past fifty years of international relations have shown, the five permanent members are not impartial arbiters, neither as a group nor individually.

Another complaint is that the atmosphere of secrecy in which informals are shrouded means that there is a further loss of accountability, in that there is no way of knowing the positions that have been taken by members of the UNSC prior to the formal meeting. Essentially, this is an argument for the openness of debate, with emphasis placed on the right of Member States not represented on the UNSC to be apprised of its decision-making. In recent years, the relationship between the UNSC-especially the permanent members-and the General Assembly has been somewhat strained over this point, with the former insisting upon the benefits of privacy for negotiation and compromise and the latter insisting upon regular dialogue. The logic of the requests for dialogue proved hard to resist, especially in the area of peacekeeping missions-it is, after all, often non-members of the UNSC who are asked to provide human, material and financial support. In 1994, following a proposal by Argentina and New Zealand, a new procedure was introduced, whereby members of the UNSC would have regular meetings with troop-contributing countries to discuss the formulation, implementation, review and renewal of peacekeeping mandates. While final decision power remains with the UNSC, this process assures that these states at least feel more involved in the planning of the tasks they are asked to undertake.

Conclusion and recommendations

Ingredients and materials to make cakes are available. The public not only expect good cakes, but they also want to know what such ingredients and materials are or how are the cakes made? And the most important thing is that their request must be satisfied at any time and at any stage. The same story is for meetings of the UNSC.

Though developments as presented above are extremely impressive and bearing a revolutionary character. Nevertheless, the requirements for more transparent working methods, particularly in terms of meetings, of the UNSC are not satisfactorily accorded. Therefore, following the above dynamic evolutionary process, there is more can certainly be done thereof. In that spirit, I would like to make the following recommendations:

- Open public meetings should be held at any stage of the consideration of a subject, in lieu of informal consultation of the whole. Whenever necessary, the UNSC should meet in private formal sessions. Written records should be ensured for formal sessions of the UNSC public or private. Informal consultations of the whole could be held whenever necessary, but not as the main way for the UNSC to conduct its business. Orientation debates previously announced by and with the participation of non-member states of the UNSC should be held prior to the UNSC's taking a decision on a particular matter.

³⁰ There are ten elected (non-permanent) members of the Security Council, each for a two-year term. Elections are staggered, however, with five of the non-permanent seats being vacated every year. This means that at any one time, only half of the elected members were seated on the UNSC the previous year.

- The UNSC should apply the relevant provisions of the Charter and its rules of procedure, particularly those related to ensuring that any member of the United Nations and any state which is not a member of the United Nations as well as members of the Secretariat or any other person, may participate or be invited to participate, as appropriate, in the discussions of any item before the UNSC and be given adequate opportunity to address the UNSC in an appropriate forum.

- The UNSC should consider allowing non-member states of the UNSC to make statements in the meetings in which the President on behalf of members of the UNSC makes a statement.

- Meetings held under *Arria Formula* are designed to allow members of the UNSC to obtain information related to issues under consideration from any source, not least of a non-governmental nature. *Arria* meetings are not the privileged format for the UNSC to meet with representatives of states – formal meetings of the UNSC, according to the Charter and the existing Provisional Rules are. By virtue of their informal character, *Arria* meetings do not require formal acquiescence by all members of the UNSC. However, all members of the UNSC should be invited and encouraged to participate in.

- *Arria* style meetings should be used whenever there is a need to preserve informality. It should not, therefore, attempt to create norms to regulate them. They have their own function within the informal activities of Security Council members. But, their use should not preclude the utilization of other formal mechanisms provided for by the Charter and the Provisional Rules of Procedure.

2. Voting

‘Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice’ (Rule 40 of the Rules of Procedure)

2.1. What is the legal basis for this procedure?

Article 39 of the UN Charter prescribes the authority of the UNSC to “*determine the existence of any threat to the peace, breach of the peace, or act of aggression...to maintain or restore international peace and security*”. If this provision is merely interpreted as a reaffirmation the role of the UNSC, then it is so simple that it cannot fully reflect the meaning of responsibility of the UNSC in acting “on behalf of” all UN members. Instead, this is the very cornerstone of the voting procedure.

With the above provision, it can be construed in a broader sense that the UNSC can decide the destiny and future of countries, the international peace and security. However, to come to a final decision or resolution relating to peace and security, it could not help getting support or agreement of a required quantity of the UNSC’s members by casting vote.

Therefore, voting is an indispensable procedure to guarantee the legitimacy of any decision made by the UNSC. That the provisions concerning voting as

prescribed in the UN Charter and the RP of the UNSC is just only the intention of the founders, reminding those involved in such procedure of their accountability to the international community.

2.2. *Different types of voting*

How is a matter on the UNSC's agenda voted? What responsibility should a vote-holder take to the international community? Is this necessary to vote when consensus and unanimity reached? Is there a problem of political influence and interests in voting?

Voting in the view of the author of this paper is the most interesting procedure conducted in the UNSC. Responsibility and interests are more often than not raised in this connection. It is of course sometime difficult to keep a balance with an equal weight. However, since decisions issued by the UNSC are binding on all UN member states, and the matter or situation it is dealing with are so crucial that responsibility and morality must always be heightened. Veto is part of the voting procedure, but it is always a so big and controversial issue that there will be a separate chapter (Chapter IV) to discuss this right. Whereas taking opportunity to speak of interaction of responsibility and interests, it could be said that the right to veto for instance is a justification for interests of its holders.

2.2.1. *Affirmative vote*

It is required that decisions by the UNSC on procedural matters or all other matters shall 'made by an affirmative vote of nine members' (Article 27.2 and 3 of the UN Charter). However, incompatible with simple language in paragraph 1, included in paragraph 2 of Article 27 are an *inclusive phrase* - that is about 'concurring votes of the permanent members', and an *exclusive phrase* - that is about 'abstain from voting' of a party to a dispute.

So, in order to reach an affirmative vote, consensus or at least unanimity is normally necessary, otherwise a binding *decision* cannot be made. The importance of affirmative vote clearly demonstrated in the dispute between the war - supporting US-led party and the war - rejecting France-led party in the case of Iraq in 2003. The US-led party tried to lobby for enough number of nine votes on the one hand, and the France-led party tried to make that number minus. *Prima facie*, this case also points out that only with an affirmative vote can the UNSC be effective and strong, and vice versa.

2.2.2. *Abstentions*

Abstention is an 'advisable and safe' method for one member who wants to be neutral or does not wish to vote either for or against a matter. This is known as a voluntary abstention³¹. But this right might be arguably abused for the sake of interests as well.

Under Articles 27.3 and 52.3 of the Charter, a party to a dispute 'shall abstain from voting'. This is an obligatory abstention.

³¹ "The Procedure of the UN Security Council", Sydney D. Bailey and Sam Daws, Third Edition, Clarendon Press, Oxford, 1998, 250; or see Sydney Bailey's article, 'New Light on Abstentions in the Security Council', *International Affairs*, 50, No. 4, Oct. 1974, pp. 554 – 73.

2.2.3. *Absence*

Absence might be a force-majeure/objective reason, but also a deliberate/subjective reason. The first argument is justified by trivial problems as out of our control; while the second simply is that 'I disagree'.

Is there any consequence on voting due to absence? Not serious, if an affirmative vote cannot be reached due to absence and this ever happens.

2.3. *Significance of voting*

Each member of the UNSC will have only one vote. According to the UN Charter, decisions of the UNSC on the procedural matters are made on the basis of an affirmative vote as presented above.

Therefore, the UNSC's decisions on any issues concerning the maintenance of international peace and security must have the approval of all permanent members. If one of the five permanent members uses the veto power, the decision will not be adopted, despite an affirmative vote of nine members. However, any permanent member, who abstains from voting or does not participate in a vote, is not considered as vetoing.

Voting procedure is so far not changed yet. The fact is that, this procedure cannot be changed independently, because it is subject to the balance of membership in the UNSC. As long as there is no change in the membership or formally revolutionary amendments to the UN Charter relating to the veto power, the current voting regime and formula remain.

2.3.1. *Is this a substantial or formula act?*

Voting is the last gesture of a working day, as well as the last work in the decision-making. This procedure can demonstrate the success or failure, a fruitful or doom working day.

At present, the UNSC is composed of 15 members, of which five are permanents - who have two contrary votes: the 'Yes', when they use their votes in the capacity of an ordinary UNSC's member; and the 'No', when they put on the blouse of the P-5 members with the veto power – and ten are non-permanent members.

Both the UN Charter and the UNSC's RP provide for a fixed, but required proportion of votes by the 15 members, that is 9 to 15 including the 'Yes' votes of the P-5 members to ensure a voting affirmative.

Rules are as such, but the matter is around the decision of each the P-5 members, whether or not they use their 'No' votes, the veto power. (More discussion about the veto power is in the next Chapter). What happens if one of the P-5 members uses the 'No' vote? Normally, a decision or resolution cannot be taken or adopted. Can a veto is vetoed by a referendum in the UNSC's membership, supporting or objecting to such a veto? Unfortunately, it rarely occurs. Is the outcome of the referendum the final decision? In case the outcome of the referendum is vetoed, should it be referred to the GA and is the decision of the GA decisive? These questions are still open and the path to find out a solution for them is not plain. In 1950, the GA adopted the resolution No. 377, which is well known as the 'Uniting for Peace' resolution. This resolution mentioned the possibility of the GA's determination of collective measures 'because of lack of

unanimity of the permanent members [of the UNSC] ... to maintain or restore international peace and security'. If the resolution is fully implemented, it will be a good solution to surmount difficulties when the UNSC gets stuck or even to restraint the misuse of the veto power as well. However, from practical perspective, a resolution by the GA is more often considered as a recommendation. Furthermore, for the purpose of this Thesis, I want to emphasize the institutional aspect of the matter, which is in the UN Charter itself.

2.3.2. Are transparency, accountability and democracy workable?

Voting is one of the procedures in the working methods of the UNSC that needs to be reformed, making it a more transparent, accountable and democratic work of the UNSC.

As discussed above, in an attempt to meet the demand made by the international community for transparency, accountability and democracy in the UNSC's working methods, the UNSC has had progressive steps over the last decade in establishing fresh types of meeting, enabling the public gradually accessible to the daily work of the UNSC. However, one prevailing point thereof is that though more representatives of the international community, including UN members, non-members of the UNSC, and even members of the civil society can participate in those meetings, their attendance and viewpoints do not matter much, simply because they do not have the right to vote; they are not allowed to participate in the voting.

As a diplomat once said that how much the working methods of the UNSC are improved and changed in positive directions, but if the voting procedure is not matching with such changes, the whole process will lead to zero.

Should there is a mechanism composed of independent and prestigious experts to monitor the voting process in the UNSC?

Conclusion and recommendations

In parallel with increasing workload and involvement of the UNSC in almost subject matters emerging in the world today, the image of members sitting on the UNSC voting to make decisions or resolutions that are binding on all members of the UN seems to be televised daily around the world. Thus, the credit of the UNSC is closely associated with the belief of the international community in its transparent, accountable and democratic decisions and resolutions.

Consensus or unanimity is necessary, but not sufficient. In order for each and every decision or resolution of the UNSC accepted by the overwhelming majority of the international community, I would like to recommend the following solutions to the voting process:

- In necessary cases, especially those relating to the imposition of sanctions (military or economic), humanitarian intervention, it is necessary to have relevant agencies or bodies of the UN such as the ICJ, CHR, etc... involved in the voting. Votes of these participating organs should be considered voices for 're-examination' of the plan or intention.

- When the voting in the UNSC fails (in the case of Iraq War in 2003), it should be referred to the GA, where another voting with the participation of all UN members will be held. The winning outcome (whether positive or negative) should be the final decision (in the case of the GA held a voting against the erupting the so-called 'defence wall' by Israel in Gaza Strait in July 2004).

CHAPTER IV

THE RIGHT TO VETO

1. A substantially powerful right

‘Without the veto there would be no United Nations’

That is what many states participating in the San Francisco Conference realized when they gathered to discuss and sign the Charter to give birth to the United Nations. In fact, over the last nearly six decades have passed, only the Major Five held the power and influence to make [the United Nations] work³².

1.1 What is the legal basis for this right?

One can get surprised when his or her efforts would become senseless to search for the word ‘veto’ in both the UN Charter and the Rules of Procedure. However, it is to read behind the word. Article 27.3 provides that ‘Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members, including the concurring votes of the permanent members...’ This is the rule of ‘Great Power Unanimity’. Going through the Charter, particularly Article 27 of the Charter, each of the five permanent members of the UNSC is granted a special privilege, which is then turned into the term ‘right to veto’ or ‘veto power’ or simply ‘veto’, meaning more often that not the right to say ‘No’. And, it has become a common-usage term to refer to the real power of the only five countries among 191 member countries of the United Nations.

What does it mean behind the word ‘veto’? It means the UNSC could not be strong and effective in implementing the duty of maintaining international peace and security vested with it.

1.2. Who are the beneficiaries of the right to veto?

No one has the right to veto, except the five permanent members of the UNSC: the United States, the United Kingdom, France, China and Russia.

The right to veto was introduced by the authors of the Charter to ensure that the victorious powers of the Second World War spoke with one voice in matters of war and peace, and not so much to provide all of them with an instrument enabling them to prevent any given resolution. However, they proceeded on the assumption that the victorious powers were prepared to act, by and large, in unison, something, which was no longer the case only a short time after the end of the Second World War.

In the era of the East-West conflict, the right to veto thus played a mostly negative role, which fully justified the criticism of this Charter provision, which is voiced even today. Since the end of the Cold War, however, the right to veto has

³² The UN Veto in World Affairs 1946 – 1990, A Complete Record and Case Histories of the Security Council’s Veto, Anjali V. Patil, 1992

seldom been used. But this does not mean that it plays no role today. Rather, it happens again and again that permanent members threaten in a more or less concealed manner to use their veto in order to influence the content of Security Council resolutions.

A prevailing feeling is that since the early 1990s up-to-present the permanent members seemingly have used the veto power with more frequent times, but only when the interests of these members are hammered. Therefore, the volume of complaints about the veto privilege of the current five permanent members seemed to rise precipitously over the last decade³³.

2. Different types of veto

Unlike what it is thought, there are a number of types of veto.

2.1. The Open or Real Veto

To put it simple, whenever a permanent member of the UNSC uses a vote to say ‘No’ or a negative vote on substantive matters, it is a ‘veto’. This is known as either Open Veto or Real Veto.

2.2. Double Veto

It is a rather complicated, abstract and even misused term. This action mainly deals with issues that should be determined as procedural or substantive. In other words, matters brought to the UNSC’s agenda need to be clarified firstly whether they belong to paragraph 2 or paragraph 3 of Article 27 of the Charter. And, the double veto normally is undertaken in this process. That is ‘one veto means preventing a question from being considered procedural and another means defeating the proposal as a substantive question’³⁴. In practice, the problem comes up when there a decision is made upon proposals for the establishment of subsidiary organs for investigations. Such a decision could initiate a chain of events, which might, in the end, require the UNSC to undertake measures of enforcement. In this connection, The President of the UNSC can make two possible rulings on the matter, either procedural or substantive, and if such rulings are challenged, the double veto arises.

2.3. Hidden or Indirect Veto

The word ‘veto’ used in this case is just a borrowed word only since veto means negative or ‘No’. It may not be a vote against by a permanent member of the UNSC. So, in order to reject a proposal, exclusive to a Real Veto, there must be seven of the fifteen of the UNSC vote against or abstain.

³³ Please further note that, apart from the question of the veto, the permanent members are also given other privileges and rights in other contexts. They enjoy other de facto privileges (the so-called “cascade effect”) that include permanent representation in UN bodies, such as the ICJ, ECOSOC, and the General Committee of the GA. In addition, nationals of the permanent members of the UNSC also hold key senior positions in the UN Secretariat.

³⁴ The UN Veto in World Affairs 1946 – 1990, A Complete Record and Case Histories of the Security Council’s Veto, Anjali V. Patil, 1992

2.4. *Artificial and Imposed Veto*

This term is not officially and popularly used in the language of the UNSC. However, it is once used by the former UN Secretary-General, Dag Hjalmar Agne Carl Hammarskjöld, referring to the attitude of ‘this or that Power to make its consent essential for questions which naturally should be solved, let us say, on a majority basis’³⁵.

2.5. *Veto by proxy*

Articles 27.3 and 52.3 of the Charter oblige a UN member party to a dispute, who has no right to veto, to abstain from voting. If a permanent member of the UNSC acts on behalf of this party by using that member’s the right to veto then this act is known as ‘veto by proxy’.

2.6. *Collective veto*

It is rarely mentioned that the non-permanent members also have a kind of collective right to veto. If more than six Security Council members reject a resolution, the required majority of nine votes cannot be reached – even if all permanent members vote "Yes". However, this rarely occurs. It is similar to the hidden or indirect veto.

3. **The question of use**

It is widely conceded that the right to veto is an antiquated paradox insistently demanded by the Second World War victors, who directed from the beginning the drafting course of the Charter. There had been threats that the UN would not be established if the right to veto was not accepted.

Use has been made of the veto throughout the history of the United Nations. There are different ways of counting how many times decisions have been vetoed. For example, if several permanent members veto a single resolution, one would count it as one veto or several vetoes? The Federal Foreign Office of Germany (FFO) said that, according to the UN's tally, the veto has been invoked more than 250 times to date – 5 times by China, 18 times by France, 32 times by the United Kingdom, 120 times combined by the Soviet Union and its successor state the Russian Federation and 76 times by the United States.

The FFO made further comments that at various stages in the history of the United Nations, various permanent members have invoked the veto more often than others, reflecting changes on the international political arena. The veto has however been invoked relatively rarely since 1990.

³⁵ Servant of Peace: A Selection of the Speeches and Statements of Dag Hammarskjöld, Secretary-General of the United Nations 1953-1961. New York, Harper & Row, 1962; see more about the author and his works at <http://www.nobel.se/peace/laureates/1961/hammarskjold-bio.html>

Major cases using of the veto since 1 January 1990

Date	Veto invoked by	Subject of resolution / political reason for use of veto
1990, 17 January	USA	Privileges and immunities of diplomatic missions. The US had searched the Residence of the Nicaraguan Ambassador in Panama in connection with its intervention in the country, as it suspected that arms were stored there. Seven non-permanent members of the UNSC co-sponsored a draft resolution condemning this action.
1990, 31 May	USA	Situation in the Arab territories occupied by Israel
1993, 11 May	Russian Federation	Financing of the UN Peace-keeping Force in Cyprus. Russia did not approve switching from voluntary to compulsory contributions because it expected this would cause an additional financial burden.
1994, 2 December	Russian Federation	Enforcement of existing restrictions of the movement of goods between the FRY and the Serb-controlled areas in Bosnia and Herzegovina and Croatia
1995, 17 May	USA	Situation in the Arab territories occupied by Israel
1996, 19 November	(USA) – This was a secret vote, but the US had previously clearly stated that it would prevent the re-election of Secretary-General Boutros Boutros-Ghali.	Appointment of the UN Secretary-General
1997, 10 January	China	Assignment of military observers to the UN MINUGUA mission charged with overseeing the peace agreement in Guatemala. Guatemala had just established diplomatic relations with Taiwan.
1997, 7 March	USA	Situation in the Arab territories occupied by Israel
1997, 21 March	USA	Situation in the Arab territories occupied by Israel
1999, 25 February	China	China refused to extend the mandate, because Macedonia had recently established diplomatic relations with Taiwan.
2001, 27 March	USA	Situation in the Arab territories occupied by Israel
2001, 14 December	USA	Situation in the Arab territories occupied by Israel

2002, 30 June	USA	UNMIBH/SFOR in Bosnia and Herzegovina The United States had linked the extension of the mandates of these two peace missions with the question of immunity from the International Criminal Court for mission personnel from non-signatory states. The ICC Statute had just entered into force. The other Security Council members had initially refused to agree to such immunity.
2002, 20 December	USA	Situation in the Arab territories occupied by Israel
2003, 16 September	USA	Syria and other states co-sponsored a draft resolution condemning the decision taken by the Israeli Cabinet to exile Arafat from the occupied territories. The US vetoed the resolution because in its view the draft did not condemn terrorism sufficiently strongly. Germany, Britain and Bulgaria abstained; the remaining members of the UNSC voted for the resolution.
2003, 15 October	USA	Syria and other states co-sponsored a draft resolution condemning the "wall" being erected by Israel to protect it from terrorist attacks emanating from the Palestinian territories. The US also vetoed this resolution because in its view the draft did not condemn terrorism sufficiently strongly. Germany, Britain, Bulgaria and Cameroon abstained; the remaining members of the UNSC voted for the resolution.
2004, 25 March	USA	Algeria and other states co-sponsored a draft resolution condemning the killing of the founder of Hamas by Israeli armed forces. The US vetoed the resolution because the draft did not also condemn the terrorism perpetrated by Hamas and thus, in spite of its rejection of the policy of extra-judicial killings, it felt that a "condemnation" of Israel went too far. Germany, Britain and Romania abstained; the remaining members of the UNSC voted for the resolution.

Source: the Federal Foreign Office of Germany (<http://www.auswaertiges-amt.de>)

During the very first years of the UNSC's inception, the permanent representative of the Soviet Union to the UN, Vyacheslav Molotov, who later

became the Minister of Foreign Affairs, used so much the veto power that he was known as “Mr. Veto”.

However, if one looks at the history of the UN in recent years, the United States became the most veto user among the permanent members. Between 1986 and 2002, the United States invoked the veto 30 times - two fold of the combined number of vetoes invoked by other permanent members.

With further regard to the right to veto, the "veto trap" is often mentioned. The FFO gives the following explanation about this seemingly odd term: “It emerges regularly when the UNSC places a time limit on measures or refrains from doing so. Here is a concrete example: if the UNSC imposes sanctions on a state it can either do so for a certain period of time (e.g. six months) with the option of extension, or for an unlimited period of time so that a resolution is required before they can be lifted. In the first case, any permanent member can bring about the lifting of the sanctions by using its veto against an extension. In the second case, any permanent member can prevent the sanctions being lifted by using its veto against a decision to lift the sanctions. In which direction the veto trap works is therefore already settled when the decision is made as to whether the sanctions regime is to be imposed for a limited or unlimited period of time. Such decisions are very difficult if the permanent members have different opinions”.

3.1. Should the veto power be omitted?

Many countries advocated the abolition of the veto, saying that the veto was anachronistic and undemocratic.

One of the reasons invoked by countries in support of the abolition of the veto is the misuse by the right owners. In the past, the Soviet Union used to cast the veto to reject the admission of new members in retaliation of the United States objection to admit the republics of the former Soviet Union as members of the UN. For the United States part, it invoked the veto 76 times, principally aiming at preventing the UNSC from adopting resolutions against Israel. The most recent veto was invoked by the United States last December (2003) to reject a UNSC’s resolution condemning Israel to conduct a series of attacks in the occupied territories of the Palestinian and prevent aid personnel of the UN from entering these territories. All members of the UNSC, except the United States, backed this resolution.

China is another example. This country always vows to stand for and belongs to the Third World. However, in this matter, China is only involved with the non-aligned as an observer. Does China want the abolition of the veto? Setting a glance at the table above concerning the use of veto since 1990, though China modestly used its veto power two times, it clearly aimed at preventing the deployment of UN missions for peace in those countries that established diplomatic relations with Taiwan, an island that is proclaimed by China as a province of this country.

While France also unilaterally used the veto two times to protect its interests in Indochina and Indian Ocean.

The representative of Sudan to the UN, Elfatih Mohamed Ahmed Erwa, said “The veto had turned the Council into a paralyzed organ, where international

peace and security could not prevail. The bombing of the pharmaceutical factory in Sudan by the United States was one such example of that paralysis. In that instance, what had the Council done to protect international peace and security? Nothing”

Nevertheless, it should equally overturn to the problem. Does it matter if the veto power is maintained?

History has proved that the veto did have positive aspects which served useful purposes and that it should be maintained. The principle of unanimity among the major powers was central to the conception of the UN, and that principle has permitted it not only to survive the tensions of the Cold War, but also to play a role in helping resolve them.

The strongest opposition to the abolition of the veto power obviously comes from the P-5 members. In pursuit of *raison d'etat*, states use whatever institutions are available to serve their interests. Although arguably the UK and France as well as Russia are no longer considered major powers, their permanent status with vetoes gives them a substantial voice in international politics. As evidenced by the debate over Iraq last year, enhancing the UNSC's role is a primary objective of French and Russian foreign policies, giving these countries a say about where and how U.S. military power will be projected as long as Washington works through this framework.

Thus, it rarely saw the right to veto of a permanent member of the UNSC had such a vital impact on the international security interests as in the case of Iraq. Diplomats in the UN at that time said that French President, Jacques Chirac, was playing the 'line climbing' game. If he retrieved from using the veto, France then would lose its leverage in negotiations in the UNSC. Otherwise, if he declared to use the veto, the United States and the United Kingdom would not insist on seeking support from the UN for their military action in Iraq. And, the reality gave the answer. The United States with the United Kingdom unilaterally launched the war in Iraq, ignoring the voting outcome in the UNSC, undermining the role of the UN and the UNSC. Despite of such blank reality, the action of French was enough to some extent prove the using of the veto necessary and should be maintained.

Beside the argument of “to be or not to be” of the veto, there have had proposals to limit the scope and use of the veto. These proposals of course indirectly affirmed the existence of the veto.

That the limit of the scope and use of the veto is a sound solution in the present context, but it is not a comprehensive and satisfactory measure for the future.

3.2. Should the right to veto be given to new permanent members?

That whether or not the right to veto should be given to new permanent members is a controversial issue.

Many have expressed support for the idea that new permanent members should be entrusted with the same rights and obligations accorded to the current permanent members.

Japan as a potential candidate for a possible enlarged permanent membership category publicly expressed its viewpoints in support of giving the veto power to new permanent members. It said that as a matter of principle, there should be no differentiation between new and old permanent members. This means the new members should be able or must be given all rights and privileges being enjoyed by the current P-5 members. Germany also held the same position in this matter with Japan.

However, not a few other countries have expressed opposition to any expansion of the veto. They stated that, if accorded the veto right, the new permanent members could commit themselves to unilateral declarations on voluntary restraint on the use of the veto.

The United Kingdom – a permanent member – is one of the opponents to the idea giving the veto to new permanent members. It said that unlike the existing permanent members, the new members will not have a veto. The Foreign Office of the United Kingdom further expressed its belief that giving the new members a veto would make the UNSC unmanageable. Bill Rammell, the Foreign Office minister responsible for the UN, said: “If we went for 10 countries with permanent vetoes, we might as well shut up shop”.

The fact is that there are two possible arguments for the belief that the veto should be extended to new permanent members, and that such action would not endanger the role of the UN and the UNSC in particular. The *first* argument is counting on the principle of equal status. If the principle of “sovereign equality” among nations is taken as the lowest common denominator, then giving the veto to new permanent members is unquestioned. The objective of increasing the membership of the UNSC in general and the permanent membership in particular is to ensure more representatives in on the basis of equality of voice, status and power. Therefore, the reform of the UNSC cannot be completed adequately if the veto is not given to new permanent members. Furthermore, as the permanent representative of Italy to the UN, Francesco Paolo Fulci, recently said that if they [the new permanent members] are not given the veto, they are nothing else than non-permanent members. *Second*, if the veto is not given to new members like Japan or Germany, there would be a possible inequality among the new and old permanent members. It is true that contributions by Japan and Germany to the cause of UN in all fields are much larger than France, the United Kingdom, China, or even now Russia. But, if these four permanent members have the veto power, while Japan and Germany (if elected) does not, then it is difficult to have a united voice in the UNSC.

3.3. Should the right to veto be based on regional representation or regional rotation regime?

As it is proposed in the increase in the permanent membership above, the composition of enlarged permanent membership category will be based on the two-tier election: regional and global. Therefore, as part of the procedure, the right to veto will be given to new permanent members who are elected on the regional constituency.

However, the use of the veto by region-based permanent members should be subject to consultation with regional members. This is a mechanism that aims

to unite the voice of the whole region in vital issues as peace and security, especially if a crisis breaks-out in the region.

Conclusion and recommendations

Veto power is a sensitive and complicated issue. A decision or resolution supposed to be passed by the UNSC could be rejected if such decision or resolution affects the interests of the permanent members. Therefore, they are never willing to give up this right. The veto has been and remains an obstacle to reform both because of the P-5 members' vested interests in preserving power and because no provision in the Charter requires them to relinquish the veto power.

Frankly speaking, eliminating blankly the veto power may not be a good solution. It should be recalled that at the outset of the UN, there had warnings of the collapse of this organisation without the veto power. This was proved by the failure of the League of Nations already. What should be done now is to re-examine the significance, utility of the veto power; additionally, to find best solutions to restraint the misuse of this right by the holders. "More haste less speed".

In accordance with the spirit of the UN reform in general, as well as the proposals for changes in the membership; working methods of the UNSC, I would like to make the following recommendations:

- The veto should be maintained and given to permanent members who are elected on the mechanisms proposed in the increase in the permanent membership above.

- The veto should not apply to the admission of new UN members states, procedural matters in accordance with Article 27(2) of the UN Charter, disputes to which a permanent member was a party, the UNSC's decision to send investigative missions in accordance with Chapter VI of the UN Charter, measures under Article 50 of the UN Charter relating to economic problem of third countries arising from UN imposed sanctions, recommendation for the appointment of the UN Secretary-General, and issues relating to international humanitarian law, e.g. a decision calling for a cease-fire. The veto should only apply to decisions taken under Chapter VII of the UN Charter.

- There should be a steering mechanism available in the GA to examine the legitimacy of the veto, avoiding the abuse of this right.

- The veto should not apply to the amendments to the UN Charter.

CHAPTER V

COOPERATION WITH THE OTHER UN MAIN BODIES, REGIONAL ARRANGEMENTS AND CIVIL SOCIETY

‘One mount alone cannot make sense.
But should three mounts join together;
It would create a great Mount Tai’

Though the UNSC is the most powerful organ in the UN system, and its decisions are binding on all UN member states, it is true for what once one diplomat said that ‘the UNSC alone cannot make its functions work, cooperation with others is needed’.

1. Cooperation with the other UN main bodies

Naturally, as an internal organ of a bureaucracy, the UNSC first and foremost have cooperative relationships with its brothers.

1.1. The General Assembly

It can be said that the relationship between these two brothers is intricate and fluid.

Should we go through the UN Charter, this relationship is demonstrated in a handful of provisions dealing with different topics, ranging from the election of the UNSC’s non-permanent members (Article 23.2), the UNSC’s submission of its annual or special reports to the GA (Articles 15.1 and 24.3) to the appointment of the Secretary-General (Article 97), the conditions under which a UN non-member may become a party to the Statute of the International Court of Justice (ICJ) or election of members of the ICJ (Articles 8, 10 – 12 of the Statute of ICJ)³⁶.

As the primary responsibility of the UNSC is to maintain international peace and security, the Assembly may call the attention of the UNSC to situations, which are likely to endanger international peace and security (Article 11.3), or may also make recommendations to the UNSC with regard to the general principles of cooperation in the maintenance of international peace and security (Article 11.1). In general, if there are any questions concerning with the maintenance of international peace and security brought to the GA, the Assembly may discuss, make recommendations and refer to the UNSC (Article 11.2), except in case of a dispute or situation that are being dealt by the UNSC under the authorization of the Charter (Articles 11.2 and 12.1).

There is a common feeling that the relationship between the GA and UNSC is inequality and the UNSC seems always in a ‘win-win’ position. Though the GA is a body of the whole UN members, but the power is vested on the UNSC with

³⁶ See the full text of the Statute of the International Court of Justice at <http://www.icj-cij.org/icjwww/ibasicdocuments/ibasicstext/ibasicstatute.htm>

only 15 members. The weakness of the GA to the UNSC lies in that the UNSC may have no 'hesitation in disregarding recommendations of the General Assembly' since the 'Council' has the right to veto, while the rejection by the GA over the recommendations of the UNSC is inconceivable³⁷.

Acting through the GA can be useful to circumvent a veto-wielding member of the UNSC in the clear international minority, but such a route has its limits. Once a security matter has been brought before the GA, the main hurdle it faces is the requirement to have a two-third majority of members present and voting. Although the decision on the matter would only be a 'recommendation' (whereas the UNSC's decisions are obligations), the necessary backing in the GA might have a moral and political weight sufficient to categorize the use of force as 'legal' even without the UNSC's endorsement. In such a case, the action would certainly be regarded as legitimate.

To further promote the cooperation between the two organs, it is recommended that:

- Reports submitted by the UNSC to the GA should be providing more detailed and comprehensive information concerning the work of the UNSC, rather than a general report. More importantly, this procedure should be institutionalized in both the UN Charter and the RP of the UNSC.

- For membership of the UNSC elected on the global basis, it must be approved by the GA.

- If the UNSC fails to adopt a resolution relating to international peace and security, the issue should be referred to the GA for approval.

1.2. The Social and Economic Council (ECOSOC)

Article 65 of the Charter reads that 'The Social and Economic Council may furnish information to the UNSC and shall assist the UNSC upon its request'. There is only one thing that may make these two organs connected with each other is the goal to promote human rights.

It is very interesting that while the ECOSOC deals mainly with social and economic and self-determination rights which are very important for and constitute friendly and peaceful relations, the UNSC is in charge of ensuring human security and world's peace.

Is that all to say the interaction between the two organs? Can one organ call upon attention of the other to the matter that should be primarily dealt by one of them?

As a matter of human rights, the ECOSOC may work on the problems in connection with refugees and victims of war, which are within the competence of the UNSC, such as in the case of Korea in 1950³⁸. It is clear that social and economic crisis can lead to political turmoil and internal conflicts not alone

³⁷ "The Procedure of the UN Security Council", Sydney D. Bailey and Sam Daws, Third Edition, Clarendon Press, Oxford, 1998, pp 281 - 301

³⁸ Resolution 85 (S/1657) dated 31 July 1950 of the Security Council concerning assistance to the Korean population, adopted at the 479th meeting; the full text of this Resolution at <http://ods-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/064/98/IMG/NR006498.pdf?OpenElement>

international conflicts. That is why in his report to the UNSC in 1992, *An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peacekeeping*, the then Secretary-General Mr. Boutros-Ghali laid emphasis on the demand for addressing ‘the deepest causes of conflict: economic despair, social injustice and political oppression’³⁹. In addition, an ‘inter – sectional mechanism for the Economic and Social Council’⁴⁰ was initiated in the Report of the Secretary-General to the GA at its fiftieth session in 1995. It owes to this mechanism that the UNSC may receive reports on situations in the economic and social fields, which may constitute threats to international peace and security.

Over the recent decades when the concern of human rights ever more has been heightened; and the maintenance of international peace and security, human security protection and economic and social security are intertwined, the UNSC as the most powerful organ has involved in much work taken care by the ECOSOC and vice versa, especially the Commission on Human Rights – a subsidiary body of the ECOSOC.

In order to have sufficient evidence on the eve of determining a threat to peace, as well as to promote preventive security regime, it is recommended that the UNSC should:

- Subjectively request the ECOSOC on a regular basis, rather than passively wait for, to furnish it information on matters relevant to the work of the UNSC.

- Consult the ECOSOC in cases of imposing military sanctions or blockage, or humanitarian intervention.

1.3. The International Court of Justice (ICJ)

For the relationship between the UNSC and ICJ, in the views of the author of this paper, there is much to debate. Though the ICJ as it is envisaged in the UN Charter is the ‘principal judicial organ of the United Nations’ and its Statute – the guiding instrument for its action – even is recognized as ‘an integral part of the present Charter’⁴¹, the UNSC plays, independently along with the GA, a crucial part for existence of the ICJ, especially in the perspective of election of members of the Court.

Based upon provisions enshrined in the Charter, the Statute of the Court and the Rules of Procedure of the UNSC, the UNSC essentially get involved in six following issues directly relating to the Court.

- Election of the Court’s judges (Article 8 of the Statute, and supplementary Articles 40 and 61 of the Rules of Procedure),
- Conditions in order for the Court shall be open to Statute non-party states (Article 35.2 of the Statute),

³⁹ ‘A Agenda for Peace, Preventive Diplomacy, Peacemaking and Peacekeeping’ - Report of the Secretary-General pursuant to the statement adopted by the Summit meeting of the Security Council on 31 January 1992, A/47/277 – S/24111, 17 June 1992; full text of the Report at <http://www.un.org/Docs/SG/agpeace.html>

⁴⁰ A/50/697Add.1, 14 November 1995. See the text at <http://ods-dds-ny.un.org/doc/UNDOC/GEN/N95/354/94/PDF/N9535494.pdf?OpenElement>

⁴¹ Article 92 of the UN Charter, see more at <http://www.un.org/aboutun/charter/>

- Possibility to be members of the Statute of the Court for the UN non-member states (Article 93.2 of the Charter)
- Conditions in order for UN non-member states to participate in the election of members of the Court and making amendments to the Statute of the Court (Articles 4.3 and 69 of the Statute),
- Advisory opinion on legal questions upon request of the UNSC (Article 96.1 of the Charter),
- An implied Dispute Settlement Mechanism for parties to a dispute (Articles 33 and 36 of the Charter)⁴².

That is all about ‘internal relationship’, aiming at dealing with procedural matters only. What is about ‘external relationship’, meaning their cooperation in dealing with maintaining international peace and security, human protection and human rights?

It is unarguably obvious that the ICJ is in charge of judiciary in the name of the United Nations to all matters. Therefore, any complaints regarding the legality of actions of the United Nations or its organs, including decisions by the UNSC, shall be vested with the ICJ. Many cases linked with the UNSC’s decisions or resolutions on aviation, diplomatic, economic and military sanctions imposed on this or that state have been brought before the Court⁴³. In this connection, Vaughan Lowe in an article published by the Cambridge Law Journal said that ‘a mere application to the Court should not be enough to prevent the Security Council from exercising its proper functions’, particularly when the UNSC determined that ‘there was a threat to international peace and security at the time of the adoption of resolution.’⁴⁴

The question raised is whether or not as a judicial organ of the United Nations can final judgements make sense in case a decision by the UNSC mistaken? Can a UN member state challenge the UNSC’s decision and in what way or by what means?

Former President of the ICJ, Mohammed Bedjaoui, said and his following quotation is a very good answer to the above questions:

Judicial review of the legality of the acts of international organs is still at a rudimentary and tentative stage; its outlines are vague, its limits quickly reached. Nobody doubts that the maintenance of international peace and

⁴² To see these Articles, visit the following addresses:

<http://www.icj-cij.org/icjwww/basicdocuments/basictext/basicstatute.htm> for the Statute of the ICJ;

and <http://www.un.org/aboutun/charter/> for the UN Charter;

and <http://www.un.org/Docs/sc/scrules.htm> for the Rules of Procedure,

⁴³ See the case of Libya in 1992;

The Security Council adopted resolution 748 of 31st March 1992 (at <http://ods-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/011/07/IMG/NR001107.pdf?OpenElement>) and Libya questioned the legality of this action. The Court had to get involved in to stand for the legality of the resolution.

⁴⁴ ‘Lockerbie – Changing the Rules during the Game’, Vaughan Lowe, the Cambridge Law Journal (Case and Comment section), vol. 51, 1993

security must have priority. But it is time to begin appreciating that observance of laws and of the Charter is not the enemy of peace and does not necessarily compromise its rightful priority. Nobody should deny the right of international political organs, especially the Security Council, to the full exercise of their individual powers to interpret the Charter in their activities from day-to-day, and to take their decisions in the light of their own interpretation. Nobody should deny, on the other hand, that a member State has a right to challenge a decision and to have its reservations duly recorded...⁴⁵

In conclusion, a form of judicial review of the UNSC's acts would provide a firmer foundation for the full exercise of the responsibilities of the UNSC under the Charter. And, the ICJ has a role to play in that context.

With a view to enhance the relationship between the UNSC and ICJ, it is recommended that:

- The UNSC should establish a regular mechanism for asking the ICJ to give advisory opinions on legal questions, even when it sees a threat to peace and security.

- The UNSC should arrange more often briefings by the President of the ICJ to the UNSC.

1.4. The Secretariat

There is no single provision in any instruments, including the UN Charter, mentioning the relationship between these two principal organs. If there is any concrete link demonstrated in language between them, which is the Secretary-General himself, who shall be the chief administrative officer of the Organization.⁴⁶ And, it is attributed to his so important and big role that literature seems to focus on discussing the relationship between the Secretary-General – a person, rather than the Secretariat as an organ – with the UNSC.

In the capacity as the chief of an organization making peace on the one hand, and the UNSC acting on the maintenance of peace and security on the other hand, the Secretary-General and the UNSC have obviously to work together to ensure for effective implementation of issues on the peace and security agenda. Under Article 99 of the UN Charter, the Secretary-General “may bring to the attention of the UNSC any matter which in his opinion may threaten the maintenance of international peace and security.” This demonstrates proactive involvement of the Secretary-General in the work of the UNSC. Maintaining international peace and security, that means peacekeeping missions are available here and there under the authorization of the UNSC, is the function of the UNSC vested on it by the UN Charter. However, as it is provided in Article 99 above, the Secretary-General may take his responsibility in making the UNSC, which is anyhow a body in an umbrella organization – the UN, functioning effectively by drawing attention of the UNSC to the threats to its mission, especially when ‘quiet diplomacy’ fails. Furthermore, as permitted by the UN Charter, the Secretary-

⁴⁵ Mohammed Bedjaoui, *The New World Order and the Security Council – Testing the Legality of its Acts*, Martinus Nijhoff Publishers, 1994, pp. 127 - 128

⁴⁶ Article 97 of the Charter, see at <http://www.un.org/aboutun/charter/>

General can undertake diplomatic initiatives on his own capacity; some of these may pave the way for action taken by the UNSC.

As an international staff working in offices around the world, the Secretariat is in charge of day-to-day work of the Organization, from very big to trivial things. Duties carried out by the Secretariat are as varied as the problems dealt with by the United Nations. These range from administering peacekeeping operations to mediating international disputes, from surveying economic and social trends and problems to preparing studies on human rights and sustainable development. Secretariat staffs also sensitise and inform the world's communication media about the work of the United Nations; organize international conferences on issues of worldwide concern; monitor the extent to which the decisions of United Nations bodies are being carried out; and interpret speeches and translate documents into the Organization's official languages⁴⁷.

In implementing the all duties above, the Secretariat can do two-way work in relation with the UNSC. *First*, the Secretariat can provide information relating to issues under the responsibility of the UNSC. This is a very necessary work, because there is a phenomenon that members of the UNSC are lack of information or in imbalance of information. Therefore, a fact will be unavoidable that some decisions taken by the UNSC in the condition of inadequate informed understanding of the situation. The imbalance of information, *inter alia*, among members of the UNSC partly is due to the *de facto* distinction between the two membership categories: permanent and non-permanent. *Second*, the Secretariat is in charge of informing the media about the work of the UN as a whole. This certainly includes information about the work of the UNSC. Thus, information concerning the work of the UNSC is unlikely accurate if there is lack of cooperation between these two organs.

Threats to international peace and security now are much more diversified than they were or traditionally conceived. As a result, issues under the supervision of the UNSC increase. Nevertheless, the UNSC cannot foresee or gather information itself. In that context, a strengthened cooperative relationship between the Secretariat and the UNSC is crucial. In accordance with potential changes proposed above, I would recommend the following proposals in an attempt to promote such relationship:

- To bring into full play his honourable role as well as responsibility entrusted on him in Article 99, the Secretary-General should bring more attention of the UNSC to situations or issues that in his opinion may threaten international peace and security. Such action would also partly clear the concern of the legitimacy of the UNSC's actions.

- One of the progressive steps in improving the work of the Secretariat is the establishment of the Under Secretary-General, who can act in the fields under the authorization of the Secretary-General. This flexibility also helps lessen difficulty for the Secretary-General in arranging his meetings with the UNSC. However, the Secretariat should hold more frequently regular briefings to provide

⁴⁷ Basic facts about the United Nations, published by the Department of Public Information of the United Nations, 1998; otherwise, see more at <http://www.un.org/documents/st.htm>

information for all members of the UNSC, without distinction between the permanent or non-permanent members.

- In the emergency or special situations, the Secretariat should have no hesitation to hold briefings to inform the UNSC about such situations.

- The Secretary-General is a position selected by the international community, representing all members of the UN. Therefore, election of this position should not be subjected to the decision of one of the permanent members.

1.5. The Trusteeship Council

One of the reasons that the author of this paper would invoke to justify for placing the Trusteeship Council in the last position of a list of principal organs with which the UNSC has cooperation is the temporary, if not to say complete, suspension of this organ. It is true that there were much for the Trusteeship Council to do in the past and the interaction between the two Councils was more necessary rather than now.

However, no change has been made to the Charter concerning the role of the Trusteeship Council and nobody can say for sure its existence is no longer necessary in the future, though questions of its denunciation have been raised.

It remains with the time as it is provided in Article 86.1.b and c in combination with Article 23 of the Charter, the UNSC would take a crucial part in the Trusteeship. The five permanent members of the UNSC by now on their name are also the permanent members of the Trusteeship Council.

There are some other UN bodies that are surely connected with the Trusteeship Council's functions and responsibilities, for example, the Military Staff Committee. Although, it is impossible to put every thing in one basket narrow both in space and time.

No one can deny that we are living in a rapidly changing world, internal conflicts take place here and there, and we can say for sure what the consequences of such tragic events are. But, we cannot navigate accurately how the world will be in the next fifty-years. So did the drafters of the UN Charter, and the founders of this world organization.

When the Republic of Palau was admitted to the UN in 1994, the Trusteeship Council had no remaining trust territories under its responsibility. This was clearly not an eventuality envisaged by the drafters of the UN Charter, even though it was their ultimate goal. Now that, the Trusteeship Council becomes a relic of the past. Its name, as well as other relevant procedures is still there in the UN Charter, unless there are revisions for an end to that. However, if the existence of a name or other else in the Charter does not hinder anything, in the meantime we cannot know certainly the future; I would suggest remaining the *status quo*. If there remains anything that cannot let it be, it should be referred to and put under the Military Staff Committee of the UN.

Conclusion

The cooperative relationship between the UNSC and other main UN organs is the one between the organs making, promoting and protecting international peace and security, protecting human rights and dignity. Therefore, it should be continuously strengthened and developed. Any reform to the UNSC, whether in terms of membership, working methods...should ensure effective implementation of functions of the UNSC and the other organs.

2. Cooperation with regional arrangements

“Together, through all the turbulent years of the past few decades, we have learnt a great deal about the need to transform a sense of collective insecurity into a system of collective security”

The above is a quotation from the statement delivered by the UN Secretary-General, Kofi Annan, at a formal meeting held by the UNSC last April of 2003 in New York. The theme of this event is: ‘The Security Council and Regional Organizations: Facing New Challenges to International Peace and Security’.

2.1. *The legal basis for cooperation*

It is not coincidental that the role of regional arrangements or regional organizations occupies one chapter in the UN Charter. That is Chapter VIII. It is stressed that ‘Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security...’⁴⁸ What is more important in order for such mechanisms to fulfil their tasks lies in that the UNSC ‘shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies...’ (Article 52.3 of the Charter)

Though there had been legal basis for cooperation and implied collective security between regional arrangements and the UNSC provided in the UN Charter for almost sixty years, and there had been such regional arrangements or agencies in existence for decades, from the old like EU, OAS, OSCE, NATO, ASEAN to the more recent like ECOWAS, such cooperation and collective security regime has not been placed in the right place or understood properly. That is why many delegates participating in the April meeting considered the event ‘should help to define the cooperation in the years ahead’⁴⁹, while the Secretary-General emphasised that ‘your meeting today promises to inject new momentum into our partnership. For the sake of the world’s people, we must make that partnership succeed.’⁵⁰

⁴⁸ Article 52.1 of the UN Charter; see more the Chapter VIII dealing with regional arrangements, from Article 52 to 54, visit <http://www.un.org/aboutun/charter/>

⁴⁹ Statement by ISMAEL ABRAAO GASPAR MARSTINS, representative of Angola at the meeting ‘The Security Council and Regional Organisations: Facing New Challenges to the International Peace and Security’, 11 April 2003. See more at <http://www.un.org/News/Press/docs/2003/sc7724.doc.htm>

⁵⁰ Statement by Kofi Annan, SG/SM/8665/SC/7725, at the April 2003 meeting; or can see at <http://www.un.org/News/Press/docs/2003/sc7724.doc.htm>

2.2. Closer cooperation

As it has been seen over the last decades, the issue of international peace and security is not only affected and caused by war or armed conflicts alone, but it is clear that ‘many of the challenges faced were global, from the proliferation of weapons of mass destruction to the trafficking of small arms, from climate change to the new emergence of new, deadly viruses – they had all the potential to threaten not only stability, but survival’⁵¹. At the international level, it is true that the UNSC has the primary responsibility of maintenance of peace and security, but with many threats to peace and security emerging as such, international cooperation is badly necessary. It is the regional arrangements have a role to play in that context since the United Nations could sometimes be ‘too distant and bureaucratic’⁵².

Let’s take the fight against terrorism, which is not new to ‘the United Nations agenda, but had been brought into more acute and painful focus by the events of 11 September 2001’⁵³, as an example. After these deadly attacks, it was first the adoption of Resolution 1373 by the UNSC. Under the umbrella of this resolution, any meetings whether periodic meetings or summits of regional arrangements, such as the EU or ASEAN (*closer cooperation between ASEAN and the UNSC will be more discussed below*), the topic of counter-terrorism took an integral and important part in the agendas. Many counter-terrorism instruments and declarations as such had been adopted. These of course in turn play a crucial role in calling upon states to take effective measures, from money-laundering prevention to bank accounts freezing, and even the establishment of anti-terrorist Security Council, etc... The fight to some extent has harvested fruits, though the implementation of the Resolution 1373 hits obstacles⁵⁴. However, participants in the April meeting placed the importance of ‘cooperation on the anti-terrorist track...in close coordination with the UN Security Council’s Counter-Terrorism Committee’⁵⁵.

2.3. ASEAN and the UNSC: An example of regional cooperation

ASEAN, an acronym for the Association of Southeast Asian Nations, is a regional organisation of countries in the southeast part of Asia. Since its founding in 1967, this regional organization has been playing an increasingly important role in maintaining peace and security in the region and the world at large.

Cooperation between ASEAN and the UNSC takes place under two distinctive perspectives: ASEAN members - as members of the UN - with the

⁵¹ Kofi Annan, SG/SM/8665/SC/7725

⁵² Statement by Richard S. Williamson, representative of the United States at the April 2003 meeting, <http://www.un.org/News/Press/docs/2003/sc7724.doc.htm>

⁵³ Kofi Annan, SG/SM/8665/SC/7725

⁵⁴ The author quoted a news article from a news-network of the United Nations in which it mentioned a report of the Counter-Terrorism Committee (a subsidiary organ of the Security Council), 31 January 2004. The news can see at <http://www.un.org/apps/news/story.asp?NewsID=9629&Cr=terror&Cr1>

⁵⁵ A press release of the Ministry of Foreign Affairs of Russia Federation, on 14th April 2003; the text can be reached at web-address: www.mid.ru

UNSC and ASEAN – as a regional arrangement – with the UNSC. From the former perspective, cooperation between ASEAN members, including East Timor – a UN member state and a potential member of ASEAN – is fruitful. Some of them were non-permanent members of the UNSC, such as Indonesia, Singapore and Malaysia. However, from the latter perspective, such cooperation is limited and so far it stopped only at making declarations by ASEAN in support of resolutions or decisions adopted by the UNSC. For instance, ASEAN expressed its endorsement in Resolutions 1373, 1267 and 1390 passed by the UNSC to fight against terrorism, following the September 11, 2001 events. In case of the issue of Iraq in 2003, at the close of their meeting, Ministers of Foreign Affairs of ASEAN in a joint declaration called Iraq to strictly observed resolutions of the UNSC.

This limited cooperation between ASEAN and the UNSC can be attributed to a number of reasons. *First*, unlike other regional organizations, ASEAN does not yet have an institution dealing with the security or posted in the UN system. Consequently, some activities or peacekeeping missions of the UN in East Timor or Myanmar take place without involvement of ASEAN. The UN Secretary-General, Kofi Annan, put question “Why is ASEAN the only big regional organization that does not have the observer status at the UN?” to the leaders of ASEAN at the ASEAN-UN Summit held in Bangkok in 2000. The question is not yet answered by a resulting action. This limitation has lessened the cooperation between ASEAN and the UN in general or ASEAN and the UNSC in particular, especially in the field of peacekeeping or security maintenance. *Second*, there appear differences in operational procedures between ASEAN and the UNSC. While ASEAN is acting on the basis of consensus and non-intervention, the UNSC adopts decisions and authorizes action by affirmative vote and these decisions are binding on all members. This discrepancy prevented ASEAN from establishing official relations with the UNSC, especially in case of imposing sanctions. *Third*, ASEAN does not have a mechanism for conflict management. This regional grouping has vowed to make two security mechanisms available: the Supreme Council of the Treaty on Amity and Cooperation, whose rules of procedures were adopted on July 2001 in Hanoi; ASEAN Troika with its concept paper proclaimed on July 2000 in Bangkok. Nevertheless, none of the two mechanisms has been in operation yet. This stand-by has made no development in the cooperative relationship between ASEAN and the UNSC in the field of conflict resolution.

This has been the case of ASEAN – a regional grouping – in the cooperative relationship with the UNSC. During the Cold War, relations between some ASEAN members were sometime in tension. Fortunately, since the end of the Cold War, peace and development have been the prevailing trend in this region. But, in order to guarantee peace remains permanently, there need fast-track mechanisms to prevent potential threats in the region, especially reasonable cooperation between ASEAN and the UNSC should be strengthened in coping with possible conflicts in the future.

Conclusion and recommendations

In this globalization age, the cooperation between regional organisations and the UNSC is very important. To deal with emerging challenges to human beings as a whole and international peace and security in particular, the ‘remarkably promising development of contacts between the UNSC and the

regional organisations demonstrated that the potential of the Chapter VIII of the Charter was now unfolding in a positive manner ... The United Nations did not have the potential to deal with such challenges alone. In that context, cooperation with regional organisations became ever more important.⁵⁶

Drawing lessons from the modern history, I would like to give the following recommendations:

- There should be a flexible mechanism available for regional arrangements in consulting the UNSC, especially in case of emergency, on the prevention of conflicts, both internal and international. This is synonymous with the amendment to Article 53(1) of the UN Charter, allowing the collective intervention of regional groupings for humanitarian purposes, *as appropriate*, on the eve of authorization by the UNSC.

- The UNSC should subjectively hold regular consultations with regional arrangements concerning the maintenance of peace and security in the regions, especially in regions where hot spots are potential.

- In case peacekeeping missions are deployed in the region, the UNSC should encourage the participation of and contributions from members of regional arrangements.

3. Cooperation with civil society

‘The United Nations once dealt only with Governments. By now we know that peace and prosperity cannot be achieved without partnerships involving Governments, international organisations, the business community and civil society. In today’s world, we depend on each other’

Civil society is an unfamiliar term with many people. So, what is civil society? There is a primitive definition of civil society. It reads, as follows ‘civil society is as a third sector, distinct from government and business...refers essentially to the so-called intermediary institutions such as professional associations, religious groups, labour unions, citizen advocacy organisations, that give voices to various sectors of society and enrich public participation with democracies’⁵⁷. Another question is what areas does the civil society get involved in? In fact, they involve in a diversity of areas, ranging from agriculture, arts and culture, business and economics to anti-crime and anti-corruption, law and human rights, peace and security, women and children. So, the lowest common denominator as a whole for the definition of civil society is non-governmental organisations (NGO)⁵⁸, whether philanthropic or business, etc... that means a society both in nature and theory should not belong to the government.

⁵⁶ Statement by HANNS S. SCHUMACHER, representative of Germany at the April 2003 meeting, see the text at <http://www.un.org/News/Press/docs/2003/sc7724.doc.htm>

⁵⁷ Civil Society International, What is Civil Society? See the article at <http://www.civilsoc.org/whatisCS.htm>

⁵⁸ For the Record 1998 – the United Nations – Human Rights System – Non-governmental Organisations and Access to the UN, p. 85

3.1. Increasingly indispensable actors in the world arena today

It is widely recognised that the role of non-governmental organisations is increasing important and more involved in the political life. In the Rules of Procedure of the UNSC, there is an appendix, which deals with communications from private individuals and non-governmental organisations⁵⁹. Additionally, in order to get relevant information and assistance that is helpful for the UNSC to deal with matters within its competence, the UNSC ‘may invite members of the Secretariat or other persons, whom it considers competent for the purpose’⁶⁰. ‘Other persons’ is a broad term, which may include the civil society as well. In fact, in the process of implementing its responsibilities, the UNSC has received much support from non-governmental organisations. The case of Somalia is an example. One of the actors that helped the UNSC can ‘reiterate its commitment to assist the Somali...’ is the involvement of non-governmental organisations. In the statement presented at the 4718th meeting of the UNSC in connection with the item ‘The situation in Somalia’, the President of the UNSC on behalf of the UNSC commends the work done by, *inter alia*, non-governmental organisations ‘in support of peace and reconciliation in Somalia’⁶¹. There is another example. At a meeting conducted by the Secretariat in February 1997, three international non-governmental organisations were invited to brief all members of the UNSC on humanitarian situation in the Great Lakes Region of Africa.

For the side of non-governmental organisations, they may call upon the UNSC’s attention to specified matters in its competence. The humanitarian crisis in Iraq following the end of the war is an instance. Reacting to ‘no reference to the humanitarian vulnerability of millions of Iraqi civilians’ at the public meeting held by the UNSC on 27th January 2004, a group of non-governmental called ‘Concerned International Non-Governmental Organisations’, including the CARE INTERNATIONAL, OXFAM INTERNATIONAL, WORLD VISION INTERNATIONAL, WATCH LIST ON CHILDREN AND ARMED CONFLICT, etc...sent a letter to the President of the UNSC to express their concern of the UNSC’s ignorance to that matter. They emphasised that ‘their [Iraqi people] extreme vulnerability, particularly among the children and women, must be part of the UNSC’s deliberations in the coming days and weeks’⁶².

3.2. Closer cooperation

The presence of the NGOs in the UN generally and in the UNSC particularly is more seen. This is synonymous with their increased involvement in activities of the UN and the UNSC.

At present, more than one thousand NGOs have been granted consultative status with the UN and many of them have accredited representatives at the UN Headquarters in New York and UN Office in Geneva. More engagement of the

⁵⁹ The Rules of Procedure of the Security Council, Appendix A; see at <http://www.un.org/Docs/sc/scrules.htm>

⁶⁰ Article 39 of the Rules of Procedure; see at <http://www.un.org/Docs/sc/scrules.htm>

⁶¹ Statement of the President of the Security Council, S/PRST/2003/2, at the 4718th meeting of the Security Council, 12th March 2003

⁶² Letter to the President of the Security Council by the Concerned International Non-Governmental Organisations, 4th February 2003, concerning humanitarian consequences of war in Iraq; see the text of the letter at http://www.careinternational.org.uk/news/what_do_care_think/iraq/letter_tony_blair.htm

UNSC in fields connected with the maintenance of peace and security, especially in the provision of humanitarian relief in conflict situations and in post-conflict peace-building, as well as the openness on the eve of demand for transparency has brought NGOs into closer relationship with the UNSC.

Though the development of such relationship takes place on the step-by-step basis, even with cautiousness at the beginning, there is now a group of NGOs or known as the NGO Working Group on the UNSC. It was founded in 1995, but the group could have an influential voice on Council-related issues and a significant influence on UN peace and security policy. Though completely informal and enjoying no official status, the Working Group meets regularly with ambassadors of virtually all Council-member delegations. By making direct contacts with the UNSC, NGOs not only provide necessary information, but also sometimes press on the UNSC to act in a particular situation for the purpose of humanitarian relief.

Chronology of major developments in the relationship between NGOs and the UNSC, from 1996

Date	The UNSC with NGOs	Subjects
November 26, 1996	Global Policy Forum and the World Federalist Movement	Debate on the annual report of the UNSC, the question of transparency and accountability of the UNSC
February 12, 1997	Oxfam, CARE and Medecins sans Frontieres	Consultation under a new formula
September 15, 1997	Amnesty International	A "modified Arria formula briefing" for the UNSC
October 26, 1998	CARE International, Médecins sans Frontières, OXFAM-Great Britain and Save the Children	Civil war in Sudan
December 7, 1998	UNA-USA, the Institute for International Economics, the Carter Center, Brown University's Watson Institute, NYU Law School's Center for the Study of International Organization and the Kroc Institute at Notre Dame University	Targeted sanctions
January 14, 1999	Global Witness a London-based NGO	Special report on the diamond trade, arms and civil war in Angola
May 26 and April 21, 1999	International Peace Academy	Briefings on sanctions
August 3, 1999	United Nations Association-USA	Briefing entitled "Who's in Charge in Kosovo?"
March 14, 2000	Save the Children-UK, Human Rights Watch, the Quaker UN Office, the Mennonite Central Committee and	The question of Iraq Sanctions

	Global Policy Forum	
April 12, 2000	CARE International, Oxfam International and Médecins sans Frontières	Arria Formula briefing with, on the protection of civilians in armed conflict
April 17, 2000	International Peace Academy	conference on sanctions policy
July 25, 2000	The Sub-Committee on Children and Armed Conflict (represented by Coalition to Stop the Use of Child Soldiers, InterAction International Action Network on Small Arms (IANSA), International Rescue Committee (IRC), International Save the Children Alliance, Médecins du Monde/Doctors of the World (MDM), Women's Commission for Refugee Women and Children World Vision International (WVI)),	Briefing and formal debate
September 28, 2000	OXFAM International, Médecins sans Frontières, Women's International League for Peace and Freedom, Amnesty International, Global Policy Forum and Human Rights Watch	Consultations before finalising the program and objectives for the UNSC's mission to Sierra Leone
October 23, 2000	OAU African Women's Committee on Peace and Democratization and Federation of Africa Women's Peace Movements, NGO Coalition/International Alert, NGO Coalition/Women's International League for Peace and Freedom, Amnesty International, Women's Commission for Refugee Women and Children, International Peace Research Association, Hague Appeal for Peace	Arria Formula meeting on Women, Peace and Security
October 25, 2000	NGO representatives	B riefing on the concluded Council mission to Sierra Leone
July 19, 2001	Human Rights Watch, Amnesty, and other humanitarian organizations	Arria Formula briefing on the situation in the Democratic Republic of Congo
July 26, 2001	Human Rights Watch, Center on International Cooperation, International Peace Academy, International Crisis Group	Arria Formula briefing on the Preparation for Transition in East Timor
October 17, 2001	Médecins sans Frontières, Amnesty International, Oxfam, Global Witness	H umanitarian issues in Liberia
October 30, 2001	NGO Working Group on Women and International Peace and Security	S econd Arria Formula briefing on Women, Peace and Security
March 5, 2002	Human Rights Watch, Médecins sans Frontières, Oxfam International and Save the Children	Arria Formula briefing on the humanitarian situation in Angola

April 25, 2002	Human Rights Watch, Amnesty International, Oxfam International	Brief on the Human Rights and humanitarian situation in the Democratic Republic of Congo
May 7, 2002	Women's Centre for Legal Aid and Counselling in East Jerusalem, Women's Coalition for Peace, Bat Shalom	Arria Formula briefing on the situation in the Middle East in the context of Resolution 1325 on Women and Peace and Security
May 21, 2002	Amnesty International, Médecins sans Frontières, Human Rights Watch	Arria Formula meeting
October 23, 2002	Concerned Parents Association; Collective of Women's Organizations and NGOs of Burundi, Coalition of Women for a Just Peace, Women's Caucus for Gender Justice	Arria Formula meeting to celebrate the second anniversary of Security Council Resolution 1325 on Women Peace and Security
April 9, 2003	Medecins sans Frontieres, CARE International, Oxfam International, SAVE the Children and Amnesty International	Arria Formula Meeting on the Humanitarian Aid Situation in Iraq
May 24, 2004	Médecins sans Frontières, Care International, Oxfam, International Crisis Group, Human Rights Watch, and World Vision	Arria meeting on the situation in Darfur

Source: The Global Policy Forum (<http://www.globalpolicy.org>)

As far as the reform of the UNSC is concerned, the involvement of NGOs in this process started in 1994 when the GA initiated negotiations to reform of the UNSC. Since then, NGOs have proactively participated in discussions thereof. Some of the NGOs have produced their analytical papers or gave proposals on the UNSC reform. And, NGOs participation in this process will not certainly stop there, as long as there are requirements for the UNSC reform.

Conclusion and recommendations

Modern international law only accepts sovereign states as formal actors in international relations. There is no point to deny the supreme importance of states, because states are first and foremost responsible for the promotion and protection of human rights, sovereignty, as well as the maintenance of peace and security. However, along with developments in international relations, especially in the struggle for social and human security, there emerged two other forces playing increasingly important and indispensable roles: regional arrangements and NGOs, especially NGOs. These forces gradually constitute vital pins in a chain representing the existence, development and prosperity of the humankind society. They appear in all international forums, get involved in every aspect of life, and sometime become dominators in international relations. However, modern international law does not yet recognize them as formal actors. Is that a backdrop of modern international law?

For long, NGOs have proactively participated in the UN work, from humanitarian relief to conflict resolutions, but their moderate involvement in the UNSC activities in the past time could be deemed as revolutionary developments. This on the one hand further confirmed the role of NGOs; it also demonstrated the UNSC's efforts to make the once closed-door body more open, transparent and democratic, on the other hand.

Human history witnessed the three earth-shaking 'big waves', but has never before or rarely seen three forces - states, regional arrangements and NGOs – sitting together, discussing common concerns and adopting common decisions of action.

While waiting for changes, both in thinking and action, to bring into full play the role of NGOs, it is recommended that:

- The UNSC should subjectively hold more frequent consultations under the Arria meeting formula with NGOs; especially those are operating in the field of human rights and social security. These meetings should gradually be established as regular dialogue mechanisms between the UNSC and NGOs

- NGOs should be granted some kind of formal status, let say *standing*, or *ad hoc*, aiming at enabling them to participate in appropriate activities hosted by the UNSC.

- These suggestions should be institutionalized into the UN Charter or the RP of the UNSC.

CHAPTER VI

BREAKTHROUGHS TO THE UN CHARTER

1. A philosophical approach

Every object and phenomenon is uninterruptedly moving. Changes can bring in the good or vice versa the evil. But, it anyhow is a manifestation of life.

A psychotherapist said that life is change; without change no personal or spiritual growth is possible. From the philosophical perspective, movement is the most important character and means for the life of an object. As the most common form, movement demonstrates general changes in which objects interact between one and another. K. Marx – a great philosopher in the 19th century – developed material dialectics to clarify the rule of movement. According to Marx's theory, movement of an object is subjected to the impact of the inside and the outside, the subjective and the objective. Development of this will follow development of the other. However, in that process, the objective normally determines the subjective. In a broader sense, the evolution of the objective decides and stipulates the subjective; and thus, an object or phenomenon cannot self-separate from the evolution of the outside.

Understanding of the material dialectic theory of K. Marx is of paramount significance. It is the only precondition that leads to the confirmation of the necessity, both in terms of theoretical and practical, of generating breakthroughs to the UN Charter.

The above interpretation of movement of the object is of theoretical nature, and the practical basis must be reflected by concrete actions.

In a rapidly changing world, it is natural to see its constituent units modifying themselves in an appropriate manner to adapt to the practice. Rectifying or changing the existing mechanisms, constitutions, and code of conducts or rules of procedures can implement such modification. It should be noted that any mechanism or a set of rules of procedures or an academic theory is first and foremost the product of thinking, developed to serve and reflect the practice of at a time. Therefore, after a long historical period with continuous movement of the objective world, such mechanisms or rules of procedures could be anachronistic. Their hard values, of course, remain because basically the material world is unchanged, but their operational means are inappropriate or do not catch up with inner changes of that world. A veteran Marxist leader said Marx lived before us hundreds years ago; thus much of the theories developed by him no longer keep up with the times.

More often, reinterpretation of the wording of an organisation's constitution, charter, statute or rules of procedure in that context may be necessary. However, less frequently, revision or amendment of these instruments is considered as superfluous if the organisation is to maintain its effectiveness and legitimacy; and in a negative case, new instruments will be written to replace ones. This rarely occurred.

The Constitution of the United States of America is normally cited as a legal instrument of the most reference value because of its sustainability. Drawn up in 1787 and entered into force in 1789, it is concise and brief; its general statement of principles has made possible the extension of meanings to foster the growth of the nation from 13 states clustered on the Atlantic side of the Allegheny Mountains in the eastern United States, to a nation of 50 states spanning the North America continent and extending into the Pacific. In such development process of the United States, the Constitution has been amended more than 25 times. The utmost goal of those amendments is to make the United States a prosperous nation as it is today.

Every comparison is inappropriate. From the perspective of modern international law, the UN Charter is considered a Constitution, or a Constitution of national Constitutions. There are two reasons to interpret this argument. *First*, international relations between states are based on mutual interests and sovereign equality, which is governed by international law; and, the UN Charter is deemed the key legal instrument for guiding and building of such relations. *Second*, the constitutional process of its member states guarantees the supreme value of the Charter. Article 109(2) of the UN Charter prescribes: “Any alternation of the present Charter recommended by a two thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the members of the United Nations including the permanent members of the Security Council.” Nevertheless, when world reality has undergone profound changes, does it still have the same values as it had nearly six decades ago? Is this dominated by political goals?

2. The 1965 breakthrough: Increased non-permanent seats

The quest for reform, enhancing effectiveness has been going along with the life of the UN as well as the UNSC. However, there is a common feeling that no amendment to the UN Charter will be synonymous with no reform. Indeed, at the outset, the founding conference of the UN in San Francisco during the spring of 1945 had faced one of the most complicated and controversial issues was how the process of amending its Charter would be structured and when a general review conference of the Charter’s provisions should be called⁶³.

Though many proposals have been made to amend the UN Charter, few were successful. For more than half a century, the UN Charter was amended only three times, of which one was to enlarge the UNSC and twice to the ECOSOC. Obviously, the amendment to enlarge the UNSC was the most important and significant.

In 1956, following the admission of twenty new independent states to the UN membership, the UNSC was called to increase its membership, which was composed at that time 6 non-permanent and 5 permanent members. The focus of discussion about the increase in the UNSC’s membership was on the non-permanent seats.

Subjected to the impact of the Cold War, it was soon recognized that there were three forces involved in the debate over the enlargement of the UNSC’s non-

⁶³ Ruth B. Russell, *A History of the United Nations Charter: The Role of the United States, 1940-1945* (Washington, D.C. The Brookings Institution, 1958), pp. 742-749.

permanent seats: the Soviet, the American, and the developing world or the group of newly independent states. Among these forces, it was obvious that the two first forces held the key and were the decisive factors in determining whether or not and how large the UNSC's non-permanent should be. The debate then turned into political struggle for influence between the Soviet Union and the United States. While the Soviet Union endorsed the redistribution of the existing six non-permanent seats, the United States opposed, since the Soviet Union's proposal would entail a major sacrifice on the part of the West-leaning nations of Latin America and Europe⁶⁴.

For the developing world, accounting for more than two thirds of the UN membership, countries wanted to have their voices louder in the UN and the UNSC, on the one hand; at the same time, to erase the shame of their second-class in the UN, which seemed to mirror the colonial status that they had recently dropped blood to overcome. This was a strong drive for them to push the reform.

The proposal for enlarging the UNSC seemed to break down. On the final day of the debate session in 1963, none of the five permanent members, whose affirmative votes would be needed for formal amendment, voted for the expansion of the UNSC, except China. However, for the first time, the majority exceeded the minority – ironically – on the 17 December 1963 when the GA passed the resolution calling for amendments to the UN Charter, paving the way for the increase in the UNSC's membership, despite the fact that France and the Soviet opposed, the United States, the United Kingdom and China (Taiwan then) were abstaining. The voting outcome was 97 to 11, with 4 abstentions. The result ensured the two-thirds majority, mainly consisting of developing countries, necessary to pass the resolution for amendment. This is actually a valuable lesson for “weak” countries in knowing to unite and determine to get over political obstacles, for a world of justice and equality.

3. Is it time for the second breakthrough?

If the submission of *An Agenda for Peace* by the then Secretary-General, Boutros Boutros-Ghali, to the UNSC in 1992 was taken as the new starting point for the reform of the UN in general and the UNSC in particular, it was almost 30 years since the 1965 breakthrough; but as of this time, it has been 40 years. Nevertheless, within such a long period with profound changes in the world, nothing more has changed in the UNSC; no more amendments have been made to the UN Charter. It is possible to say that it is high time now for changes in the UN and the UNSC, for making another breakthrough to the UN Charter.

3.1. Are there sufficient conditions to change?

Despite all the five permanent members did not vote in support of the resolution for the enlargement of the UNSC, but the result was not as the same as they thought and intended. The 1965 success were essentially attributed to the following factors:

First, the number of UN membership increased, from 51 in 1945 to 114 in 1963 of which developing countries made up the majority.

Second, there was a call from the UN members for reform.

⁶⁴ Reforming the United Nations: Lessons from a History in Progress, Edward C. Luck, International Relations Studies and the United Nations, ACUNS, 2003, p.7

Third, UN member states united and had determination. This was the most important factor for the success.

Then, are there as sufficient conditions as there were in 1965 to make the second breakthrough?

If it is necessary to measure the balance of conditions, it is clear that this time not only has the same factors, but also to some extent has more other favourable conditions.

As far as the number of UN membership is concerned, in 1963, the UN had 114 member states, which was two fold more than it did in 1945. However, such gap now is much wider, nearly four fold – as of October 2002, the UN had 191 member states. Setting a glance at the world map today, there appears an advantageous point in international relations in comparison to the last time. No red spot marking the colonial regimes or territories under trusteeship could be found. This demonstrates that actors in international relations now are independent and sovereign states, which can decide their own way of development, implement their self-determination as it is provided in the UN Charter and other international legal instruments.

Reform of the whole UN system is a never-ending topic on the agenda of this intergovernmental organization. After 20 years since it was founded, under pressure of the UN members, the GA passed resolutions for amendments to the Charter, reforming principal organs of the UN, including the UNSC. It is clear that requirement for the reform of the UN and the UNSC was not stopped there. Over the last forty years since the last revision, there have been simultaneous and more pressing calls from the international community, all UN members for amendments to the UN Charter, reform of the UNSC. Another bright point this time is that all the five permanent members have vowed to support the UNSC's reform, both in the permanent and non-permanent seat categories. Recalling that, last time at the outset, the P-5 members opposed any proposal to reform the UNSC.

Survey on public opinions of the P-5 members on the enlargement of the UNSC

China	Increase membership into the low 20s; more representation of developing countries and small and medium ones.
France	Increase permanent members by up to 5 with veto; total membership of 20 or 21. New permanent members to include Germany, Japan, and possibly developing countries.
Russia	Increase membership into the low 20s, no specification how the new seats would be allocated.
United Kingdom	Germany and Japan to have permanent membership with veto. Supports new seats for developing countries without yet specifying whether permanent members or not.
United States	Germany and Japan to have permanent membership, plus 3 new non-permanent members; perhaps remove the ban on re-election.

Source: Ministries of Foreign Affairs of the P-5 members

These opinions of course do not present that all the P-5 members will do the same in the voting. However, this is an unprecedented advantageous opportunity, at the same time demonstrates awareness of necessary reform of the UNSC not only coming from the 186 UN members, but also from the P-5 members.

Still, relations among the P-5 members were divided during the Cold War, partly due to ideology, but they remained the major contributors to the UN - financial and personnel – and nuclear powers. However, it is quite different today. There are more countries possessing nuclear weapons (India, Pakistan...), contributing more finance and personnel than some of the P-5 members (Japan, Germany...). This means that some of the P-5 members are now no longer the major players in the international arena. Thus, countries have surmounted of the will imposed by all the P-5 members. Power politics and hegemonism now cannot make countries bow on their knees.

In summary, there is a convergence of sufficient and necessary conditions for all UN members to press for the second breakthrough to the UN Charter and reform of the UNSC as well as other organs of the UN as a whole.

3.2. Where are obstacles?

The reform is inseparable from the amendment to the UN Charter, and vice versa. They are two sides of the coin. In order for the UNSC to be reformed, there must have the UN Charter amended; in the contrary, the amendment to the UN Charter is possible or not, it is subjected to the vote of all the P-5 members. However, the amendment will still be possible if the ‘Third World’ making up the majority of the UN membership unites in one single voice.

The first barrier to the amendment to the UN Charter is obviously political purpose.

When the founding conference of the UN held in San Francisco in 1945, the P-5 members managed to set the political bar quite high for any modifications of the Charter. Citing the failure of the UN’s predecessor, the League of Nations, in securing peace, the P-5 members insisted on their individual vetoes over the amendment to the UN Charter, contending that their unity was the key to making the UN successful⁶⁵. And, to guarantee their firm political status, dominant role in the world, Article 108 of the UN Charter specifies:

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

With such stupidly magic sword in their hands, the P-5 members are willing to cut any proposal to amend the UN Charter that would not serve their interests and lessen their power. There is even a threat that the ‘to be or not to be’ of the UN is dependent on the ‘to be or not to be’ of the veto power. In his address to the General Assembly in September 2002, the US President George W.

⁶⁵ Reforming the United Nations: Lessons form a History in Progress, Edward C. Luck, International Relations Studies and the United Nations, ACUNS, 2003, p. 3

Bush said: “We created the United Nations Security Council, so that, unlike the League of Nations, our deliberations would be more than talk, our resolutions would be more than wishes.”⁶⁶ And, the Bush’s Administration expressed its clearer position in the National Security Strategy of the United States of America later in the same month: “[We] will be prepared to act apart when our interests and unique responsibilities require.”⁶⁷

The second barrier – the most important - to make the amendment to the UN Charter impossible is lack of determination, division of all UN members. There is a fear of this country more powerful and privileged than the other; this regional group is more favourable than the other. More than a decade since the first proposals were made, nothing has changed. Countries or groups of countries still have different viewpoints on the reform package of the UNSC. They did also see the emergency to have the UN Charter amended, to have the UNSC enlarged, but they could not form a united front to have the affirmative two thirds in the GA necessary for passing resolutions to amend the UN Charter and reform the UNSC. The fact shows that disagreement of interests could not make all parties to hold their pens and sign in the contract.

The third barrier is the unsuccessful work of the WGSC. It is undeniable that the WGSC has spent many efforts in gathering viewpoints from the UN members and turned them into proposals. However, all its efforts were dropped into the sea when nothing changed. Additionally, it seemed that the WGSC could not find better or more creative solutions to the problem. Furthermore, there is lack of cooperation between the Charter Committee and the WGSC. This slows the reform process, depresses countries in their appeals for changes.

The fourth barrier is the wording of provisions in the UN Charter. It is the provisions in Charter XVIII of the UN Charter concerning amendments, especially the nonsense of requirement for the ratification “in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the UNSC” has prevented proposals for amendments from being possible.

4. What is the future prospect for the Charter amendment?

It is due to the above obstacles that the Charter amendment can not happen soon. Nevertheless, despite such doomed picture of the reform, the international community are continuously spending their efforts to find out the best solutions to the issue of Charter amendment.

Conclusion and recommendations

Amending the UN Charter, making it a Constitution in keeping with the times is in uninterrupted efforts committed by the all UN members. Requirement for the UN Charter’s revision was sometime put under a question: Should a new Charter be written? Arguably, everything will be much easier at the beginning. If there were a new Charter, everything would be different. Perhaps, it is a rather stupid question. Reordering and restoring the world order and peace were the

⁶⁶ George W. Bush, remarks at the UN General Assembly, New York, September 12, 2002; see the full text at <http://www.whitehouse.gov/news/releases/2002/09/print/20020912-1.html>

⁶⁷ The National Security Strategy of the United States of America, September 2002, p. 31; see the full text at <http://www.whitehouse.gov/nsc/nss.pdf>

common efforts of the international community after the World War II, and in the historical course since then, the fact shows that though the UN was at a time dominated by this or other powerful force, it remains the only intergovernmental organisation that can bring in and maintain peace and security.

History has shown that it could not help having the UN Charter and the UNSC amended and reformed. It should be noted that amending the UN Charter and reforming the UNSC now are the common goal of the entire international community; and it cannot be an overnight work, but instead it must be well prepared. In that spirit, I would like to make the following recommendations:

- The WGSC should not only be remained, but also be empowered to cooperate with the Charter Committee to do research and work out concrete and overwhelmingly satisfactory measures for the Charter amendment and the UNSC's reform.

- As a matter of the fact, all UN members should realize their accountability as sovereign actors in international relations, unite together to find out a comprehensive solution for the matter of UN Charter amendment and the UNSC's reform in the principle: "thinking together, compromising together, and acting together for the common goal". This is the core and the lowest common denominator of all matters.

THESIS CONCLUSION

The UN Charter and the UNSC are anachronistic and need for change. This is the common feeling prevailing in all the UN members. However, through the above analysis, it needs to sacrifice by all parties, even the inter-state consensus for the higher political goals.

Difficulties and slowness of the reform process do not result from procedural obstacles, but fundamentally from political interests of the UN member states and the five permanent members.

There is obviously fear of power sharing and distribution, which could decrease influence of the current permanent members and limit their freedom of disseminating their values as well as imposing their views on others in the framework of the United Nations. Additionally, obstacles to the reform also emerge in the regions, concerning the choice of candidates for the membership, especially candidates for permanent seats in the UNSC. Such clash basically appears around potential candidate states, for instance states with large population like India, Nigeria and Brazil, or countries with global political, economic and military influence like Germany and Japan.

Working methods of the UNSC are less problematic than the matter of representation or veto power. Reform in this area is slow, but going in progress towards more transparency, efficacy, democracy and accountability of this body.

Furthermore, the reform of the UNSC faces contradiction between the legitimacy through the increased representativeness of developing and small countries vis-à-vis the effectiveness through support of powers in strengthening the financial, political and military power of the United Nations and the UNSC. In his Millennium report, the United Nations Secretary-General emphasized: “The Security Council must work effectively and at the same time must have high legitimacy. These two criteria define the area in which the solution must be found.”⁶⁸

The United Nations gets in interesting paradox as the will of powerful states in the United Nations is big enough to block any step forward of the United Nations, but at the same time it is not big enough to implement their own intentions against the disagreement of the rest of the United Nations members. The requirements for the UNSC reform and willingness of the member states to fulfil them get in the position of the highest importance of compromising that goes beyond the expense of radical changes.

Finally, the matter of people is very crucial. To stop my conclusion therein, I would like to borrow an English idiom ‘A friend in need is a friend indeed’ and use it in my own way: “A talent in difficulty is a talent indeed”.

⁶⁸ We the People: The Role of the United Nations in the 21st Century, Kofi Annan, April 2000, at the Millennium Summit.

BIBLIOGRAPHY

Academic publications

1. The United Nations - International Organisation and Administration; Maurice Waters, Wayne State University, 1967
2. United Nations in action, David J. Whittaker, 1995
3. The United Nations in the New World Order – The World Organisation at Fifty; Dimitris Bourantonis and Jarrod Wiener, 1995
4. A United Nations for the Twenty-First Century: Peace, Security and Development; Dimitris Bourantonis and Marios Evriviades, 1996
5. The United Nations and the Maintenance of International Peace and Security; United Nations Institute for Training and Research, 1987
6. The Authority of the Security Council under Chapter VII of the UN Charter – Legal limits and the role of the International Court of Justice; Studies and Materials on the Settlement of International Disputes, Volume 8; David Schweigman, 2001
7. Resolutions of the United Nations Security Council; Renata Sonnenfeld, 1988
8. Resolutions and Statements of the United Nations Security Council (1946 – 2000) – A Thematic Guide; Karel Wellens; Nijhoff Law Special, Volume 50, 2001
9. Votes in the UN General Assembly; Miguel Marin-Bosch; Nijhoff Law Special, Volume 35, 1998
10. Preferred Futures for the United Nations; Saul H. Mendlovitz & Burns H. Weston, 1995
11. Law, Politics and the Security Council – An inquiry into the handling of legal questions involved in international disputes and situations; Tae Jin Kahng, 1964
12. The UN Veto in World Affairs 1946 – 1990: A complete record and case histories of the Security Council's veto; Anjali V. Patil, 1992
13. The United Nations Security Council: Prospects for Reform, by Justin Morris, Department of Politics and International Studies, University of Hull, England

Reports and speeches

- Secretary-General's address to the General Assembly, New York, 23 September 2003
- Working Group on the Security Council (1995): Report of the Vice-Chairmen, 15 September 1995

- Working Group on the Security Council (1995): Observations on Clusters I and II; A/AC.247/4 (a), 12 July 1995
- Working Group on the Security Council (1995): Suggested List of Questions; A/AC.247/2; Consultations on 21 and 24 October and 15 November 1994
- Working Group on the Security Council (1995): Secretariat Paper; A/AC.247/3, 6 January 1995
- Security Council Reform, International Progress Organisation, 5 April 1997/P/K/15517c-is
- Statement delivered by Mr Bassim Blasey, Counsellor Australian Mission to the United Nations, March 11, 2002
- Briefing paper on UN Security Council reform by Dr. Ian Chia, UNA - Malaysia
- Australia, Austria, Belgium, Bulgaria, Czech Republic, Estonia, Hungary, Ireland, Portugal and Slovenia: Discussion Paper
- Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to The Security Council, General Assembly official records, Fifty-seventh Session, Supplement No. 47 (A/57/47)
- Note by the President of the Security Council, S/2002/603, 6 June 2002
- The role of the Security Council in the Prevention of Armed Conflict, Ambassador Hasmy Agam, Permanent Mission of Malaysia to the UN, July 20, 2000
- Note by the President of the Security Council: Security Council Procedures, Ambassador Jeremy Greenstock, and December 30, 1999
- General Assembly concludes consideration of Security Council Reform, GA/9693, and 20 December 1999
- Memorandum by the elected members on transparency in the Security Council, 22 December 1997
- Statement of Principles on UN Reform, adopted by the 22nd meeting of Chairmen/Coordinators of the Group of 77 Chapters, Geneva, 7-9 July 1997
- Declaration on Security Council reform by the Foreign Ministers of the Non-Aligned Movement, New Delhi, April 8 1997
- Conference room paper by the Bureau of the Working Group on the Security Council, A/AC.247/1997/CRP.8 29 May 1997
- The Security Council and regional organisations: facing the new challenges to international peace and security, S/PV.4739, 4739th meeting, 11 April 2003

Additional articles

- Between Unilateralism and Collective Security: Authorizations of the Use of Force by the UN Security Council; Helmut Freudenschuff
- Tenth Anniversary of the Ethnic Killings in Rwanda, IN THE NEWS broadcast by the Voice of America, on April 10 2004

- Waging war for Human Rights: Toward a Moral-Legal Theory of Humanitarian Intervention, by Eric A. Heinze, Human Rights & Human Welfare, Volume 3 – 2003
- UN: Integrate Human Rights in to Security Council work; Human Right Watch, December 10, 2002
- Japan on Security Reform, the Ministry of Foreign Affairs of Japan
- Annan urges Security Council reform, by Caroline Overington, New York, September 10, 2003
- U.N. Security Council holds summit meeting, China People’s Daily Online, February 2, 2004
- Annan calls for deep reform of the Security Council, September 9, 2003
- The Security Council and the Rule of Law, James A. Paul, Reviewed 1996
- No easy path to reform of UN big five, by Caroline Overington, Herald correspondent in New York, September 20, 2003
- A UN Reform proposal – Remove the Veto, by Nocholas Kollerstrom, 15 July 2003
- Draft Proposal for the reform and enlargement of the UN Security Council, by Robert Axelrod, Ford School of Public Policy, University of Michigan, March 1, 2001
- Reform needs a radical approach, by Morris B. Abram, The Earth Times, and 1-15 October 1997
- Permanent members and reform of the UN Security Council, by Pavla Kortusova, Jan Masaryk Centre for International Studies, University of Economics, Prague, Czech Republic, Czech UNA
- Reform of the Security Council and its implications for global peace and security, by Maria Mikhailitchenko, Queen’s University
- The Illusion of UN Security Council, by Thomas G. Weiss, the Washington Quarterly, Autumn 2003
- New challenges mean time for change at UN, by Mark Turner, Financial Times, September 6, 2003
- Envoy voice doubt in Security Council, by Betsy Pisik, Washington Times, October 17, 2001
- Security Council takes new step to enhance transparency of its work, UN News Service, January 4, 2000
- UN Reform? Not anytime soon, but... World Federalists of Canada, October 1999
- UN and World Security in the next millennium, Editorial, Nigeria Post Express, Lagos, September 27, 1999
- Key Delegates differ on reforming UN Council, Diplomatic World Bulletin, and July/August 1998

- Reforming the United Nations Security Council: Will its time ever come?, by Jeffrey Laurenti, March 17, 2003
- Russia, China call for reforms at United Nations, by Andrei Shukshin, Reuters, May 29 2003
- Straw plan to boost UN Security Council, by Ewen MacAskill, Guardian, June 11, 2003
- Fixing the Security Council, by Barbara Crossette, UN Wire, June 16, 2003
- Annan seeks expanded UN Security Council, by Ranjan Roy, Associated Press, and September 23 2003
- UN reform when? by Haider Rizvi, Inter Press Service, September 26, 2003

ANNEXES



SUPPLEMENTARY PART TO THE THESIS

ANNEX – I

MEMBERSHIP OF THE SECURITY COUNCIL

Elected Members of the Security Council: 1946-present

Term in Council Member States

Jan 2004-Dec 2005	Algeria, Benin, Brazil, Philippines and Romania
Jan 2003-Dec 2004	Angola, Chile, Germany, Pakistan and Spain
Jan 2002-Dec 2003	Bulgaria, Cameroon, Guinea, Mexico, and Syria
Jan 2001-Dec 2002	Colombia, Ireland, Mauritius, Norway, Singapore
Jan 2000-Dec 2001	Bangladesh, Jamaica, Mali, Tunisia, Ukraine
Jan 1999-Dec 2000	Argentina, Canada, Malaysia, Namibia, Netherlands
Jan 1998-Dec 1999	Bahrain, Brazil, Gabon, Gambia, Slovenia
Jan 1997-Dec 1998	Costa Rica, Japan, Kenya, Portugal, Sweden
Jan 1996-Dec 1997	Chile, Egypt, Guinea-Bissau, Poland, Rep. Korea
Jan 1995-Dec 1996	Botswana, Germany, Honduras, Indonesia, Italy
Jan 1994-Dec 1995	Argentina, Czech Republic ⁽¹⁾ , Nigeria, Oman, Rwanda
Jan 1993-Dec 1994	Brazil, Djibouti, New Zealand, Pakistan, Spain
Jan 1992-Dec 1993	Cape Verde, Hungary, Japan, Morocco, Venezuela
Jan 1991-Dec 1992	Austria, Belgium, Ecuador, India, Zimbabwe

Jan 1990-Dec 1991	Côte d'Ivoire, Cuba, Romania, Yemen, Zaire
Jan 1989-Dec 1990	Canada, Colombia, Ethiopia, Finland, Malaysia
Jan 1988-Dec 1989	Algeria, Brazil, Nepal, Senegal, Yugoslavia
Jan 1987-Dec 1988	Argentina, Germany, Italy, Japan, Zambia
Jan 1986-Dec 1987	Bulgaria, Congo, Ghana, UAE, Venezuela
Jan 1985-Dec 1986	Australia, Denmark, Madagascar, Thailand, Trinidad and Tobago
Jan 1984-Dec 1985	Burkina Faso, Egypt, India, Peru, Ukraine
Jan 1983-Dec 1984	Malta, Netherlands, Nicaragua, Pakistan
Jan 1982-Dec 1983	DR Congo, Guyana, Jordan, Poland, Togo
Jan 1981-Dec 1982	Ireland, Japan, Panama, Spain, Uganda
Jan 1980-Dec 1981	German Democratic Republic, Mexico, Niger, Philippines, Tunisia
Jan 1979-Dec 1980	Bangladesh, Jamaica, Norway, Portugal, Zambia
Jan 1978-Dec 1979	Bolivia, Gabon, Kuwait, Nigeria, Czechoslovakia ⁽¹⁾
Jan 1977-Dec 1978	Canada, Germany, India, Mauritania, Venezuela
Jan 1976-Dec 1977	Benin, Libyan AJ, Pakistan, Panama, Romania
Jan 1975-Dec 1976	Guyana, Italy, Japan, Sweden, UR of Tanzania
Jan 1974-Dec 1975	Belarus, Cameroon, Costa Rica, Iraq, Mauritania
Jan 1973-Dec 1974	Australia, Austria, Indonesia, Kenya, Peru

Jan 1972-Dec 1973	Guinea, India, Panama, Sudan, Yugoslavia
Jan 1971-Dec 1972	Argentina, Belgium, Italy, Japan, Somalia
Jan 1970-Dec 1971	Burundi, Nicaragua, Poland, Sierra Leone, Syria AR
Jan 1969-Dec 1970	Colombia, Finland, Nepal, Spain, Zambia
Jan 1968-Dec 1969	Algeria, Hungary, Pakistan, Paraguay, Senegal
Jan 1967-Dec 1968	Brazil, Canada, Denmark, Ethiopia, India
Jan 1966-Dec 1967	Argentina, Bulgaria, Japan, Mali, New Zealand (1966 only)*, Nigeria, Uganda (1966 only)* (3)
Jan 1965 -Dec 1966	Jordan, Malaysia*, Netherlands, Uruguay
Jan 1964-Dec 1965	Bolivia, Côte d'Ivoire, Czechoslovakia (1964 only - resigned) (1)
Jan 1963-Dec 1964	Brazil, Morocco, Norway, Philippines (1963 only)*
Jan 1962-Dec 1963	Ghana, Ireland (1962 only)*, Venezuela, Romania (1962 only - resigned)*,
Jan 1961-Dec 1962	Chile, United Arab Republic (Egypt), Liberia (1961 only - resigned)*, Turkey (1961 only)*
Jan 1960-Dec 1961	Ecuador, Poland (1960 only - resigned)*, Ceylon (Sri Lanka)
Jan 1959-Dec 1960	Argentina, Italy, Tunisia
Jan 1958-Dec 1959	Canada, Japan, Panama
Jan 1957-Dec 1958	Colombia, Philippines (1957 only)*, Sweden
Jan 1956-Dec 1957	Australia, Cuba, Iraq, Yugoslavia (1956 only - resigned)*
Jan 1955-Dec	Belgium, Iran, Peru

1956	
Jan 1954-Dec 1955	Brazil, New Zealand, Turkey
Jan 1953-Dec 1954	Colombia, Denmark, Lebanon
Jan 1952-Dec 1953	Chile, Greece, Pakistan
Jan 1951-Dec 1952	Brazil, Netherlands, Turkey
Jan 1950-Dec 1951	Ecuador, India, Yugoslavia
Jan 1949-Dec 1950	Cuba, Egypt, Norway
Jan 1948-Dec 1949	Argentina, Canada, Ukrainian SSR
Jan 1947-Dec 1948	Belgium, Colombia, Syrian AR ⁽²⁾
Jan 1946-Dec 1947	Australia, Brazil, Egypt (1946 only), Mexico(1946 only), Netherlands(1946 only), Poland

Countries that have never served on the Council are not listed. Sources - United Nations, and Bailey and Daws "The Procedure of the UN Security Council", 3rd Edition, Clarendon Press, Oxford, 1998, Compiled by Giji Gya.

NOTES

* Split term

(1) Insofar as it formed part of Czechoslovakia until 31 December 1992, the Czech Republic also served on the Council in 1964 and 1978-79.

(2) Insofar as it formed part of the United Arab Republic until the end of September 1961, Syria also served on the council in 1961.

(3) One year term pursuant to elections held in accordance with article 23 (2) of the Charter.

Security Council Membership 1996

1. Membership and Presidency

Botswana - member thru 1996 - Amb. Legwaila - presidency in March
Chile - member thru 1997 - Amb. Somavia - presidency in April
China - permanent member - Amb. Qin - presidency in May
Egypt - member thru 1997 - Amb. Elaraby - presidency in June
France - permanent member - Amb. Dejamment - presidency in July
Germany - member thru 1996 - Amb. Eitel - presidency in August
Guinea-Bissau - member thru 1997 - Amb. Toure - presidency in September
Honduras - member thru 1996 - Amb. Martinez Blanco - presidency in October
Indonesia - member thru 1996 - Amb. Wisnumurti - presidency in November
Italy - member thru 1996 - Amb. Fulci - presidency in December
Poland - member thru 1997 - Amb. Wolosowicz
Rep. of Korea - member thru 1997 - Amb. Park
Russian Federation - permanent member - Amb. Lavrov
United Kingdom - permanent member - Amb. Weston - presidency in January
United States - permanent member - Amb. Albright - presidency in February

2. Sanctions Committee Bureaus

Iraq (Resolution 661)

Chairman: Tono Eitel (Germany); Vice-Chairmen: Botswana, Poland

Yugoslavia (Resolution 724)

Chairman: Juan Somavia (Chile); Vice-Chairmen: Guinea-Bissau, Republic of Korea

Libya (Resolution 748)

Chairman: Zbigniew Maria Wlosowicz (Poland); Vice-Chairmen: Germany, Republic of Korea

Somalia (Resolution 751)

Chairman: Park Soo Gil (Republic of Korea); Vice-Chairmen: Egypt, Honduras

Angola (Resolution 864)

Chairman: Nabil A. Elaraby (Egypt); Vice-Chairmen: Honduras, Indonesia

Rwanda (Resolution 918)

Chairman: Nugroho Wisnumurti (Indonesia); Vice-Chairmen: Botswana, Italy

Liberia (Resolution 985)

Chairman: Gerardo Martinez Blanco (Honduras); Vice-Chairmen: Indonesia, Italy

Security Council Membership 1997

1. Membership and Presidency

Chile - member through 1997 - Amb. Somavia - presidency in October
China - permanent member - Amb. Qin - presidency in November
Costa Rica - member through 1998 - Amb. Berrocal - presidency in December
Egypt - member through 1997 - Amb. Elaraby
France - permanent member - Amb. Dejamet
Guinea-Bissau - member through 1997 - Amb. Lopes Cabral
Japan - member through 1998 - Amb. Owada - presidency in January
Kenya - member through 1998 - Amb. Mahugu - presidency in February
Poland - member through 1997 - Amb. Wlosowicz - presidency in March
Portugal - member through 1998 - Amb. Monteiro - presidency in April
Republic of Korea - member through 1997 - Amb. Park - presidency in May
Russian Federation - permanent member - Amb. Lavrov - presidency in June
Sweden - member through 1998 - Amb. Osvald/Amb. Dahlgren - presidency in July
United Kingdom - permanent member - Amb. Weston - presidency in August
United States - permanent member - Amb. Richardson - presidency in September

2. Sanctions Committee Bureaus

Iraq (Resolution 661)

Chairman: Antonio Victor Martins Monteiro (Portugal)

Vice-Chairmen: Guinea Bissau, Poland

Libya (Resolution 748)

Chairman: Zbigniew Maria Wlosowicz (Poland)

Vice-Chairmen: Portugal, Republic of Korea

Somalia (Resolution 751)

Chairman: Park Soo Gil (Republic of Korea)

Vice-Chairmen: Costa Rica, Egypt

Angola (Resolution 864)

Chairman: Nabil A. Elaraby (Egypt)

Vice-Chairmen: Costa Rica, Japan

Rwanda (Resolution 918)

Chairman: Hisashi Owada (Japan)

Vice-Chairmen: Kenya, Sweden

Liberia (Resolution 985)

Chairman: Fernando Berrocal Soto (Costa Rica)

Vice-Chairmen: Japan, Sweden

Security Council Membership 1998

1. Membership and Presidency

Bahrain - member through 1999 - Amb. Buallay - presidency in December
Brazil - member through 1999 - Amb. Amorim
China - permanent member - Amb. Qin
Costa Rica - member through 1998 - Amb. Niehaus
France - permanent member - Amb. Dejamet - presidency in January
Gabon - member through 1999 - Amb. Réwaka - presidency in February
Gambia - member through 1999 - Amb. Jallow - presidency in March
Japan - member through 1998 - Amb. Owada - presidency in April
Kenya - member through 1998 - Amb. Mahugu - presidency in May
Portugal - member through 1998 - Amb. Monteiro - presidency in June
Russian Federation - permanent member - Amb. Lavrov - presidency in July
Slovenia - member through 1999 - Amb. Türk- presidency in August
Sweden - member through 1998 - Amb. Dahlgren - presidency in September
United Kingdom - permanent member - Amb. Weston - presidency in October
United States - permanent member - Amb. Holbrooke- presidency in November

2. Sanctions Committee Bureaus

Iraq (Resolution 661)

Chairman: António Monteiro (Portugal), Vice-Chairmen: Gabon, Brazil

Libya (Resolution 748)

Chairman: Danilo Türk (Slovenia), Vice-Chairmen: Portugal, Gabon

Somalia (Resolution 751)

Chairman: Jassim Buallay (Bahrain)
Vice-Chairmen: Costa Rica, Gambia

Angola (Resolution 864)

Chairman: Njuguna Mahugu (Kenya)
Vice-Chairmen: Costa Rica, Japan

Rwanda (Resolution 918)

Chairman: Hisashi Owada (Japan)
Vice-Chairmen: Bahrain, Sweden

Liberia (Resolution 985)

Chairman: Fernando Soto (Costa Rica)
Vice-Chairmen: Japan, Sweden

Sierra Leone (Resolution 1132)

Chairman: Hans Dahlgren (Sweden)
Vice-Chairmen: Costa Rica, Kenya

Security Council Membership 1999

1. Membership and Presidency

COUNTRY	TERM ENDS	REPRESENTATIVE AMBASSADOR	PRESIDENCY 1999
Argentina	2000	Fernando PETRELLA	-
Bahrain	1999	Jassim BUALLAY	-
Brazil	2000	Celso AMORIM, Gelson FONSECA	January
Canada	2000	Robert FOWLER	February
China	Permanent	QIN Huasun	March
France	Permanent	Alain DEJAMMET	April
Gabon	1999	Denis DANGUE REWAKA	May
Gambia	1999	Baboucarr-Blaise JAGNE	June
Malaysia	2000	HASMY Agam	July
Namibia	2000	Martin ANDJABA	August
Netherlands	2000	Peter van WALSUM	September
Russian Fed.	Permanent	Sergey LAVROV	October
Slovenia	1999	Danilo TURK	November
United Kingdom	Permanent	Jeremy GREENSTOCK	December
United States	Permanent	Peter BURLEIGH, Richard HOLBROOKE	-

2. Sanctions Committee Bureaus

Iraq (Resolution 661)

Chairman: Peter van Walsum (Netherlands)

Vice-Chairmen: Argentina, Gabon

Libya (Resolution 748)

Chairman: Dr. Danilo Türk (Slovenia)

Vice-Chairmen: Brazil, Gabon

Somalia (Resolution 751)

Chairman: Jassim Mohammed Buallay (Bahrain)

Vice-Chairmen: Gambia, Netherlands

Angola (Resolution 864)

Chairman: Robert R. Fowler (Canada)

Vice-Chairmen: Argentina, Malaysia

Rwanda (Resolution 918)

Chairman: Hasmy Agam (Malaysia)

Vice-Chairmen: Bahrain, Canada

Liberia (Resolution 985)

Chairman: Fernando Petrella (Argentina)

Vice-Chairmen: Bahrain, Namibia

Sierra Leone (Resolution 1132)

Chairman: Celso Amorim (Brazil)

Vice-Chairmen: Gambia, Netherlands

Security Council Membership 2000

Membership and Presidency

COUNTRY	TERM ENDS	REPRESENTATIVE AMBASSADOR	PRESIDENCY 2000
Argentina	2000	Arnoldo LISTRE	February
Bangladesh	2001	Anwarul CHOWDHURY	March
Canada	2000	Paul HEINBECKER (Robert FOWLER until September 2000)	April
China	Permanent	WANG Yingfan	May
France	Permanent	Jean-David LEVITTE	June
Jamaica	2001	Patricia DURRANT	July
Malaysia	2000	HASMY Agam	August
Mali	2001	Moctar OUANE	September
Namibia	2000	Martin ANDJABA	October
Netherlands	2000	Peter VAN WALSUM	November
Russian Fed.	Permanent	Sergey LAVROV	December
Tunisia	2001	Saïd BEN MUSTAPHA	-
Ukraine	2001	Volodymyr YEL'CHENKO	-

United Kingdom	Permanent	Jeremy GREENSTOCK	-
United States	Permanent	Richard HOLBROOKE	January

List of Sanction Committee Bureaus

1. Iraq (resolution 661)

Chair: Peter van Walsum (Netherlands)

Vice Chairs: Argentina and Ukraine

2. Libya Jamahiriya (resolution 748)

Chair: Volodymyr Yu. Yel'chenko (Ukraine)

Vice Chairs: Jamaica and Bangladesh

3. Somalia (resolution 751)

Chair: Said Ben Mustapha (Tunisia)

Vice Chairs: Jamaica and the Netherlands

4. Angola (resolution 864)

Chair: Paul Heinbecker (Canada)

Vice Chairs: Argentina and Malaysia

5. Rwanda (resolution 918)

Chair: Hasmy Agam (Malaysia)

Vice Chairs: Canada and Tunisia

6. Liberia (resolution 985)

Chair: Martin Andjaba (Namibia)

Vice Chairs: Canada and Malaysia

7. Sierra Leone (resolution 1132)

Chair: Anwarul Karim Chowdhury (Bangladesh)

Vice Chairs: Mali and Namibia

8. Yugoslavia (resolution 1160)

Chair: M. Patricia Durrant, (Jamaica)

Vice Chairs: Tunisia and the Netherlands

9. Afghanistan (resolution 1267)

Chair: Arnoldo Manuel Listre (Argentina)

Vice Chairs: Mali and Ukraine

Security Council Membership 2001

Membership and Presidency

COUNTRY	TERM ENDS	REPRESENTATIVE AMBASSADOR	PRESIDENCY 2001
Bangladesh	2001	Anwarul CHOWDHURY	June
China	Permanent	WANG Yingfan	July
Colombia	2002	Alfonso VALDIVIESO	August
France	Permanent	Jean-David LEVITTE	September
Ireland	2002	Richard RYAN	October
Jamaica	2001	Patricia DURRANT	November
Mali	2001	Moctar OUANE	December
Mauritius	2002	Jagdish KOONJUL	-
Norway	2002	Ole Peter KOLBY	-
Russian Federation	Permanent	Sergey LAVROV	-
Singapore	2002	Kishore MAHBUBANI	January
Tunisia	2001	Noureddine MEJDOUB	February
Ukraine	2001	Valeriy P. KUCHINSKY (Acting Representative)	March
United Kingdom	Permanent	Jeremy GREENSTOCK	April
United States	Permanent	John D. Negroponte	May

List of Sanction Committee Bureaus

(Resolution that set up the committee is noted in parentheses)
See here for [GPF pages on the Sanctioned States](#)

1. [Iraq \[resolution 661 \(1990\)\]](#)

Chair: Mr. Ole Peter Kolby (Norway)
Vice Chairs: Mauritius and Ukraine

2. [Libyan Arab Jamahiriya \[resolution 748 \(1992\)\]](#) - suspended since [July 9, 1999](#)

Chair: Mr. Valeriy P. Kuchinsky (Ukraine)
Vice Chairs: Bangladesh and Jamaica

3. [Somalia \[resolution 751 \(1992\)\]](#)

Chair: Mr. Noureddine Mejdoub (Tunisia)

Vice Chairs: Jamaica and Norway

4. [Situation in Angola - \(Sanctions Against Unita\) \[resolution 864 \(1993\)\]](#)

Chair: Mr. Richard Ryan (Ireland)

Vice Chairs: Colombia and Singapore

5. [Rwanda \[resolution 918 \(1994\)\]](#)

Chair: M. Moctar Ouane (Mali)

Vice Chairs: Ireland and Tunisia

6. [Sierra Leone \[resolution 1132 \(1997\)\]](#)

Chair: Mr. Anwarul Karim Chowdhury (Bangladesh)

Vice Chairs: Mali and Singapore

7. [Federal Republic of Yugoslavia \[resolution 1160 \(1998\)\]](#)

Chair: Mlle. Patricia Durrant, (Jamaica)

Vice Chairs: Norway and Tunisia

8. [Afghanistan \[resolution 1267 \(1999\)\]](#)

Chair: Sr. Alfonso Valdivieso (Colombia)

Vice Chairs: Mali and Ukraine

9. [Ethiopia/Eritrea \[resolution 1298 \(2000\)\]](#)

Chair: Mr. Jagdish Koonjul (Mauritius)

Vice Chairs: Colombia and Tunisia

10. [Liberia \[resolution 1343 \(2001\)\]](#)

NB: [985 \(1995\) Committee](#) - terminated on March 7, 2001 pursuant to [resolution 1343](#)

Chair: Mr. Kishore Mahbubani (Singapore)

Vice Chairs: Ireland and Mauritius

Security Council Membership 2002

Membership and Presidency

[For Sanctions Committees click here](#)

COUNTRY	TERM ENDS	REPRESENTATIVE AMBASSADOR	PRESIDENCY 2002
Bulgaria	2003	Stefan TAFROV	September
Cameroon	2003	Martin BELINGA-EBOUTOU	October

China	Permanent	WANG Yingfan	November
Colombia	2002	Alfonso VALDIVIESO	December
France	Permanent	Jean-David LEVITTE	-
Guinea	2003	François Lonseny FALL	-
Ireland	2002	Richard RYAN	-
Mauricius	2002	Jagdish KOONJUL	January
Mexico	2003	Adolfo Miguel AGUILAR-ZINSER	February
Norway	2002	Ole Peter KOLBY	March
Russian Federation	Permanent	Sergey LAVROV	April
Singapore	2002	Kishore MAHBUBANI	May
Syria	2003	Mikhail WEHBE	June
United Kingdom	Permanent	Jeremy GREENSTOCK	July
United States	Permanent	John D. Negroponte	August

List of Sanction Committee Bureaus

(Resolution that set up the committee is noted in parentheses)

See here for [GPF pages on the Sanctioned States](#)

1. [Iraq \[resolution 661 \(1990\)\]](#)

Chair: Mr. Ole Peter Kolby (Norway)

Vice Chairs: Bulgaria and Mauritius

2. [Libyan Arab Jamahiriva \[resolution 748 \(1992\)\] - suspended since \[July 9, 1999\]\(#\)](#)

Chair: Mr. François Lonseny Fall (Guinea)

Vice Chairs: Bulgaria and Ireland

3. [Somalia \[resolution 751 \(1992\)\]](#)

Chair: Mr. Stefan Tafrov (Bulgaria)

Vice Chairs: Mexico and Norway

4. [Situation in Angola - \(Sanctions Against Unita\) \[resolution 864 \(1993\)\]](#)

Chair: Mr. Richard Ryan (Ireland)

Vice Chairs: Cameroon and Colombia

5. [Rwanda \[resolution 918 \(1994\)\]](#)

Chair: M. Mikhail Wehbe (Syria)

Vice Chairs: Guinea and Ireland

6. [Sierra Leone \[resolution 1132 \(1997\)\]](#)

Chair: Mr. Jorge Eduardo Navarrete (Mexico)

Vice Chairs: Cameroon and Singapore

7. [Afghanistan \[resolution 1267 \(1999\)\]](#)

Chair: Sr. Alfonso Valdivieso (Colombia)

Vice Chairs: Guinea and Singapore

8. [Liberia \[resolution 1343 \(2001\)\]](#)

NB: [985 \(1995\) Committee](#) - terminated on March 7, 2001 pursuant to [resolution 1343](#)

Chair: Mr. Kishore Mahbubani (Singapore)

Vice Chairs: Mauritius and Syria

Security Council Membership 2003

Membership and Presidency

[For Sanctions Committees click here](#)

COUNTRY	TERM ENDS	REPRESENTATIVE AMBASSADOR	PRESIDENCY 2003
Angola	2004	Ismael Gaspar MARTINS	November
Bulgaria	2003	Stefan TAFROV	December
Cameroon	2003	Martin BELINGA-EBOUTOU	-
Chile	2004	Heraldo MUÑOZ	-
China	Permanent	WANG Guangya	-
France	Permanent	Jean-Marc de la SABLIERE	January
Germany	2004	Gunter PLEUGER	February
Guinea	2003	Alpha Ibrahima SOW	March
Mexico	2003	Adolfo Miguel AGUILAR-ZINSER	April
Pakistan	2004	Munir AKRAM	May
Russian Federation	Permanent	Sergey LAVROV	June
Spain	2004	Inocencio F. ARIAS	July
Syria	2003	Fayssal MEKDAD	August
United Kingdom	Permanent	Emyr Jones PARRY	September
United States	Permanent	John D. NEGROPONTE	October

List of Sanction Committee Bureaus

(Resolution that set up the committee is noted in parentheses)
See here for [GPF pages on the Sanctioned States](#)

1. [Iraq \[resolution 661 \(1990\)\]](#)

Chair: Mr. Gunter Pleuger (Germany)

Vice Chairs: Bulgaria and Pakistan

2. [Libyan Arab Jamahiriya \[resolution 748 \(1992\)\]](#) - suspended since [July 9, 1999](#)

Chair: Mr. Alpha Ibrahima Sow (Guinea)

Vice Chairs: Bulgaria and Germany

3. [Somalia \[resolution 751 \(1992\)\]](#)

Chair: Mr. Stefan Tafrov (Bulgaria)

Vice Chairs: Mexico and Germany

4. [Rwanda \[resolution 918 \(1994\)\]](#)

Chair: M. Fayssal Mekdad (Syria)

Vice Chairs: Guinea and Spain

5. [Sierra Leone \[resolution 1132 \(1997\)\]](#)

Chair: Mr. Adolfo Aguilar-Zinser (Mexico)

Vice Chairs: Cameroon and Pakistan

6. [Afghanistan \[resolution 1267 \(1999\)\]](#)

Chair: Mr. Heraldo Munoz(Chile)

Vice Chairs: Guinea and Spain

7. [Liberia \[resolution 1343 \(2001\)\]](#)

NB: [985 \(1995\) Committee](#) - terminated on March 7, 2001 pursuant to [resolution 1343](#)

Chair: Mr. Munir Akram (Pakistan)

Vice Chairs: Angola and Syria

NB: The [864 \(1993\) Committee](#) on the situation in Angola terminated on December 9, 2002 pursuant to [resolution 1448](#).

Security Council Membership 2004

Membership and Presidency

[For Sanctions Committees click here](#)

COUNTRY	TERM ENDS	REPRESENTATIVE AMBASSADOR	PRESIDENCY 2003
Algeria	2005	Abdallah BAALI	December
Angola	2004	Ismael Gaspar MARTINS	-
Benin	2005	Joel ADECHI	-
Brazil	2005	Ronaldo Mota SARDENBERG	-
Chile	2004	Heraldo MUÑOZ	January
China	Permanent	WANG Guangya	February
France	Permanent	Jean-Marc de la SABLIERE	March
Germany	2004	Gunter PLEUGER	April
Pakistan	2004	Munir AKRAM	May
Philippines	2005	Lauro L. BAJA	June
Romania	2005	Mihnea Ioan MOTOC	July
Russian Federation	Permanent	Sergey LAVROV	August
Spain	2004	Inocencio F. ARIAS	September
United Kingdom	Permanent	Emyr Jones PARRY	October
United States	Permanent	John D. NEGROPONTE	November

List of Sanction Committee Bureaus

(Resolution that set up the committee is noted in parentheses)

See here for [GPF pages on the Sanctioned States](#)

1. Iraq [resolution 1518 (2003)]

NB: [661 \(1990\) Committee](#) - terminated on May 22, 2003 pursuant to [resolution 1483](#)

Chair: Mr. Mihnea Ioan Motoc (Romania)

Vice Chairs: Philippines and Pakistan

2. [Somalia \[resolution 751 \(1992\)\]](#)

Chair: Mr. Lauro L. Baja (Philippines)

Vice Chairs: Algeria and Germany

3. Rwanda [resolution 918 (1994)]

Chair: Mr. Abdallah Baali (Algeria)

Vice Chairs: Benin and Spain

4. Sierra Leone [resolution 1132 (1997)]

Chair: Mr. Ronaldo Mota Sardenberg (Brazil)

Vice Chairs: Algeria and Pakistan

5. Afghanistan [resolution 1267 (1999)]

Chair: Mr. Heraldo Munoz (Chile)

Vice Chairs: Romania and Spain

6. Liberia [resolution 1343 (2001)]

NB: 985 (1995) Committee - terminated on March 7, 2001 pursuant to resolution 1343

Chair: Mr. Munir Akram (Pakistan)

Vice Chairs: Angola and Philippines

Counter-Terrorism Committee [resolution 1373 (2001)]

Chair: Mr. Inocencio Arias (Spain)

Subcommittee A: Brazil

Subcommittee B: Angola

Subcommittee C: Russia

ANNEX – II

STRUCTURE OF THE SECURITY COUNCIL

Committees:

Standing Committees -- There are two committees at present, and each includes representatives of all Security Council member States.

Committee of Experts on Rules of Procedure (studies and advises on rules of procedure and other technical matters)

Committee on Admission of New Members

Ad Hoc Committees -- They are established as needed, comprise all Council members and meet in closed session.

Security Council Committee on Council meeting away from Headquarters
Governing Council of the United Nations Compensation Commission
established by Security Council resolution 692 (1991)

[Committee established pursuant to Resolution 1373 \(2001\) concerning Counter-Terrorism](#)

[Working Group on General Issues on Sanctions](#)

Sanctions Committees, [an Overview](#) :

[Security Council Committee established by resolution 661 \(1990\) concerning the situation between Iraq and Kuwait](#)

[Security Council Committee established pursuant to resolution 748 \(1992\) concerning the Libyan Arab Jamahiriya](#)

[Security Council Committee established pursuant to resolution 751 \(1992\) concerning Somalia](#)

[Security Council Committee established pursuant to resolution 864 \(1993\) concerning the situation in Angola](#)

[Security Council Committee established pursuant to resolution 918 \(1994\) concerning Rwanda](#)

[Security Council Committee established pursuant to resolution 985 \(1995\) concerning Liberia](#)

[Security Council Committee established pursuant to resolution 1132 \(1997\) concerning Sierra Leone](#)

[Security Council Committee established pursuant to resolution 1160 \(1998\)](#)

[Security Council Committee established pursuant to resolution 1267 \(1999\)](#)

[Security Council Committee established pursuant to resolution 1298 \(2000\) concerning the situation between Eritrea and Ethiopia](#)

[Security Council Committee established pursuant to resolution 1343 \(2001\) concerning Liberia](#)

Peace-keeping Operations:

Between June 1948 and August 2000, there have been 53 United Nations [peace-keeping operations](#).

International Tribunals

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia - established by S/RES/808(1993) - [International Criminal Tribunal for the Former Yugoslavia \(ICTY\)](#);

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for such Violations Committed in the Territory of Neighbouring States - established by S/RES/955 (1994).

Sources: Basic Facts About the United Nations, Sales No.E.98.I.20., Press Release GA/9784 (10 Oct. 2000), and the Office of the Director of Security Council Affairs Division, Department of Political Affairs. Last updated on 30 August 2002

ANNEX – III

YEAR-ON-YEAR MEETINGS OF THE COUNCIL

*Meetings conducted / Actions taken by the Security Council in 2003
(numerical sequence in reverse order)*

NOTE: The Adobe Acrobat Reader, which can be downloaded for free from the [Adobe](http://www.adobe.com) website (<http://www.adobe.com>), is required for viewing of the full-text documents.

Meeting Record	Date	Press Release	Topic	Security Council Action / Vote
S/PV.4891	22 Dec.	SC/7966	Burundi	S/PRST/2003/30
S/PV.4890	22 Dec.	SC/7965	Liberia	S/RES/1521 (2003) 15-0-0
S/PV.4889	22 Dec.	SC/7964	Middle East--UNDOF	S/RES/1520 (2003) 15-0-0 S/PRST/2003/29
S/PV.4888	22 Dec.	SC/7963	Briefings by the Chairmen of Security Council Committees and Working Groups	no action
S/PV.4887	18 Dec.	SC/7959	Iraq-Kuwait	S/PRST/2003/28
S/PV.4886	17 Dec.	SC/7958	Kosovo (Serbia and Montenegro)	no action
S/PV.4885	16 Dec.	SC/7957	Somalia	S/RES/1519 (2003) 15-0-0
S/PV.4884 (closed)	16 Dec.	None issued	Iraq-Kuwait	Communiqué
S/PV.4883	16 Dec.	SC/7955	Iraq-Kuwait	no action
S/PV.4882	15 Dec.	SC/7953	Civilians in armed conflict	S/PRST/2003/27
S/PV.4881 + Corr.1	15 Dec.	SC/7952	Bougainville	no action
S/PV.4880	12 Dec.	SC/7951	Kosovo (Serbia and Montenegro)	S/PRST/2003/26
S/PV.4879	12 Dec.	SC/7950	Middle East situation, including the Palestinian question	no action
S/PV.4878 (closed)	11 Dec.	None issued	Meeting with countries contributing troops to the United	Communiqué

			Nations Disengagement Observer Force	
S/PV.4877 (Resumption 1)	9 Dec.	SC/7947	Civilians in armed conflict	no action
S/PV.4877	9 Dec.	SC/7947	Civilians in armed conflict	no action
S/PV.4876	4 Dec.	SC/7944	Burundi	no action
S/PV.4875	4 Dec.	SC/7942	Cote d'Ivoire	S/PRST/2003/25
S/PV.4874 (closed)	24 Nov.	None issued	Cote d'Ivoire	Communiqué
S/PV.4873	24 Nov.	SC/7937	Cote d'Ivoire	no action
S/PV.4872	24 Nov.	SC/7936	Iraq-Kuwait	S/RES/1518 (2003) 15-0-0
S/PV.4871	24 Nov.	SC/7935	Security Council mission--Central Africa	no action
S/PV.4870	24 Nov.	SC/7934	Cyprus	S/RES/1517 (2003) 15-0-0
S/PV.4869	21 Nov.	SC/7932	Iraq-Kuwait	no action
S/PV.4868	20 Nov.	SC/7930	Iraq-Kuwait	S/PRST/2003/24
S/PV.4867	20 Nov.	SC/7929	Peace and security--terrorist acts	S/RES/1516 (2003) 15-0-0
S/PV.4866 (closed)	20 Nov.	None issued	Meeting with countries contributing troops to the UN Peacekeeping Force in Cyprus	Communiqué
S/PV.4865	20 Nov.	SC/7927	Great Lakes region	S/PRST/2003/23
S/PV.4864	19 Nov.	SC/7926	Mine action for peacekeeping operations	S/PRST/2003/22
S/PV.4863	19 Nov.	SC/7925	Democratic Republic of the Congo	S/PRST/2003/21
S/PV.4862	19 Nov.	SC/7924	Middle East situation, including the Palestinian question	S/RES/1515 (2003) 15-0-0
S/PV.4861	19 Nov.	SC/7923	Middle East situation, including the Palestinian question	no action
S/PV.4860 (closed)	18 Nov.	None issued	Guinea-Bissau	Communiqué
S/PV.4859	17 Nov.	SC/7921	HIV/AIDS and international peacekeeping operations	no action
S/PV.4858	13 Nov.	SC/7918	Mine action for peacekeeping operations	no action

S/PV.4857	13 Nov.	SC/7917	Cote d'Ivoire	S/RES/1514 (2003) 15-0-0 S/PRST/2003/20
S/PV.4856	11 Nov.	SC/7914	Somalia	S/PRST/2003/19
S/PV.4855	11 Nov.	SC/7913	Security Council mission-- Afghanistan	no action
S/PV.4854 (closed)	7 Nov.	None issued	Meeting with countries contributing troops to the UN Mission in Cote d'Ivoire	Communiqué
S/PV.4853	30 Oct.	SC/7909	Kosovo (Serbia and Montenegro)	no action
S/PV.4852 (Resumption 1)	29 Oct.	SC/7908	Women and peace and security	no action
S/PV.4852	29 Oct.	SC/7908	Women and peace and security	no action
S/PV.4851	28 Oct.	SC/7907	Iraq-Kuwait	no action
S/PV.4850	28 Oct.	SC/7906	Western Sahara	S/RES/1513 (2003) 15-0-0
S/PV.4849	27 Oct.	SC/7905	International Tribunal--Rwanda	S/RES/1512 (2003) 15-0-0 S/PRST/2003/18
S/PV.4848	24 Oct.	SC/7904	Afghanistan	no action
S/PV.4847 (closed)	23 Oct.	None issued	Meeting with countries contributing troops to the UN Mission for the Referendum in Western Sahara	Communiqué
S/PV.4846	21 Oct.	SC/7902	Middle East situation, including the Palestinian question	no action
S/PV.4845 (Resumption 1)	16 Oct.	SC/7900	Peace and security--terrorist acts	S/PRST/2003/17
S/PV.4845	16 Oct.	SC/7900	Peace and security--terrorist acts	no action
S/PV.4844	16 Oct.	SC/7898	Iraq-Kuwait	S/RES/1511 (2003) 15-0-0
S/PV.4843	15 Oct.	SC/7897	Timor-Leste	no action
S/PV.4842	14 Oct.	SC/7896	Middle East situation, including the Palestinian question	Draft resolution S/2003/980 vetoed by USA 10-1-4
S/PV.4841	14 Oct.	SC/7895	Middle East situation, including the Palestinian question	no action
S/PV.4840	13 Oct.	SC/7894	Afghanistan	S/RES/1510 (2003) 15-0-0
S/PV.4839	10 Oct.	SC/7893	Sudan	S/PRST/2003/16

S/PV.4838	9 Oct.	SC/7889	International Tribunal--Rwanda & Yugoslavia	no action
S/PV.4837	8 Oct.	SC/7888	Bosnia and Herzegovina	no action
S/PV.4836 + Corr.1	5 Oct.	SC/7887	Israel-Syrian Arab Republic	no action
S/PV.4835	30 Sept.	SC/7884	Justice and the rule of law: the United Nations role	no action
S/PV.4834	29 Sept.	SC/7883	Guinea-Bissau	no action
S/PV.4833	24 Sept.	SC/7880	Justice and the rule of law: the United Nations role	S/PRST/2003/15
S/PV.4832 (closed)	22 Sept.	None issued	Burundi	Communiqué
S/PV.4831 + Corr.1	19 Sept.	SC/7879	Annual report of the Security Council to the General Assembly	Note (S/2003/901)
S/PV.4830	19 Sept.	SC/7878	Liberia	S/RES/1509 (2003) 15-0-0
S/PV.4829	19 Sept.	SC/7877	Sierra Leone	S/RES/1508 (2003) 15-0-0
S/PV.4828	16 Sept.	SC/7875	Middle East situation, including the Palestinian question	Draft resolution S/2003/891 vetoed by USA 11-1-3
S/PV.4827 (closed)	16 Sept.	None issued	Meeting with countries contributing troops to the UN Mission in Sierra Leone	Communiqué
S/PV.4826	16 Sept.	SC/7874	Liberia	no action
S/PV.4825 (closed)	15 Sept.	None issued	Meeting of the Security Council with the potential troop and civilian police-contributing countries to the proposed United Nations peacekeeping operation in Liberia	Communiqué
S/PV.4824 (Resumption 1)	15 Sept.	SC/7872	Middle East situation, including the Palestinian question	no action
S/PV.4824	15 Sept.	SC/7872	Middle East situation, including the Palestinian question	no action
S/PV.4823	12 Sept.	SC/7870	Kosovo (Serbia and Montenegro)	no action
S/PV.4822	12 Sept.	SC/7869	Eritrea-Ethiopia	S/RES/1507 (2003) 15-0-0
S/PV.4821 (closed)	9 Sept.	None issued	Meeting with countries contributing troops to the UN	Communiqué

			Mission in Ethiopia and Eritrea	
S/PV.4820 (Part II)	12 Sept.	SC/7868	Libyan Arab Jamahiriya	S/RES/1506 (2003) 13-0-2
S/PV.4820 (Part I)	9 Sept.	SC/7866	Libyan Arab Jamahiriya	Decision
S/PV.4819	4 Sept.	SC/7864	International Tribunal--Rwanda & Yugoslavia	S/RES/1504 (2003) 15-0-0 S/RES/1505 (2003) 15-0-0
S/PV.4818	28 Aug.	SC/7860	Wrap-up discussion on the work of the Security Council for the month of August	no action
S/PV.4817	28 Aug.	SC/7859	International Tribunal--Rwanda & Yugoslavia	S/RES/1503 (2003) 15-0-0
S/PV.4816 (closed)	27 Aug.	None issued	Liberia	Communiqué
S/PV.4815	27 Aug.	SC/7857	Liberia	S/PRST/2003/14
S/PV.4814	26 Aug.	SC/7856	Protection of UN personnel	S/RES/1502 (2003) 15-0-0
S/PV.4813	26 Aug.	SC/7852	Democratic Republic of the Congo	S/RES/1501 (2003) 15-0-0
S/PV.4812	21 Aug.	SC/7851	Iraq-Kuwait	no action
S/PV.4811	20 Aug.	SC/7850	Peace and security--terrorist acts	S/PRST/2003/13
S/PV.4810	19 Aug.	SC/7848	Middle East situation, including the Palestinian question	no action
S/PV.4809	18 Aug.	SC/7846	Kosovo (Serbia and Montenegro)	no action
S/PV.4808	14 Aug.	SC/7843	Iraq-Kuwait	S/RES/1500 (2003) 14-0-1
S/PV.4807	13 Aug.	SC/7841	Democratic Republic of the Congo	S/RES/1499 (2003) 15-0-0
S/PV.4806 (closed)	8 Aug.	None issued	International Tribunal--Rwanda & Yugoslavia	Communiqué
S/PV.4805	6 Aug.	SC/7839	Bougainville	no action
S/PV.4804	4 Aug.	SC/7837	Cote d'Ivoire	S/RES/1498 (2003) 15-0-0
S/PV.4803	1 Aug.	SC/7836	Liberia	S/RES/1497 (2003) 12-0-3
S/PV.4802	31 July	SC/7834	Middle East--UNIFIL	S/RES/1496 (2003) 15-0-0
S/PV.4801	31 July	SC/7833	Western Sahara	S/RES/1495 (2003)

				15-0-0
S/PV.4800	30 July	SC/7832	Georgia	S/RES/1494 (2003) 15-0-0
S/PV.4799 (closed)	30 July	None issued	Georgia	Communiqué
S/PV.4798	29 July	SC/7830	Peace and security--terrorist acts	no action
S/PV.4797	28 July	SC/7828	Democratic Republic of the Congo	S/RES/1493 (2003) 15-0-0
S/PV.4796 (closed)	25 July	None issued	Meeting with countries contributing troops to the UN Observer Mission in Georgia	Communiqué
S/PV.4795 (closed)	25 July	None issued	Meeting with countries contributing troops to the UN Interim Force in Lebanon	Communiqué
S/PV.4794	25 July	SC/7826	Security Council mission--Central Africa + West Africa	S/PRST/2003/12
S/PV.4793	25 July	SC/7825 + Corr.1	Cote d'Ivoire	S/PRST/2003/11
S/PV.4792	23 July	SC/7823	Peace and security--terrorist acts	no action
S/PV.4791	22 July	SC/7821	Iraq-Kuwait	no action
S/PV.4790	18 July	SC/7820	Democratic Republic of the Congo	no action
S/PV.4789	18 July	SC/7819	Sierra Leone	S/RES/1492 (2003) 15-0-0
S/PV.4788	17 July	SC/7818	Middle East situation, including the Palestinian question	no action
S/PV.4787	17 July	SC/7817	Eritrea-Ethiopia	S/PRST/2003/10
S/PV.4786	11 July	SC/7814	Bosnia and Herzegovina	S/RES/1491 (2003) 15-0-0
S/PV.4785	9 July	SC/7812	Security Council mission--West Africa	no action
S/PV.4784	7 July	SC/7810	Democratic Republic of the Congo	no action
S/PV.4783	3 July	SC/7808	Iraq-Kuwait	S/RES/1490 (2003) 15-0-0
S/PV.4782	3 July	SC/7807	Kosovo (Serbia and Montenegro)	no action
S/PV.4781 (closed)	1 July	None issued	Meeting with countries contributing troops to the UN Iraq-Kuwait Observation Mission	Communiqué
S/PV.4780	26 June	SC/7800	Democratic Republic of the Congo	S/RES/1489 (2003) 15-0-0
S/PV.4779	26 June	SC/7799	Middle East--UNDOF	S/RES/1488 (2003) 15-0-0 S/PRST/2003/9
S/PV.4778	23 June	None	Meeting with countries	Communiqué

(closed)		issued	contributing troops to the United Nations Disengagement Observer Force	
S/PV.4777	20 June	SC/7798	Civilians in armed conflict	no action
S/PV.4776	19 June	SC/7797	Guinea-Bissau	S/PRST/2003/8
S/PV.4775	18 June	SC/7796	Security Council mission--Central Africa	no action
S/PV.4774 (Resumption 1)	17 June	SC/7795	Afghanistan	S/PRST/2003/7
S/PV.4774	17 June	SC/7795	Afghanistan	no action
S/PV.4773	13 June	SC/7792	Middle East situation, including the Palestinian question	no action
S/PV.4772	12 June	SC/7789	United Nations peacekeeping	S/RES/1487 (2003) 12-0-3
S/PV.4771	11 June	SC/7786	Cyprus	S/RES/1486 (2003) 15-0-0
S/PV.4770	10 June	SC/7785	Kosovo (Serbia and Montenegro)	no action
S/PV.4769 (closed)	5 June	None issued	Meeting with countries contributing troops to the UN Peacekeeping Force in Cyprus	Communiqué
S/PV.4768	5 June	SC/7777	Iraq-Kuwait	no action
S/PV.4767 (closed)	4 June	None issued	Meeting with countries contributing troops to the UN Organization Mission in the Democratic Republic of the Congo	Communiqué
S/PV.4766 (Resumption 1)	30 May	SC/7774	Wrap-up discussion on the work of the Security Council for the month of May Conflicts in Africa	no action
S/PV.4766	30 May	SC/7774	Wrap-up discussion on the work of the Security Council for the month of May Conflicts in Africa	no action
S/PV.4765	30 May	SC/7773	Western Sahara	S/RES/1485 (2003) 15-0-0
S/PV.4764	30 May	SC/7772	Democratic Republic of the Congo	S/RES/1484 (2003) 15-0-0
S/PV.4763 (closed)	28 May	None issued	Meeting with countries contributing troops to the UN Mission for the Referendum in Western Sahara	Communiqué
S/PV.4762	22 May	SC/7767	Iraq-Kuwait	no action

(Resumption 1)				
S/PV.4762	22 May	SC/7767	Iraq-Kuwait	no action
S/PV.4761	22 May	SC/7765	Iraq-Kuwait [termination of trade and financial sanctions]	S/RES/1483 (2003) 14-0-0 (The Syrian Arab Republic did not participate in the voting.)
S/PV.4760	19 May	SC/7764	International Tribunal--Rwanda	S/RES/1482 (2003) 15-0-0
S/PV.4759	19 May	SC/7763	International Tribunal--Yugoslavia	S/RES/1481 (2003) 15-0-0
S/PV.4758	19 May	SC/7762	Timor-Leste	S/RES/1480 (2003) 15-0-0
S/PV.4757	19 May	SC/7761	Middle East situation, including the Palestinian question	no action
S/PV.4756	16 May	SC/7759	Democratic Republic of the Congo	S/PRST/2003/6
S/PV.4755 (closed)	16 May	None issued	Meeting with countries contributing troops to the UN Mission of Support in East Timor	Communiqué
S/PV.4754	13 May	SC/7758	Cote d'Ivoire	S/RES/1479 (2003) 15-0-0
S/PV.4753 (Resumption 1)	13 May	SC/7756	Pacific settlement of disputes	S/PRST/2003/5
S/PV.4753	13 May	SC/7756	Pacific settlement of disputes	no action
S/PV.4752	6 May	SC/7754	Peace and security--terrorist acts	no action
S/PV.4751	6 May	SC/7752	Liberia	S/RES/1478 (2003) 15-0-0
S/PV.4750	6 May	SC/7751	Afghanistan	no action
S/PV.4749	2 May	SC/7748	Burundi	S/PRST/2003/4
S/PV.4748 + Corr.1	30 Apr.	SC/7744	Wrap-up discussion on the work of the Security Council for the month of April	no action
S/PV.4747 (closed)	29 Apr.	None issued	Cote d'Ivoire	Communiqué
S/PV.4746	29 Apr.	SC/7743	Cote d'Ivoire	no action
S/PV.4745	29 Apr.	SC/7742	International Tribunal--Rwanda	S/RES/1477 (2003) 15-0-0
S/PV.4744	28 Apr.	SC/7741	Timor-Leste	no action
S/PV.4743	24 Apr.	SC/7738	Iraq-Kuwait	S/RES/1476 (2003) 15-0-0

S/PV.4742	23 Apr.	SC/7737	Kosovo (Serbia and Montenegro)	no action
S/PV.4741 + Corr.1	16 Apr.	SC/7733	Middle East situation, including the Palestinian question	no action
S/PV.4740	14 Apr.	SC/7727	Cyprus	S/RES/1475 (2003) 15-0-0
S/PV.4739 + Corr.1	11 Apr.	SC/7724	Peace and security--regional organizations	no action
S/PV.4738	10 Apr.	SC/7723	Cyprus	no action
S/PV.4737	8 Apr.	SC/7721	Somalia	S/RES/1474 (2003) 15-0-0
S/PV.4736	7 Apr.	SC/7720	Peace and security--Africa's food crisis	no action
S/PV.4735	4 Apr.	SC/7719	Timor-Leste	S/RES/1473 (2003) 15-0-0
S/PV.4734 (Resumption 1) + Corr.2	4 Apr.	SC/7718	Peace and security--terrorist acts	S/PRST/2003/3
S/PV.4734	4 Apr.	SC/7718	Peace and security--terrorist acts	no action
S/PV.4733 (closed)	2 Apr.	None issued	Meeting with countries contributing troops to the UN Iraq-Kuwait Observation Mission	Communiqué
S/PV.4732	28 Mar.	SC/7713	Iraq-Kuwait	S/RES/1472 (2003) 15-0-0
S/PV.4731	28 Mar.	SC/7712	International Tribunal--Rwanda	no action
S/PV.4730	28 Mar.	SC/7711	Afghanistan	S/RES/1471 (2003) 15-0-0
S/PV.4729	28 Mar.	SC/7710	Sierra Leone	S/RES/1470 (2003) 15-0-0
S/PV.4728	28 Mar.	SC/7709	Bougainville	no action
S/PV.4727	27 Mar.	SC/7708	Afghanistan	no action
S/PV.4726 (Resumption 1)	27 Mar.	SC/7707	Iraq-Kuwait	no action
S/PV.4726	26 Mar.	SC/7705	Iraq-Kuwait	no action
S/PV.4725	25 Mar.	SC/7704	Western Sahara	S/RES/1469 (2003) 15-0-0
S/PV.4724 (closed)	20 Mar.	None issued	Meeting with countries contributing troops to the UN Mission in Sierra Leone	Communiqué
S/PV.4723	20	SC/7699	Democratic Republic of the Congo	S/RES/1468 (2003)

	Mar.			15-0-0
S/PV.4722	19 Mar.	SC/7697	Middle East situation, including the Palestinian question	no action
S/PV.4721	19 Mar.	SC/7696	Iraq-Kuwait	no action
S/PV.4720 (Resumption 1)	18 Mar.	SC/7694	Small arms--West Africa	S/RES/1467 (2003) 15-0-0
S/PV.4720	18 Mar.	SC/7694	Small arms--West Africa	no action
S/PV.4719	14 Mar.	SC/7690	Eritrea-Ethiopia	S/RES/1466 (2003) 15-0-0
S/PV.4718	12 Mar.	SC/7686	Somalia	S/PRST/2003/2
S/PV.4717 (Resumption 1)	12 Mar.	SC/7687	Iraq-Kuwait	no action
S/PV.4717	11 Mar.	SC/7685	Iraq-Kuwait	no action
S/PV.4716 (closed)	10 Mar.	None issued	Meeting with countries contributing troops to the UN Mission in Ethiopia and Eritrea	Communiqué
S/PV.4715	10 Mar.	SC/7683	Timor-Leste	no action
S/PV.4714	7 Mar.	SC/7682	Iraq-Kuwait	no action
S/PV.4713	25 Feb.	SC/7672	Sanctions	no action
S/PV.4712 (closed)	24 Feb.	None issued	Afghanistan	Communiqué
S/PV.4711	24 Feb.	SC/7670	Afghanistan	no action
S/PV.4710	20 Feb.	SC/7667	Peace and security--terrorist acts	no action
S/PV.4709 (Resumption 1) + Corr.1	19 Feb.	SC/7666	Iraq-Kuwait	no action
S/PV.4709	18 Feb.	None issued	Iraq-Kuwait	no action
S/PV.4708 (closed)	14 Feb.	None issued	Iraq-Kuwait	Communiqué
S/PV.4707	14 Feb.	SC/7664	Iraq-Kuwait	no action
S/PV.4706	13 Feb.	SC/7663	Peace and security--terrorist acts	S/RES/1465 (2003) 15-0-0
S/PV.4705	13 Feb.	SC/7662	Democratic Republic of the Congo	no action
S/PV.4704	13 Feb.	SC/7661	Middle East situation, including the Palestinian question	no action

S/PV.4703	6 Feb.	SC/7659	Kosovo (Serbia and Montenegro)	S/PRST/2003/1
S/PV.4702	6 Feb.	SC/7659	Kosovo (Serbia and Montenegro)	no action
S/PV.4701	5 Feb.	SC/7658	Iraq-Kuwait	no action
S/PV.4700	4 Feb.	SC/7657	Cote d'Ivoire	S/RES/1464 (2003) 15-0-0
S/PV.4699	31 Jan.	SC/7654	Afghanistan	no action
S/PV.4698	30 Jan.	SC/7652	Western Sahara	S/RES/1463 (2003) 15-0-0
S/PV.4697	30 Jan.	SC/7651	Georgia	S/RES/1462 (2003) 15-0-0
S/PV.4696	30 Jan.	SC/7650	Middle East--UNIFIL	S/RES/1461 (2003) 15-0-0
S/PV.4695	30 Jan.	SC/7649	Children and armed conflict	S/RES/1460 (2003) 15-0-0
S/PV.4694	28 Jan.	SC/7648	Kimberley Process Certification Scheme	S/RES/1459 (2003) 15-0-0
S/PV.4693	28 Jan.	SC/7647	Liberia	S/RES/1458 (2003) 15-0-0
S/PV.4692	27 Jan.	SC/7644	Iraq-Kuwait	no action
S/PV.4691	24 Jan.	SC/7642	Democratic Republic of the Congo	S/RES/1457 (2003) 15-0-0
S/PV.4690 (closed)	22 Jan.	None issued	Meeting with countries contributing troops to the UN Mission for the Referendum in Western Sahara	Communiqué
S/PV.4689 (closed)	21 Jan.	None issued	Meeting with countries contributing troops to the UN Interim Force in Lebanon	Communiqué
S/PV.4688	20 Jan.	SC/7638	High-level meeting: combating terrorism	S/RES/1456 (2003) 15-0-0
S/PV.4687 (closed)	17 Jan.	None issued	Meeting with countries contributing troops to the UN Observer Mission in Georgia	Communiqué
S/PV.4686	17 Jan.	SC/7636	Peace and security--terrorist acts	S/RES/1455 (2003) 15-0-0
S/PV.4685	16 Jan.	SC/7635	Middle East situation, including the Palestinian question	no action
S/PV.4684 (Resumption 1)	14 Jan.	SC/7631	Children and armed conflict	no action
S/PV.4684	14 Jan.	SC/7631	Children and armed conflict	no action

*Meetings conducted / Actions taken by the Security Council in 2002
(in reverse chronological order)*

NOTE: The Adobe Acrobat Reader, which can be downloaded for free from the [Adobe](http://www.adobe.com) website (<http://www.adobe.com>), is required for viewing of the full-text documents.

Meeting Record	Date	Press Release	Topic	Security Council Action
S/PV.4683	30 Dec.	SC/7623	Iraq-Kuwait	S/RES/1454 (2002)
S/PV.4682	24 Dec.	SC/7621	Afghanistan	S/RES/1453 (2002)
S/PV.4681	20 Dec.	SC/7620	Middle East situation, including the Palestinian question	Draft resolution S/2002/1385 vetoed by USA
S/PV.4680	20 Dec.	SC/7619	Cote d'Ivoire	S/PRST/2002/42
S/PV.4679	20 Dec.	SC/7618	Civilians in armed conflict	S/PRST/2002/41
S/PV.4678	20 Dec.	SC/7617	Peace and security--terrorist acts	S/RES/1452 (2002)
S/PV.4677	20 Dec.	SC/7616	Wrap-up discussion on the work of the Security Council for the month of December	no action
S/PV.4676	19 Dec.	SC/7615	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4675	18 Dec.	SC/7609	Burundi	S/PRST/2002/40
S/PV.4674	18 Dec.	SC/7608	International Tribunal--Rwanda & Yugoslavia	S/PRST/2002/39
S/PV.4673	18 Dec.	SC/7607	Briefings by Chairpersons of Sanctions Committees and Working Groups	no action
S/PV.4672	17 Dec.	SC/7606	Peace and security--terrorist acts	S/PRST/2002/38
S/PV.4671	17 Dec.	SC/7605	Angola	no action
S/PV.4670	17 Dec.	SC/7604	Middle East--UNDOF	S/RES/1451 (2002) + S/PRST/2002/37
S/PV.4669 (closed)	17 Dec.	None issued	Meeting with	Communiqué

			countries contributing troops to the United Nations Disengagement Observer Force	
S/PV.4668	16 Dec.	SC/7603	Middle East situation, including the Palestinian question	no action
S/PV.4667	13 Dec.	SC/7602	Peace and security--terrorist acts	S/RES/1450 (2002)
S/PV.4666	13 Dec.	SC/7601	International Tribunal--Rwanda	S/RES/1449 (2002)
S/PV.4665	13 Dec.	SC/7600	Liberia	S/PRST/2002/36
S/PV.4664	13 Dec.	SC/7599	Afghanistan	no action
S/PV.4663	12 Dec.	SC/7598	Somalia	S/PRST/2002/35
S/PV.4662	12 Dec.	SC/7596	Croatia	S/PRST/2002/34
S/PV.4661	12 Dec.	SC/7595	Bosnia and Herzegovina	S/PRST/2002/33
S/PV.4660 (Resumption 1)	10 Dec.	SC/7591	Civilians in armed conflict	no action
S/PV.4660	10 Dec.	SC/7591	Civilians in armed conflict	no action
S/PV.4659 (closed)	9 Dec.	None issued	Central African Republic	Communiqué
S/PV.4658 (closed)	9 Dec.	None issued	Central African Republic	Communiqué
S/PV.4657	9 Dec.	SC/7589	Angola	S/RES/1448 (2002)
S/PV.4656	4 Dec.	SC/7587	Iraq-Kuwait	S/RES/1447 (2002)
S/PV.4655	4 Dec.	SC/7586	Burundi	no action
S/PV.4654	4 Dec.	SC/7584	Sierra Leone	S/RES/1446 (2002)
S/PV.4653	4 Dec.	SC/7583	Democratic Republic of the Congo	S/RES/1445 (2002)
S/PV.4652	3 Dec.	SC/7582	Peace and security--Africa's food crisis	no action
S/PV.4651	27 Nov.	SC/7580	Afghanistan	S/RES/1444 (2002)
S/PV.4650	25 Nov.	SC/7577	Iraq-Kuwait	S/RES/1443 (2002)

S/PV.4649	25 Nov.	SC/7576	Cyprus	S/RES/1442 (2002)
S/PV.4648 (closed)	21 Nov.	None issued	Meeting with countries contributing troops to the UN Peacekeeping Force in Cyprus	Communiqué
S/PV.4647	21 Nov.	SC/7572	Papua New Guinea	no action
S/PV.4646 (Resumption 1)	14 Nov.	SC/7569	Timor-Leste	no action
S/PV.4646	14 Nov.	SC/7569	Timor-Leste	no action
S/PV.4645	12 Nov.	SC/7568	Middle East situation, including the Palestinian question	no action
S/PV.4644 + Corr.1	8 Nov.	SC/7564	Iraq-Kuwait	S/RES/1441 (2002)
S/PV.4643	6 Nov.	SC/7563	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4642 (Resumption 1)	5 Nov.	SC/7561	Democratic Republic of the Congo	no action
S/PV.4642	5 Nov.	SC/7561	Democratic Republic of the Congo	no action
S/PV.4641	31 Oct.	SC/7556	Women and peace and security	S/PRST/2002/32
S/PV.4640	31 Oct.	SC/7555	Central African region	S/PRST/2002/31
S/PV.4639	31 Oct.	SC/7554	Small arms	S/PRST/2002/30
S/PV.4638	30 Oct.	SC/7553	Afghanistan	no action
S/PV.4637 (closed)	29 Oct.	None issued	International Tribunal--Rwanda & Yugoslavia	Communiqué
S/PV.4636 (closed)	29 Oct.	None issued	Briefing by ICJ President	Communiqué
S/PV.4635 (Resumption 1)	29 Oct.	SC/7552	Women and peace and security	no action
S/PV.4635	28 Oct.	SC/7550	Women and peace and security	no action
S/PV.4634	24 Oct.	SC/7547	Democratic Republic of the Congo	no action

S/PV.4633	24 Oct.	SC/7546	Kosovo (Federal Republic of Yugoslavia)	S/PRST/2002/29
S/PV.4632	24 Oct.	SC/7545	Peace and security--terrorist acts	S/RES/1440 (2002)
S/PV.4631 + Corr.1	23 Oct.	SC/7544	Bosnia and Herzegovina	no action
S/PV.4630 (Resumption 1)	22 Oct.	SC/7542	Central African region	no action
S/PV.4630	22 Oct.	SC/7542	Central African region	no action
S/PV.4629	21 Oct.	SC/7540	ICJ--Election	Election of members
S/PV.4628	18 Oct.	SC/7539	Angola	S/RES/1439 (2002)
S/PV.4627	18 Oct.	SC/7538	Central African Republic	S/PRST/2002/28
S/PV.4626	18 Oct.	SC/7537	Democratic Republic of the Congo	S/PRST/2002/27
S/PV.4625(Resumption 3) + Corr.1	17 Oct.	SC/7536	Iraq-Kuwait	no action
S/PV.4625 (Resumption 2)	17 Oct.	SC/7536	Iraq-Kuwait	no action
S/PV.4625 (Resumption 1)	16 Oct.	SC/7534	Iraq-Kuwait	no action
S/PV.4625 + Corr.1	16 Oct.	SC/7534	Iraq-Kuwait	no action
S/PV.4624	14 Oct.	SC/7529	Peace and security--terrorist acts	S/RES/1438 (2002)
S/PV.4623 (Resumption 1)	11 Oct.	SC/7528	Small arms	no action
S/PV.4623	11 Oct.	SC/7528	Small arms	no action
S/PV.4622	11 Oct.	SC/7527	Croatia	S/RES/1437 (2002)
S/PV.4621	11 Oct.	SC/7526	International Tribunal--Rwanda	Letter (S/2002/1131)
S/PV.4620 (closed)	10 Oct.	None issued	Meeting with countries contributing troops to the UN Mission of Observers in Prevlaka	Communiqué
S/PV.4619	8 Oct.	SC/7524	Peace and security--terrorist acts	S/PRST/2002/26

S/PV.4618 (Resumption 2)	8 Oct.	SC/7524	Peace and security-- terrorist acts	no action
S/PV.4618 (Resumption 1)	4 Oct.	SC/7522	Peace and security-- terrorist acts	no action
S/PV.4618	4 Oct.	SC/7522	Peace and security-- terrorist acts	no action
S/PV.4617 (closed)	2 Oct.	None issued	Meeting with countries contributing troops to the UN Iraq-Kuwait Observation Mission	Communiqué
S/PV.4616 + Corr.1	26 Sept.	SC/7514	Annual report of the Security Council to the General Assembly	Note (S/2002/1068)
S/PV.4615	24 Sept.	SC/7511	Sierra Leone	S/RES/1436 (2002)
S/PV.4614 (Resumption 2)	23 Sept.	SC/7509	Middle East situation, including the Palestinian question	S/RES/1435 (2002)
S/PV.4614 (Resumption 1)	23 Sept.	SC/7509	Middle East situation, including the Palestinian question	no action
S/PV.4614 + Corr.1	23 Sept.	SC/7509	Middle East situation, including the Palestinian question	no action
S/PV.4613	20 Sept.	SC/7508	Middle East situation, including the Palestinian question	no action
S/PV.4612 (closed)	19 Sept.	None issued	Meeting with countries contributing troops to the UN Organization Mission in the Democratic Republic of the Congo	Communiqué
S/PV.4611	19 Sept.	SC/7506	Afghanistan	no action
S/PV.4610 (closed)	18 Sept.	None issued	Meeting with countries contributing troops to the UN Mission	Communiqué

			in Sierra Leone	
S/PV.4609 (closed)	17 Sept.	None issued	Burundi	Communiqué
S/PV.4608 (closed)	13 Sept.	None issued	Democratic Republic of the Congo	Communiqué
S/PV.4607	11 Sept.	SC/7500	High-level meeting on the anniversary of 11 September 2001: acts of international terrorism	S/PRST/2002/25
S/PV.4606	6 Sept.	SC/7496	Eritrea-Ethiopia	S/RES/1434 (2002)
S/PV.4605	5 Sept.	SC/7495	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4604	15 Aug.	SC/7486	Angola	S/RES/1433 (2002)
S/PV.4603	15 Aug.	SC/7484	Angola	S/RES/1432 (2002)
S/PV.4602	15 Aug.	SC/7483	Democratic Republic of the Congo	S/PRST/2002/24
S/PV.4601	14 Aug.	SC/7482	International Tribunal--Rwanda	S/RES/1431 (2002)
S/PV.4600	14 Aug.	SC/7481/Rev.1	Eritrea-Ethiopia	S/RES/1430 (2002)
S/PV.4599 (closed)	13 Aug.	None issued	Meeting with countries contributing troops to the UN Mission in Ethiopia and Eritrea	Communiqué
S/PV.4598 (closed)	13 Aug.	None issued	East Timor	Communiqué
S/PV.4597 (closed)	8 Aug.	None issued	Democratic Republic of the Congo	Communiqué
S/PV.4596	8 Aug.	SC/7479	Democratic Republic of the Congo	no action
S/PV.4595 (closed)	7 Aug.	None issued	Angola	Communiqué
S/PV.4594	30 July	SC/7474	Western Sahara	S/RES/1429 (2002)
S/PV.4593	30 July	SC/7473	Middle East--UNIFIL	S/RES/1428 (2002)

S/PV.4592 + Corr.1	30 July	SC/7472	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4591	29 July	SC/7470	Georgia	S/RES/1427 (2002)
S/PV.4590 (closed)	29 July	None issued	Georgia	Communiqué
S/PV.4589 (Resumption 1)	25 July	SC/7467	Women and peace and security	no action
S/PV.4589 + Corr.1	25 July	SC/7467	Women and peace and security	no action
S/PV.4588	24 July	SC/7465	Middle East situation, including the Palestinian question	no action
S/PV.4587 (closed)	24 July	None issued	Meeting with countries contributing troops to the UN Mission for the Referendum in Western Sahara	Communiqué
S/PV.4586 (closed)	24 July	None issued	Meeting with countries contributing troops to the UN Observer Mission in Georgia	Communiqué
S/PV.4585	24 July	SC/7464	Admission of new Members-- Switzerland	S/RES/1426 (2002) + S/PRST/2002/23
S/PV.4584	24 July	SC/7464	Admission of new Members-- Switzerland	no action
S/PV.4583	23 July	SC/7462	Democratic Republic of the Congo	S/PRST/2002/22
S/PV.4582	23 July	SC/7461	International Tribunal-- Yugoslavia	S/PRST/2002/21
S/PV.4581 (closed)	23 July	None issued	International Tribunal-- Yugoslavia	Communiqué
S/PV.4580	22 July	SC/7459	Somalia	S/RES/1425 (2002)
S/PV.4579 (Resumption 1)	19 July	SC/7458	Afghanistan	no action
S/PV.4579	19 July	SC/7458	Afghanistan	no action
S/PV.4578	18 July	SC/7457	Middle East	S/PRST/2002/20

			situation, including the Palestinian question	
S/PV.4577 (Resumption 1)	18 July	SC/7456	Africa	no action
S/PV.4577	18 July	SC/7456	Africa	no action
S/PV.4576 (closed)	17 July	None issued	Meeting with countries contributing troops to the UN Interim Force in Lebanon	Communiqué
S/PV.4575	17 July	SC/7455	Angola	no action
S/PV.4574	12 July	SC/7452	Croatia	S/RES/1424 (2002)
S/PV.4573	12 July	SC/7451	Bosnia and Herzegovina	S/RES/1423 (2002)
S/PV.4572	12 July	SC/7450	United Nations peacekeeping	S/RES/1422 (2002)
S/PV.4571 (closed)	11 July	None issued	Central African Republic	Communiqué
S/PV.4570 (closed)	11 July	None issued	Sierra Leone	Communiqué
S/PV.4569 (closed)	10 July	None issued	Meeting with countries contributing troops to the UN Mission of Observers in Prevlaka	Communiqué
S/PV.4568 (Resumption 1) + Corr.1	10 July	SC/7445/Rev.1	Bosnia and Herzegovina	no action
S/PV.4568	10 July	SC/7445/Rev.1	Bosnia and Herzegovina	no action
S/PV.4567 (closed)	8 July	None issued	Guinea-Bissau	Communiqué
S/PV.4566	3 July	SC/7441	Bosnia and Herzegovina	S/RES/1421 (2002)
S/PV.4565 (closed)	3 July	None issued	Somalia	Communiqué
S/PV.4564	30 June	SC/7438	Bosnia and Herzegovina	S/RES/1420 (2002)
S/PV.4563	30 June	SC/7437	Bosnia and Herzegovina	Draft resolution S/2002/712 vetoed by USA
S/PV.4562 (closed)	28 June	None issued	Wrap-up discussion on the work of the Security Council for the month of June	Communiqué

			(summary paper: S/2002/759)	
S/PV.4561	27 June	SC/7436	Peace and security-- terrorist acts	no action
S/PV.4560	26 June	SC/7435	Afghanistan	S/RES/1419 (2002)
S/PV.4559	26 June	SC/7434	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4558	21 June	SC/7430	Bosnia and Herzegovina	S/RES/1418 (2002)
S/PV.4557	21 June	SC/7429	Afghanistan	no action
S/PV.4556 (closed)	20 June	None issued	Middle East situation, including the Palestinian question	Communiqué
S/PV.4555	19 June	SC/7427	Bosnia and Herzegovina	no action
S/PV.4554	14 June	SC/7425	Democratic Republic of the Congo	S/RES/1417 (2002)
S/PV.4553 (closed)	13 June	None issued	Meeting with countries contributing troops to the UN Mission in Bosnia and Herzegovina	Communiqué
S/PV.4552 (Resumption 1)	13 June	SC/7424	Middle East situation, including the Palestinian question	no action
S/PV.4552	13 June	SC/7424	Middle East situation, including the Palestinian question	no action
S/PV.4551	13 June	SC/7423	Cyprus	S/RES/1416 (2002)
S/PV.4550 (closed)	11 June	None issued	Meeting with countries contributing troops to the UN Organization Mission in the Democratic Republic of the Congo	Communiqué
S/PV.4549 (closed)	5 June	None issued	Meeting with	Communiqué

			countries contributing troops to the UN Peacekeeping Force in Cyprus	
S/PV.4548	5 June	SC/7421	Democratic Republic of the Congo	S/PRST/2002/19
S/PV.4547 (closed)	31 May	None issued	Wrap-up discussion on the work of the Security Council for the month of May	Communiqué
S/PV.4546	30 May	SC/7418	Middle East-- UNDOF	S/RES/1415 (2002) + S/PRST/2002/18
S/PV.4545 (closed)	24 May	None issued	Meeting with countries contributing troops to the UN Disengagement Observer Force	Communiqué
S/PV.4544	24 May	SC/7414	Democratic Republic of the Congo	S/PRST/2002/17
S/PV.4543	24 May	SC/7413	Kosovo (Federal Republic of Yugoslavia)	S/PRST/2002/16
S/PV.4542	23 May	SC/7411	Admission of new Members--East Timor	S/RES/1414 (2002) + S/PRST/2002/15
S/PV.4541	23 May	SC/7410	Afghanistan	S/RES/1413 (2002)
S/PV.4540	22 May	SC/7409	Admission of new Members--East Timor	no action
S/PV.4539	22 May	SC/7408	Sierra Leone	S/PRST/2002/14
S/PV.4538 (Resumption 1)	22 May	SC/7406	Africa	no action
S/PV.4538	22 May	SC/7406	Africa	no action
S/PV.4537	20 May	SC/7403	East Timor	S/PRST/2002/13
S/PV.4536	17 May	SC/7402	Angola	S/RES/1412 (2002)
S/PV.4535	17 May	SC/7401	International Tribunal--Rwanda & Yugoslavia	S/RES/1411 (2002)
S/PV.4534	17 May	SC/7400	East Timor	S/RES/1410

				(2002)
S/PV.4533	16 May	SC/7399	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4532	14 May	SC/7396	Great Lakes region	no action
S/PV.4531	14 May	SC/7395 + Corr.1	Iraq-Kuwait	S/RES/1409 (2002)
S/PV.4530 (closed)	13 May	None issued	Eritrea-Ethiopia	Communiqué
S/PV.4529 (closed)	13 May	None issued	Eritrea-Ethiopia	Communiqué
S/PV.4528	7 May	SC/7393	Children and armed conflicts	S/PRST/2002/12
S/PV.4527 (closed)	6 May	None issued	Meeting with countries contributing troops to the UN Transitional Administration in East Timor	Communiqué
S/PV.4526	6 May	SC/7392	Liberia	S/RES/1408 (2002)
S/PV.4525 (Resumption 1) + Corr.1	3 May	SC/7391	Middle East situation, including the Palestinian question	no action
S/PV.4525	3 May	SC/7391	Middle East situation, including the Palestinian question	no action
S/PV.4524	3 May	SC/7388	Somalia	S/RES/1407 (2002)
S/PV.4523	30 Apr.	SC/7384	Western Sahara	S/RES/1406 (2002)
S/PV.4522 (Resumption 1)	29 Apr.	SC/7383	East Timor	no action
S/PV.4522	26 Apr.	SC/7379	East Timor	no action
S/PV.4521	25 Apr.	SC/7376	Afghanistan	no action
S/PV.4520 (closed)	24 Apr.	None issued	Meeting with countries contributing troops to the UN Mission for the Referendum in Western Sahara	Communiqué
S/PV.4519	24 Apr.	SC/7375	Kosovo (Federal Republic of Yugoslavia)	S/PRST/2002/11

S/PV.4518	24 Apr.	SC/7375	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4517	23 Apr.	SC/7372	Angola	no action
S/PV.4516	19 Apr.	SC/7369	Middle East situation, including the Palestinian question	S/RES/1405 (2002)
S/PV.4515 (Resumption 1)	19 Apr.	SC/7368	Middle East situation, including the Palestinian question	no action
S/PV.4515	18 Apr.	SC/7367	Middle East situation, including the Palestinian question	no action
S/PV.4514	18 Apr.	SC/7366	Angola	S/RES/1404 (2002)
S/PV.4513	15 Apr.	SC/7361	Peace and security--terrorist acts	S/PRST/2002/10
S/PV.4512 (Resumption 1)	15 Apr.	SC/7361	Peace and security--terrorist acts	no action
S/PV.4512	15 Apr.	SC/7361	Peace and security--terrorist acts	no action
S/PV.4511	10 Apr.	SC/7360	Middle East situation, including the Palestinian question	S/PRST/2002/9
S/PV.4510 (Resumption 1)	9 Apr.	SC/7359	Middle East situation, including the Palestinian question	no action
S/PV.4510	8 Apr.	SC/7358	Middle East situation, including the Palestinian question	no action
S/PV.4509 (closed)	8 Apr.	None issued	Middle East situation, including the Palestinian question	Communiqué
S/PV.4508 (closed)	8 Apr.	None issued	Middle East situation, including the Palestinian question	Communiqué
S/PV.4507 (Resumption 1)	4 Apr.	SC/7353	Food aid in context of conflict settlement	no action

S/PV.4507	4 Apr.	SC/7353	Food aid in context of conflict settlement	no action
S/PV.4506 (Resumption 2)	4 Apr.	SC/7355	Middle East situation, including the Palestinian question	S/RES/1403 (2002)
S/PV.4506 (Resumption 1) + Corr.1	3 Apr.	SC/7352 + Corr.1	Middle East situation, including the Palestinian question	no action
S/PV.4506 + Corr.1	3 Apr.	SC/7352 + Corr.1	Middle East situation, including the Palestinian question	no action
S/PV.4505 (closed)	2 Apr.	None issued	Middle East situation, including the Palestinian question	Communiqué
S/PV.4504 (closed)	2 Apr.	None issued	Middle East situation, including the Palestinian question	Communiqué
S/PV.4503	29 + 30 Mar.	SC/7348 + Corr.1	Middle East situation, including the Palestinian question	S/RES/1402 (2002)
S/PV.4502	28 Mar.	SC/7346	Somalia	S/PRST/2002/8
S/PV.4501	28 Mar.	SC/7345	Afghanistan	S/RES/1401 (2002)
S/PV.4500	28 Mar.	SC/7344	Sierra Leone	S/RES/1400 (2002)
S/PV.4499	28 Mar.	SC/7343	Angola	S/PRST/2002/7
S/PV.4498	27 Mar.	SC/7340	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4497 (Resumption 1)	26 Mar.	SC/7338	Afghanistan	no action
S/PV.4497	26 Mar.	SC/7338	Afghanistan	no action
S/PV.4496 (closed)	20 Mar.	None issued	Meeting with countries contributing troops to the UN Mission in Sierra Leone	Communiqué
S/PV.4495	19 Mar.	SC/7334	Democratic Republic of the Congo	S/RES/1399 (2002)

S/PV.4494	15 Mar.	SC/7330	Eritrea-Ethiopia	S/RES/1398 (2002)
S/PV.4493	15 Mar.	SC/7329	Civilians in armed conflict	S/PRST/2002/6
S/PV.4492	15 Mar.	SC/7329	Civilians in armed conflict	no action
S/PV.4491 (closed)	14 Mar.	None issued	Meeting with countries contributing troops to the UN Mission in Ethiopia and Eritrea	Communiqué
S/PV.4490	13 Mar.	SC/7327	Afghanistan	no action
S/PV.4489	12 Mar.	SC/7326	Middle East situation, including the Palestinian question	S/RES/1397 (2002)
S/PV.4488	12 Mar.	SC/7324	Middle East situation, including the Palestinian question	no action
S/PV.4487 (Resumption 1)	11 Mar.	SC/7323	Somalia	no action
S/PV.4487	11 Mar.	SC/7323	Somalia	no action
S/PV.4486 (closed)	11 Mar.	None issued	Somalia	Communiqué
S/PV.4485	6 Mar.	SC/7321	Eritrea-Ethiopia	no action
S/PV.4484	5 Mar.	SC/7319	Bosnia and Herzegovina	S/RES/1396 (2002)
S/PV.4483 (closed)	4 Mar.	None issued	Meeting with countries contributing troops to the UN Organization Mission in the Democratic Republic of the Congo	Communiqué
S/PV.4482 (closed)	28 Feb.	None issued	Wrap-up discussion on the work of the Security Council for the month of February	Communiqué
S/PV.4481	27 Feb.	SC/7313	Liberia	S/RES/1395 (2002)
S/PV.4480	27 Feb.	SC/7312	Western Sahara	S/RES/1394 (2002)

S/PV.4479	27 Feb.	SC/7311	Afghanistan	no action
S/PV.4478 (Resumption 1)	27 Feb.	SC/7314	Middle East situation, including the Palestinian question	no action
S/PV.4478	26 Feb.	SC/7310	Middle East situation, including the Palestinian question	no action
S/PV.4477 (closed)	25 Feb.	None issued	Meeting with countries contributing troops to the UN Mission for the Referendum in Western Sahara	Communiqué
S/PV.4476	25 Feb.	SC/7306	Democratic Republic of the Congo	S/PRST/2002/5
S/PV.4475 (closed)	25 Feb.	None issued	Kosovo (Federal Republic of Yugoslavia)	Communiqué
S/PV.4474	21 Feb.	SC/7304	Middle East situation, including the Palestinian question	no action
S/PV.4473	13 Feb.	SC/7300	Kosovo (Federal Republic of Yugoslavia)	S/PRST/2002/4
S/PV.4472	13 Feb.	SC/7299	Angola	no action
S/PV.4471	7 Feb.	SC/7298	Burundi	S/PRST/2002/3
S/PV.4470	7 Feb.	SC/7297	Briefing by UN High Commissioner for Refugees	no action
S/PV.4469	6 Feb.	SC/7295	Afghanistan	no action
S/PV.4468 (closed)	5 Feb.	None issued	Burundi	Communiqué
S/PV.4467	5 Feb.	SC/7294	Burundi	no action
S/PV.4466	31 Jan.	SC/7291	Wrap-up discussion on the work of the Security Council for the month of January	no action
S/PV.4465	31 Jan.	SC/7290	Africa	S/PRST/2002/2
S/PV.4464	31 Jan.	SC/7289	Georgia	S/RES/1393 (2002)
S/PV.4463	31 Jan.	SC/7288	East Timor	S/RES/1392 (2002)

S/PV.4462 (Resumption 1)	30 Jan.	SC/7285	East Timor	no action
S/PV.4462	30 Jan.	SC/7285	East Timor	no action
S/PV.4461	30 Jan.	SC/7284	Afghanistan	no action
S/PV.4460 (Resumption 2)	30 Jan.	SC/7286	Africa	no action
S/PV.4460 (Resumption 1)	29 Jan.	SC/7282	Africa	no action
S/PV.4460	29 Jan.	SC/7282	Africa	no action
S/PV.4459 (closed)	29 Jan.	None issued	Democratic Republic of the Congo	Communiqué
S/PV.4458	28 Jan.	SC/7280	Middle East-- UNIFIL	S/RES/1391 (2002)
S/PV.4457 (closed)	24 Jan.	None issued	Meeting with countries contributing troops to the UN Observer Mission in Georgia	Communiqué
S/PV.4456 (closed)	23 Jan.	None issued	Meeting with countries contributing troops to the UN Transitional Administration in East Timor	Communiqué
S/PV.4455 (closed)	21 Jan.	None issued	Meeting with countries contributing troops to the UN Interim Force in Lebanon	Communiqué
S/PV.4454	21 Jan.	SC/7278	Kosovo (Federal Republic of Yugoslavia)	no action
S/PV.4453 (Resumption 1)	18 Jan.	SC/7276	Peace and security-- terrorist acts	no action
S/PV.4453	18 Jan.	SC/7276	Peace and security-- terrorist acts	no action
S/PV.4452	16 Jan.	SC/7274	Afghanistan	S/RES/1390 (2002)
S/PV.4451	16 Jan.	SC/7272	Sierra Leone	S/RES/1389 (2002)
S/PV.4450	16 Jan.	SC/7271	Eritrea-Ethiopia	S/PRST/2002/1
S/PV.4449	15 Jan.	SC/7269	Afghanistan	S/RES/1388 (2002)

S/PV.4448	15 Jan.	SC/7268	Croatia	S/RES/1387 (2002)
S/PV.4447 (closed)	14 Jan.	None issued	Peacekeeping operations	Communiqué
S/PV.4446 (closed)	10 Jan.	None issued	Meeting with countries contributing troops to the UN Mission of Observers in Prevlaka	Communiqué

ANNEX - IV

VETO

Changing Patterns in the Use of the Veto in the Security Council

Table shows number of times veto was cast, by country¹

Period	China*	France	Britain	U.S.	USSR/ Russia	Total
Total	4-5	18	32	78	121	254
2003	-	-	-	2	-	2
2002	-	-	-	2	-	2
2001	-	-	-	2	-	2
2000	-	-	-	-	-	0
1999	1	-	-	-	-	1
1998	-	-	-	-	-	0
1997	1	-	-	2	-	3
1996	-	-	-	-	-	0
1986-95	-	3	8	24	2	37
1976-85	-	9	11	34	6	60
1966-75	2	2	10	12	7	33
1956-65	-	2	3	-	26	31
1946-55	(1*)	2	-	-	80	83

**Between 1946 and 1971, the Chinese seat on the Security Council was occupied by the Republic of China (Taiwan), which used the veto only once (to block Mongolia's application for membership in 1955). The first veto exercised by the present*

occupant, the People's Republic of China, was therefore not until 25 August 1972.

¹⁾ Only a minority of vetoes have been cast in cases where vital international security issues were at stake. 59 vetoes have been cast to block admission of member states. Additionally, 43 vetoes have been used to block nominees for Secretary General, although these vetoes were cast during closed sessions of the Council and are not included in the table above. Limitation of veto use to Chapter VII (threats to international peace and security), as many members propose, would be a long step towards total veto abolition.

Subjects of UN Security Council Vetoes

*Source: Data from the United Nations
and Sydney D. Bailey and Sam Daws "The Procedure of the UN Security
Council", 3rd Edition, Clarendon Press, Oxford, 1998**

Year	Date of Vote	Vetoing Member State	Vote (yes-veto-no or abstain)	SC Official Record	Draft Text No.	Subject
2003						
	October 14	USA	10-1-4	S/PV.4842	S/2003/980	on the security wall built by Israel in the West Bank.
	September 16	USA	11-1-3	S/PV.4828	S/2003/891	on the Israeli decision to "remove" Palestinian Authority leader Yasser Arafat.
2002						
	December 20	USA	12-1-2	S/PV.4681	S/2002/1385	on the killing by Israeli forces of several United Nations employees and the destruction of the World

						Food Programme (WFP) warehouse
	June 30	USA	13-1-1	S/PV.4563	S/2002/712	on the renewal of the UN peacekeeping mission in Bosnia and the immunity of US peacekeepers from ICC jurisdiction
2001						
	December 14	USA	12-1-2	S/PV.4438 p.30	S/2001/119 9	on the withdrawal of Israeli forces from Palestinian-controlled territory and condemning acts of terror against civilians
	March 27	USA	9-1-4	S/PV.4305 p.5	S/2001/270	on establishing a UN observer force to protect Palestinian civilians (report of Council meeting SC/7040)
2000	no vetoes					
1999						
	February 25	China	13-1-1	S/PV.3982 p.5	S/1999/201	on the extension of UNPREDEP in the former Yugoslav Republic of Macedonia
1998	no vetoes					
1997						

	March 21	USA	13-1-1	S/PV.3756 p.6	S/1997/241	Demanding Israel's immediate cessation of construction at Jabal Abu Ghneim in East Jerusalem
	March 7	USA	14-1-0	S/PV.3747 p.4	S/1997/199	Calling upon Israel to refrain from East Jerusalem settlement activities
	January 10	China	14-1-0	S/PV.3730 p.17	S/1997/18	Authorization for 155 observers for the purposes of verification of the agreement on the definite ceasefire in Guatemala
1996	no vetoes					
1995						
	May 17	USA	14-1-0	S/PV.3538 p.6	S/1995/394	on the Occupied Arab Territories (East Jerusalem)
1994						
	December 2	Russian Federation	13-1-1	S/PV.3475 p.11	S/1994/1358	on Bosnia and Herzegovina. (Transport of goods between the former Yugoslavia and Bosnia)
1993						
	May 11	Russian Federation	14-1-0	S/PV.3211 p.6	S/25693	on Cyprus (finances)

1992	no vetoes					
1991	no vetoes					
1990						
	May 31	USA	14-1-0	S/PV.2926 p.36	S/21326	on the Occupied Arab Territories
	January 17	USA	13-1-1	S/PV. 2905 p.36	S/21084	on the Violation of Diplomatic Immunities in Panama
1989						
	December 23	France, UK, USA	10-4-1	S/PV. 2902 pp. 18-20	S/21048	Situation in Panama
	November 7	USA	14-1-0	S/PV. 2889 p.32	S/20945/Re v.1	Situation in the Occupied Arab Territories
	June 9	USA	14-1-0	S/PV. 2867 p. 31	S/20677	Situation in the Occupied Arab Territories
	February 17	USA	14-1-0	S/PV. 2850 p. 34	S/20463	Situation in the Occupied Arab Territories
	January 11	France, UK, USA	9-4-2	S/PV. 2841 p. 48	S/20378	Complaint by Libya against US Downing of Aircraft
1988						
	December 14	USA	14-1-0	S/PV. 2832 p. 28	S/20322	Complaint of Lebanon against Israel
	May 10	USA	14-1-0	S/PV. 2814 p. 58	S/19868	Complaint of Lebanon against Israel
	April 15	USA	14-1-0	S/PV. 2806 p. 53	S/19780	Situation in the Occupied Arab Territories
	March 8	UK, USA	10-2-3	S/PV. 2797 p. 19	S/19585	South Africa (Sanctions)
	February 1	USA	14-1-0	S/PV. 2790	S/19466	Situation in

				p. 42		the Occupied Arab Territories
	January 18	USA	13-1-1	S/PV. 2784 pp. 39-50	S/19434	Complaint of Lebanon against Israel
1987						
	April 9	UK, USA	9-3-3	S/PV. 2747 p. 21	S/18785	Namibia Question
	February 20	UK, USA	10-3-2	S/PV. 2738 p. 67	S/18705	South Africa (Sanctions)
1986						
	October 28	USA	11-1-3	S/PV. 2718 p. 51	S/18428	Complaint of Nicaragua against USA (ICJ Judgment)
	July 31	USA	11-1-3	S/PV. 2693 p. 54-55	S/18250	Complaint of Nicaragua against USA (ICJ Judgment)
	June 18	UK, USA	12-2-1	S/PV. 2693 p. 48	S/18163	Complaint of Angola against South Africa
	May 23	UK, USA	12-2-1	S/PV. 2686 p. 128	S/18087/Re v.1	Botswana, Zambia, and Zimbabwe Complaint against South Africa
	April 21	France, UK, USA	9-5-1	S/PV. 2682 p. 43	S/18016/Re v.1	Libyan Complaint against US Attack
	February 6	USA	10-1-4	S/PV. 2655 p. 114	S/17796/Re v.1	Syrian Complaint against Israeli Interception of Libyan Civilian Aircraft
	January 30	USA	13-1-1	S/PV. 2650 p. 31	S/17769/Re v.1	Violation of Haram Al-Sharif

						(Jerusalem)
	January 17	USA	11-1-3	S/PV. 2642 p. 38	S/17730/Re v.2	Complaint by Lebanon against Israeli Agression
1985						
	November 15	UK, USA	12-2-1	S/PV. 2629 para 64	S/17633	Situation in Namibia
	September 13	USA	10-1-4	S/PV. 2605 para 170	S/17459	Situation in the Middle East (Occupied Territories)
	July 26	UK, USA	12-2-1	S/PV. 2602 para 116	S/17354/Re v.1	South Africa Questions
	May 10	USA	13-1-1	S/PV. 2580 para 268	S/17172/Pa ra.2	Complaint of Nicaragua against USA
	May 10	USA	11-1-3	S/PV.2580 para 267	S/17172/Pa ra.1	Complaint of Nicaragua against USA
	May 10	USA	13-1-1	S/PV.2580 para 266	S/17172/Pr eambl	Complaint of Nicaragua against USA
	March 12	USA	11-1-3	S/PV. 2573 para 208	S/17000	Situation in the Middle East (Lebanon)
1984						
	September 6	USA	14-1-0	S/PV. 2556 para 49	S/16732	Situation in the Middle East (Lebanon)
	April 4	USA	13-1-1	S/PV. 2529 para 252	S/16463	Complaint of Nicaragua against USA
	February 29	USSR	13-2-0	S/PV. 2519 para 87	S/16351/Re v.2	Situation in the Middle East (Lebanon)
1983						
	October 27	USA	11-1-3	S/PV. 2491 para 431	S/16077/Re v.1	Invasion of the Republic of Grenada

						by US Troops
	September 12	USSR	9-2-4	S/PV. 2476 para 131	S/15966/Rev.1	Republic of Korea and USSR (Downing of the Korean Airliner)
	August 2	USA	13-1-1	S/PV. 2461 para 238	S/15895	Situation in the Middle East (Occupied Arab Territories)
1982						
	August 6	USA	11-1-3	S/PV. 2391 para 38	S/15347/Rev.1	Situation in the Middle East (Lebanon)
	June 26	USA	14-1-0	S/PV. 2381 para 12	S/15255/Rev.2	Situation in the Middle East (Lebanon)
	June 8	USA	14-1-0	S/PV. 2377 para 23	S/15185	Situation in the Middle East (Lebanon)
	June 4	UK, USA	9-2-4	S/PV. 2373 para 39	S/15156/Rev.2	Falkland Islands (Malvinas) Question
	April 20	USA	14-1-0	S/PV. 2357 para 101	S/14985	Situation in the Middle East (Al-Aqsa Mosque in Jerusalem Attack)
	April 2	USA	13-1-1	S/PV. 2348 para 9	S/14943	Situation in the Middle East (Mayors of Nablus and Ramallah Dismissal)
	April 2	USA	12-1-2	S/PV. 2347 para 140	S/14941	Situation in Central America (Nicaragua)

	January 20	USA	9-1-5	S/PV. 2329 para 162	S/14832/Re v.1	Situation in the Middle East (Golan Heights)
1981						
	August 31	USA	13-1-1	S/PV. 2300 para 45	S/14664/Re v.2	Complaint by Angola against South Africa
	April 30	France, UK, USA	12-3-0	S/PV. 2277 para 27	S/14462	Question of Namibia
	April 30	France, UK, USA	11-3-1	S/PV. 2277 para 26	S/ 14461	Question of Namibia
	April 30	France, UK, USA	9-3-3	S/PV. 2277 para 25	S/14460/Re v.1	Question of Namibia
	April 30	France, UK, USA	9-3-3	S/PV. 2277 para 24	S/14459	Question of Namibia
1980						
	April 30	USA	10-1-4	S/PV. 2220 para 151	S/13911	Situation in the Middle East (Palestinian Rights)
	January 13	USSR	10-2-2	S/PV. 2191/Add.1 para 149	S/13735	US and Islamic Republic of Iran (Hostage Question)
	January 7-9	USSR	13-2-0	S/PV. 2190 Coord.1+Add. 1 para 140	S/13729	Soviet Invasion of Afghanistan
1979						
	March 16	USSR	13-2-0	S/PV. 2129 para 72	S/13162	Border Dispute in South-East Asia (China and Vietnam)
	January 15	USSR	13-2-0	S/PV. 2112 para 4	S/13027	Vietnam Intervention in Kampuchea (Cambodia)
1978	no vetoes					
1977						

	October 31	France, UK, US	10-5-0	S/PV. 2045 para 55	S/12312/Rev.1	Situation in South Africa
	October 31	France, UK, US	10-5-0	S/PV. 2045 para 54	S/12311/Rev.1	Situation in South Africa
	October 31	France, UK, US	10-5-0	S/PV. 2045 para 53	S/12310/Rev.1	Situation in South Africa
1976						
	November 15	USA	14-1-0	S/PV. 1972 para 119	S/12226	Application for Membership (Socialist Republic of Vietnam)
	October 19	France, UK, US	10-3-2	S/PV. 1963 para 121	S/12211	Situation in Namibia
	June 29	USA	10-1-4	S/PV. 1938	S/12119	Question of the Exercise by the Palestinian People of their Inalienable Rights
	June 23	USA	13-1-0 China didn't participate	S/PV. 1932 para 208	S/12110	Application for Membership
	March 25	USA	14-1-0	S/PV. 1899 para 106	S/12022	Jerusalem Status
	February 6	France	14-1-0	S/PV. 1888 para 247	S/11967	Dispute between the Comoros and France on Mayotte
	January 25	USA	9-1-3 China and Libya didn't participate	S/PV. 1879 para 67	S/11940	Middle East Question including the Palestinian Question
1975						
	December 8	USA	13-1-1	S/PV. 1862 para 118	S/11898	Situation in the Middle East (Israel/Lebanon)
	September 30	USA	14-1-0	S/PV. 1846 para 42	S/11833	Application for

						Membership (North Vietnam)
	September 30	USA	14-1-0	S/PV. 1846 para 41	S/11832	Application for Membership (South Vietnam)
	August 11	USA	14-1-0	S/PV. 1836 para 106	S/11796	Application for Membership (North Vietnam)
	August 11	USA	14-1-0	S/PV. 1836 para 105	S/11795	Application for Membership (South Vietnam)
	June 6	France, UK, US	10-3-2	S/PV. 1829 para 160	S/11713	Namibia Question
1974						
	October 30	France, UK, US	10-3-2	S/PV. 1808 para 155	S/11543	South Africa (Representati on in the UN)
	July 31	USSR	12-2-0 China didn't participate	S/PV. 1788 para 237	S/11400/Re v.1	Situation in Cyprus
1973						
	July 26	USA	13-1-0 China didn't participate	S/PV. 1735 para 97	S/10974	Situation in the Middle East (Palestinian Question)
	May 22	UK, USA	11-2-2	S/PV. 1716 para 48	S/10928	Situation in South Rhodesia (Zimbabwe)
	March 21	USA	13-1-1	S/PV. 1704 para 66	S/10931/Re v.1	Panama Canal Question
1972						
	September 29	UK	10-1-4	S/PV. 1666 para 121	S/10805/Re v.1 as Amended	Situation in South Rhodesia (Zimbabwe)

	September 29	UK	10-1-4	S/PV. 1666 para 120	S/10805/Re v.1 op. para 5	Situation in South Rhodesia (Zimbabwe)
	September 29	UK	10-1-4	S/PV. 1666 para 119	S/10805/Re v.1 op. para 1	Situation in South Rhodesia (Zimbabwe)
	September 10	USA	13-1-1	S/PV. 1662 para 74	S/10784	Situation in the Middle East (Ceasefire 1967 Violation)
	September 10	China, USSR	9-6-0	S/PV. 1662 para 72	S/10786 para 2	Situation in the Middle East (Ceasefire 1967 Violation)
	August 25	China	11-1-3	S/PV. 1660 para 85	S/10771	Application for Membership (Bangladesh)
	February 4	UK	9-1-5	S/PV. 1639 para 48	S/10606	Situation in South Rhodesia (Zimbabwe)
1971						
	December 30	UK	9-1-5	S/PV. 1623 para 272	S/10489 and S/PV. para 8	Situation in South Rhodesia (Zimbabwe)
	December 13	USSR	11-2-2	S/PV. 1613 para 231	S/10446/Re v.1	India-Pakistan Question (Bangladesh)
	December 5	USSR	11-2-2	S/PV. 1607 para 240	S/10423	India-Pakistan Question (Bangladesh)
	December 4	USSR	11-2-2	S/PV. 1606 para 371	S/10416	India-Pakistan Question (Bangladesh)
1970						

	November 10	UK	12-1-2	S/PV. 1556 para 212	S/9976	Situation in South Rhodesia (Zimbabwe)
	March 17	UK, USA	9-2-4	S/PV. 1534 para 207	S/9696 + Corr.1,2	Situation in South Rhodesia (Zimbabwe)
1969	no vetoes					
1968						
	August 22	USSR	10-2-3	S/PV. 1443 para 284	S/8761	Complaint by Czechoslova kia
1967	no vetoes					
1966						
	November 4	USSR	10-4-1	S/PV. 1319 para 55	S/7575/Rev .1	Armistice Agreement (Syria/Israel)
1965	no vetoes					
1964						
	December 21	USSR	8-3-0	S/PV. 1182 para 41	S/6113 as Amended	Armistice Agreement (Syria/Israel)
	September 17	USSR	9-2-0	S/PV. 1152 para 64	S/5973	Relationship between Malaysia and Indonesia
1963						
	September 13	UK	8-1-2	S/PV. 1069 para 64	S/5425/Rev .1	Situation in South Rhodesia (Zimbabwe)
	September 3	USSR	8-2-1	S/PV. 1063 para 64	S/5407	Situation in the Middle East (Israeli- Syrian Conflict)
1962						
	June 22	USSR	7-2-2	S/PV. 1016 para 92	S/5134	India- Pakistan Question (Kashmir and Jammu)

1961						
	December 18	USSR	10-1-0	S/PV. 988 para 129	S/5033	Complaint by Portugal (Indian Forces in Goa)
	November 30	USSR	10-1-0	S/PV. 985 para 44	S/5006	Application for Membership (Kuwait)
	November 24	USSR	9-1-1	S/PV. 982 para 84	S/4989/Rev .2 US Amendmen t	Congo Question
	November 24	USSR	9-1-1	S/PV. 982 para 81	S/4989/Rev .2 Third US Amendmen t	Congo Question
	July 7	USSR	7-1-3	S/PV. 960 para 44	S/4855	Complaint by Kuwait against Iraq
	February 20	USSR	7-3-1	S/PV. 942 para 175	S/4733/Rev .1 as Amended	Congo Question
	February 20	USSR	8-3-0	S/PV. 942 para 139	Amendmen t to S/4733/Rev .1	Congo Question
1960						
	December 13	USSR	7-3-1	S/PV. 920 para 156	S/4578/Rev .1	Congo Question
	December 4	USSR	8-2-1	S/PV. 911 para 246	S/4567/Rev .1	Application for Membership (Mauritania)
	September 17	USSR	8-2-1	S/PV. 906 para 157	S/4523	Congo Question
	July 26	USSR	9-2-0	S/PV. 883 para 189	S/4411	Soviet Complaint (Over Flight by US)
	July 26	USSR	9-2-0	S/PV. 883 para 188	S/4409/Rev .1	Soviet Complaint (Over Flight

						by US)
1959	no vetoes					
1958						
	December 9	USSR	8-1-2	S/PV. 843 para 49	S/4130/Rev .1	Application for Membership (South Vietnam)
	December 9	USSR	9-1-1	S/PV. 843 para 35	S/4129/Rev .1	Application for Membership (Republic of Korea)
	July 22	USSR	10-1-0	S/PV. 837 para 9	S/4055/Rev .1	Complaint by Lebanon of Interference by UAR (Egypt and Syria)
	July 18	USSR	9-1-1	S/PV. 834 para 68	S/4050/Rev .1	Complaint by Lebanon of Interference by UAR (Egypt and Syria)
	May 2	USSR	10-1-0	S/PV. 817 para 3	S/3995 Amendmen t to S/399	Soviet Complain (Over Flight by US)
1957						
	September 9	USSR	10-1-0	S/PV. 790 para 56	S/3885	Application for Membership (Viet-nam)
	September 9	USSR	10-1-0	S/PV. 790 para 9	S/3884	Application for Membership (North Korea)
	February 20	USSR	9-1-1	S/PV. 773 para 126	S/3787	India- Pakistan Question (Kashmir and Jammu)
1956						

	November 4	USSR	9-1-0 yugoslavia didn't participate	S/PV. 754 para 68	S/3730/Rev .1	Situation in Hungary
	October 30	UK, France	7-2-2	S/PV. 750/ Rev.1 para 23	S/3713/Rev .1	Palestinian Question: Steps for the Immediate Cessation of the Military Action of Israel in Egypt
	October 30	UK, France	7-2-2	S/PV. 749 para 186	S/3710 + Coor.1 S/PV. 749 and footnote 2	Palestinian Question: Steps for the Immediate Cessation of the Military Action of Israel in Egypt
	October 13	USSR	9-2-0	S/PV. 743 para 106	S/3671/Rev .1 Second Part	Complaint by UK and France (Suez Canal)
1955						
	December 15	USSR	10-1-0	S/PV. 706 para 116	S/3510	Application for Membership (Japan)
	December 14	USSR	10-1-0	S/PV. 705 para 28	S/3510	Application for Membership (Japan)
	December 13	USSR	9-1-1	S/PV. 704 para 72	S/3502	Application for Membership (Spain)
	December 13	USSR	10-1-0	S/PV. 704 para 71	S/3502	Application for Membership (Laos)
	December 13	USSR	10-1-0	S/PV. 704 para 70	S/3502	Application for Membership (Japan)
	December 13	USSR	10-1-0	S/PV. 704	S/3502	Application

				para 69		for Membership (Cambodia)
	December 13	USSR	10-1-0	S/PV. 704 para 68	S/3502	Application for Membership (Libya)
	December 13	USSR	10-1-0	S/PV. 704 para 67	S/3502	Application for Membership (Nepal)
	December 13	USSR	10-1-0	S/PV. 704 para 66	S/3502	Application for Membership (Ceylon)
	December 13	USSR	10-1-0	S/PV. 704 para 65	S/3502	Application for Membership (Finland)
	December 13	USSR	10-1-0	S/PV. 704 para 62	S/3502	Application for Membership (Austria)
	December 13	USSR	10-1-0	S/PV. 704 para 61	S/3502	Application for Membership (Italy)
	December 13	USSR	10-1-0	S/PV. 704 para 59	S/3502	Application for Membership (Portugal)
	December 13	USSR	10-1-0	S/PV. 704 para 58	S/3502	Application for Membership (Ireland)
	December 13	USSR	10-1-0	S/PV. 704 para 57	S/3502	Application for Membership (Jordan)
	December 13	China	8-1-2	S/PV. 704 para 54	S/3502	Application for Membership (Mongolia)
	December 13	USSR	9-1-1	S/PV. 704 para 52	S/3502	Application for Membership (South Viet- nam)

	December 13	USSR	9-1-1	S/PV. 704 para 51	S/3502	Application for Membership (Republic of Korea)
1954						
	June 20	USSR	10-1-0	S/PV. 675 para 194-195	S/3236/Rev .1	Central America (Guatemala)
	June 18	USSR	9-1-1	S/PV. 674 para 71	S/3229	Situation in Thailand (Request for Peace Observation Commission)
	March 29	USSR	8-2-1	S/PV. 664 para 69	S/3188 + Corr.1	The Arab- Israeli Dispute (Suez Canal)
	January 22	USSR	7-2-2	S/PV. 656 para 135	S/3151/Rev .2	Palestinian Question (Jordan River)
1953	no vetoes					
1952						
	September 19	USSR	10-1-0	S/PV. 603 para 64	S/2758	Application for Membership (Cambodia)
	September 19	USSR	10-1-0	S/PV. 603 para 65	S/2759	Application for Membership (Laos)
	September 19	USSR	10-1-0	S/PV. 603 para 66	S/2760	Application for Membership (Viet-nam)
	September 18	USSR	10-1-0	S/PV. 603 para 73	S/2754	Application for Membership (Japan)
	September 16	USSR	10-1-0	S/PV. 600 para 97	S/2483	Application for Membership (Libya)
	July 9	USSR	9-1-1	S/PV. 590	S/2688	Request for

				para 17		Investigation of Alleged Bacterial Warfare
	July 3	USSR	10-1-0	S/PV. 587 para 16	S/2671	Request for Investigation of Alleged Bacterial Warfare
	February 6	USSR	10-1-0	S/PV. 573 para 105	S/2443	Application for Membership (Italy)
1951	no vetoes					
1950						
	November 30	USSR	8-1-1 India didn't participate	S/PV. 530 p.25	S/1894 as a whole	Complaint of Agression against the Republic of Korea
	November 30	USSR	9-1-0 India didn't participate	S/PV. 530 p.24	S/1894 Part 2 and S/PV. 530 pp. 22-23	Complaint of Agression against the Republic of Korea
	November 30	USSR	9-1-0 India didn't participate	S/PV. 530 p.23-4	S/1894 First 3 preambular paras and S/PV. 530 pp. 22-23	Complaint of Agression against the Republic of Korea
	September 12	USSR	7-1-2 China didn't participate	S/PV. 501 p. 28	S/1752	Complaint by China regarding Bombing
	September 6	USSR	9-1-1	S/PV. 496 pp. 18-19	S/1653	Complaint of Agression against
1949						
	December 13	USSR	8-2-1	S/PV. 456 pp. 33-34	S/1431 Second Part	Indonesian Question
	December 13	USSR	9-2-0	S/PV. 456 pp. 33-34	S/1431 First Part	Indonesian Question
	October 18	USSR	8-2-1	S/PV. 452 pp. 22-23	S/1408/Rev .1	Regulation and

						Reduction of Armaments
	October 18	USSR	9-2-0	S/PV. 452 para 202	S/1399/Rev .1	Proposal of the Commission on Conventional Armaments
	October 11	USSR	9-2-0	S/PV. 450 p. 14	S/1398	Proposal of the Commission on Conventional Armaments
	September 13	USSR	9-2-0	S/PV. 443 p. 33	S/1337	Application for Membership (Ceylon)
	September 13	USSR	9-2-0	S/PV. 443 p. 33	S/1336	Application for Membership (Austria)
	September 13	USSR	9-2-0	S/PV. 443 para 32	S/1335	Application for Membership (Ireland)
	September 13	USSR	9-2-0	S/PV. 443 p. 32	S/1334	Application for Membership (Finland)
	September 13	USSR	9-2-0	S/PV. 443 pp. 31-32	S/1333	Application for Membership (Italy)
	September 13	USSR	9-2-0	S/PV. 443 p. 30	S/1332	Application for Membership (Transjordan)
	September 13	USSR	9-2-0	S/PV. 443 p. 28	S/1331	Application for Membership (Portugal)
	September 7	USSR	9-2-0	S/PV. 439 p. 16	S/1385	Application for Membership (Nepal)
	April 8	USSR	9-2-0	S/PV. 423 p.15	S/1305	Application for

						Membership (Republic of Korea)
1948						
	December 15	USSR	9-2-0	S/PV. 384 p. 39	S/PV. 384 p. 39	Application for Membership (Ceylon)
	October 25	USSR	9-2-0	S/PV. 372 p. 14	S/1048 S/PV. 370 pp. 5-6	Berlin Blockade
	August 18	USSR	9-2-0	S/PV. 351 p. 22	S/PV. 351 pp. 21- 22	Application for Membership (Ceylon)
	June 22	USSR	8-2-1	S/PV. 325 p. 12	S/PV. 325 p. 11	Reports from the Atomic Energy Committee
	May 24	USSR	9-2-0	S/PV. 303 pp. 28-29	S/PV. 303 pp. 28-29	Question of Czechoslova kia
	May 24	USSR	8-2-1	S/PV. 303 pp. 19-21	S/PV. 303 pp. 19-21	Question of Czechoslova kia
	April 10	USSR	9-2-0	S/PV. 279 pp. 15-16	S/PV. 279 pp. 15-16	Application for Membership (Italy)
1947						
	October 1	USSR	9-2-0	S/PV. 206 p. 2476	S/PV. 206 p. 2476	Application for Membership (Finland)
	October 1	USSR	9-2-0	S/PV. 206 p. 2476	S/PV. 206 p. 2476	Application for Membership (Italy)
	September 15	USSR	8-2-1	S/PV. 202 p. 2400	US challenged the President's ruling	Greek Frontier Incidents
	September 15	USSR	9-2-0	S/PV. 202 pp. 2399- 2400	S/PV. 202 p. 2369 US Draft	Greek Frontier Incidents

					Resolution	
	August 25	France	7-2-2	S/PV. 194 pp. 2199- 2200	S/514 Australian- Chinese Resolution	Indonesian Question
	August 21	USSR	8-1-2	S/PV. 190 pp. 2130- 2131	S/PV. 190 pp. 2130- 2131	Application for Membership (Australia)
	August 21	USSR	9-1-1	S/PV. 190 p. 2127	S/PV. 190 p. 2127	Application for Membership (Italy)
	August 19	USSR	9-2-0	S/PV. 188 pp. 2098- 2099	S/486 and S/PV. 188 p. 2098	Greek Frontier Incidents
	August 19	USSR	9-2-0	S/PV. 188 p. 2094	S/471+ Add.1 and S/PV. 188 pp. 2093- 2094	Greek Frontier Incidents
	August 18	USSR	9-2-0	S/PV. 186 pp. 2041- 2045	S/PV. 186 pp. 2041- 2045	Application for Membership (Portugal)
	August 18	USSR	9-1-1	S/PV. 186 pp. 2041- 2045	S/PV. 186 pp. 2041- 2045	Application for Membership (Ireland)
	August 18	USSR	9-1-1	S/PV. 186 pp. 2041- 2045	S/PV. 186 pp. 2041- 2045	Application for Membership (Transjordan)
	July 29	USSR	9-2-0	S/PV. 170 p. 1612	S/PV. 170 p. 1602- 1611	Greek Frontier Incidents
	March 25	USSR	7-2-1 UK didn't participate	S/PV. 122 pp. 608-609	S/PV. 122 pp. 608- 609	Incidents in the Corfu Channel
1946						
	September 20	USSR	8-2-1	S/PV. 70 p. 412	S/PV. 70 p. 412	Ukrainian Complaint against Greece
	August 29	USSR	8-2-1	S/PV. 57 p. 139	S/PV. 57 p. 139	Application for

						Membership (Portugal)
	August 29	USSR	8-2-1	S/PV. 57 p. 139	S/PV. 57 p. 139	Application for Membership (Ireland)
	August 29	USSR	8-2-1	S/PV. 57 p. 138	S/PV. 57 p. 139	Application for Membership (Transjordan)
	June 26	USSR	9-2-0	S/PV. 49 p. 446	S/PV. 49 p. 444	Spanish Question
	June 26	France, USSR	8-2-1	S/PV. 49 pp. 421-422	S/PV. 49 p. 421	Spanish Question
	June 26	USSR	9-2-0	S/PV. 49 pp. 413-424	S/PV. 49 p. 401	Spanish Question
	June 18	USSR	9-1-1	S/PV. 47 p. 379	S/PV. 45 p. 326 Australian Resolution	Spanish Question
	June 18	USSR	9-1-1	S/PV. 47 p. 379	S/PV. 45 p. 348 UK Amendment para (c)	Spanish Question
	June 18	USSR	9-1-1	S/PV. 47 p. 379	S/PV. 45 p. 348 UK Amendment para (b)	Spanish Question
	June 18	USSR	10-1-0	S/PV. 47 p. 378	S/PV. 45 p. 326 para (a)	Spanish Question
	February 16	USSR	7-1-1 France, UK didn't participate	S/PV. 23 pp. 367-368	S/PV. 22 pp. 332-333	Syrian-Lebanese Question

**Table and Research by Celine Nahory, Giji Gya and Misaki Watanabe*

Only a minority of vetoes have been cast in cases where vital international security issues were at stake. 59 vetoes have been cast to block admission of member states. Additionally, 43 vetoes have been used to block nominees for Secretary General, although these vetoes were cast during closed sessions of the Council and are not included in the table above.