

Forum:	Legal Committee
Issue:	Re-evaluation of the permanent members of the Security Council
Student Officer:	Argyris Biskinis
Position:	Co-Chair

PERSONAL INTRODUCTION

My name is Argyris Biskinis and I am student of Anavryta Model Experimental Lyceum. I will be serving as one of your Co-chairs in the Legal Committee of this year's Platon School Model United Nations (PSMUN). I would initially like to congratulate you for selecting to attend this MUN conference in general, as it is a great experience that will certainly provide you with long-term advantages you might not realize at first glance. I would like to furthermore express my even greater joy and respect for you choosing to be in the Legal Committee, one of the committees of the UN General Assembly and one of the most significant bodies of the UN.

Excitement aside, being in the Legal Committee is demanding and requires a lot of hard work to grasp every aspect of some of the greatest issues the global community faces at the moment, in order for plausible and effective solutions to be successfully proposed.

The amount of preparation involved might sound intimidating and difficult for some, however, it is important to remember that the key is to break down your research into small sections and spend little time on each part as often as possible. This way, you can become familiar with the topic and the news related, without even realizing it. You also avoid the stress of preparing at the last minute and the tiring effects of trying to do hours of research at once.

All in all, I hope that you will all come prepared and actively contribute to the formulating efficient resolutions for the said topic at hand.

The aim of this Study Guide is to provide you with some basic information necessary for the second topic, to be used as a starting point for your own, national policy-specific research.

Finally, I would like to stress that lack of either meticulous research, or detailed knowledge of the PSMUN Rules of Procedure is certain to impair you from fully participating in the committee. Therefore I urge you to go over these procedures in depth before the conference.

Feel free to contact me (argyrisb@hotmail.com) for any questions you might come up with, whether they concern the topic or the rules.

Looking forward to seeing you all!

Sincerely,

Argyris Biskinis

INTRODUCING TOPIC

The Security Council is one of the main bodies of the United Nations (General Assembly, International Court of Justice, Trusteeship Committee, Economic and Social Council, Secretariat, Repertory of Practice of United Nations Organs and the Security Council¹). It was created by the Yalta conference in February 1945 and its first meeting took place on 17 January 1946.

Under the Charter, the Security Council has primary responsibility for the maintenance of international peace and security. It has 15 Members, and each Member has one vote. Under the Charter, all Member States are obligated to comply with Council decisions².

The jurisdiction of the Security Council extends in matters of peacekeeping operations and imposing sanctions to member states, as it is the only UN body with the right to do so. Also it is the only body whose resolutions are obligatory for all member states to implement.

The nature and importance of the decisions taken by the Security Council must be quick and fair for all states actions. The fact that sometimes such immediate action cannot be achieved, has led to many incidents of massacres (e.g. Uganda, Central African Republic).

These exact requirements, especially the one of immediate action, explain the limited number of member states in the council. From the 193 member states of the United Nations only 15 have the right of representation in the most important body of the organization. From the aforementioned states only 5 have permanent representation. These states are France, the People's Republic of China, the Russian Federation, the United Kingdom of Great Britain, Northern Ireland and the United States of America. They are characterized as the P-5 or "Big 5" and they are the founding members of the United Nations. Each year, the **General Assembly elects**

¹ <http://www.un.org/en/mainbodies/>

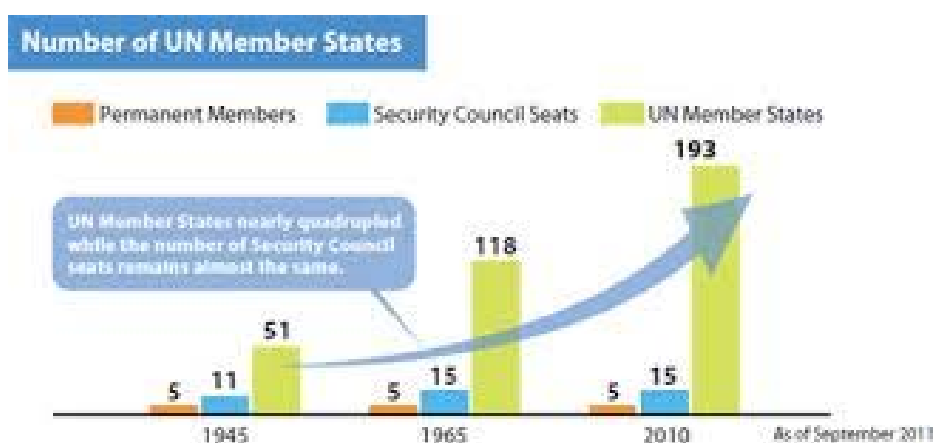
² <http://www.un.org/en/sc/>

five non-permanent members (out of ten in total) for a two-year term. The ten non-permanent seats are distributed on a regional basis: five for African and Asian countries; one for Eastern European countries; two for Latin American and Caribbean countries; two for Western European and other countries.³ In 2014 the non-permanent member states are Argentina, Australia, Chile, Chad, Jordan, Luxemburg, Lithuania, Nigeria, Rwanda, Republic of Korea (South Korea).

Apart from their permanent representation, the P-5 states have also the right to **veto**. Permanent members use the veto to defend their national interests, or to uphold a tenet of their foreign policy, such as the principle of sovereignty. Sometimes the sponsor(s) of a draft resolution may suspect that it will be vetoed, put the draft to a vote as a means to symbolically demonstrate support for an issue, while publicly outing and recording opposition within the Council. There have also been cases when a draft resolution is vetoed, even though its sponsor(s) believed that it would be adopted.⁴

Their right to veto, which has been casted 217 times from 1947, only exacerbates the cut down of discrimination against non P5 states, such as Germany and Japan, which have been fourth and second accordingly in terms of the founding of the UN⁵.

A number of critics, including member states from the developing world, charge that the Council's structure is anachronistic. The Council was expanded from six elected members to ten in 1965, and the People's Republic of China took the permanent seat previously occupied by the Republic of China (Taiwan), in 1971. Since then the body's composition has remained unchangeable⁶.



DEFINITION OF KEY TERMS

³ <http://ask.un.org/faq/14382>

⁴ http://www.securitycouncilreport.org/monthly-forecast/2013-11/in_hindsight_the_veto.php

⁵ http://www.un.org/esa/coordination/Funding_for_United_Nations_Development_Cooperation.pdf
⁶ <http://www.cfr.org/international-organizations-and-alliances/un-security-council/p31649>

- **P5:** The five founding members of the UN (China, Russia, France, UK, USA) which enjoy certain privileges such as the right of permanent representation in the SC or the right to acquire nuclear weapons.
- **Veto:** A constitutional right to reject a decision or proposal made by a lawmaking body⁷

HISTORICAL INFORMATION

Unfortunately the issue of the reform of the Security Council was first set in the General Assembly in 1993, at which time very little progress was made. The most important of the proposals was that of Secretary General Kofi Annan in 2004, however the efforts were fruitless. The official name of the plan was “In Larger Freedom” and it can be divided into two alternatives. The first one, known as plan A asks for the creation of six more permanent seats and three non-permanent. Plan B suggested the creation of a new category of seats that will not be permanent but will last 4 years and they could be a subject to renewal. In both cases the desirable number of seats was 24 and the right of veto for the new seats was never clarified.



MAJOR COUNTRIES INVOLVED

The basic alliances on the topic are:

- **L69:** It is a group of states mainly African, Asian, Caribbean and Latin American that demand the general reformation of the structure of the Security Council. They ask not only for the expansion of both permanent and non-permanent

⁷ <http://www.oxforddictionaries.com/definition/english/veto>

seats, but also for the expansion of veto rights accordingly. Their current number is 42

- **UFC (Uniting for Consensus):** A group of states (unofficially) led by Italy, which is against the expansion of the permanent memberships of the Security Council. They mostly engage in countering the points of the G4 states. However they support the expansion of non-permanent seats. They are namely; Argentina, Canada, Colombia, Costa Rica, Italy, Malta, Mexico, Pakistan, Republic of Korea, San Marino, Spain, and Turkey but Indonesia and China, which also takes part in its meetings.

- **C10-African Union:** A group of African states, which asks for two permanent seats for African countries, as many times they have stated the opinion that African countries are excluded from decision-making. Some of the states of the African Union tend to agree with the G4 states, while others' opinions are more familiar to the L69 ones. The 10 main members (there are other members but these are the founding ones) are: Sierra Leone (Chair), Republic of Congo, Equatorial Guinea, Libya, Namibia, Zambia, Senegal, Kenya, Algeria, and Uganda.

- **ACT (Accountability, Coherence, and Transparency):** Countries actively working on reforming the working methods of the current (not expanded) Security Council: Austria, Chile, Costa Rica, Estonia, Finland, Gabon, Hungary, Ireland, Jordan, Liechtenstein, New Zealand, Norway, Papua New Guinea, Peru, Portugal, Saudi Arabia, Slovenia, Sweden, Switzerland, Tanzania and Uruguay.⁸

- **USA:** The United States have expressed their agreement to the reformation of the Security Council, and also as president Obama has mentioned “We salute India’s long history as a leading contributor to United Nations peacekeeping missions. We welcome India as it prepares to take its seat on the United Nations Security Council. As two global leaders, the United States and India can partner for global security—especially as India serves on the Security Council over the next two years. Indeed, the just and sustainable international order that America seeks includes a United Nations that is efficient, effective, credible and legitimate. That is why I can say today, in the years ahead, I look forward to a reformed United Nations Security Council that includes India as a permanent member.

- **France and UK:** The two P5 states share opinions upon the matter and have even shared a joint summit, in which they express their support to all G-4 states' bids, while they also mention the problem of Africa’s permanent representation.

- **Russia:** Russia hasn’t actively participated in the talks for the reformation. It is theoretically open to reformation.

There are also smaller groups such as: the Arab group, the CARICOM or the Pacific SIDS that have been active on the matter. However in terms of number and/or political power they are not as important stakeholders as the aforementioned ones.

New Permanent Members Proposals

⁸ <http://www.centerforunreform.org/?q=node/602>

- **Brazil:** The largest Latin American country in terms of population, GDP and land area. It has the fifth largest population, seventh largest GDP, eleventh largest defense budget, and has the fifth largest land area. It is one of only five countries that ranks among the top ten globally in terms of physical size, population, and GDP – the others being the United States, Russia, the People's Republic of China, and India all permanent members of the UNSC except for India. It has also contributed in several UN peacekeeping operations such as: in Haiti (MINUSTAH), in East Timor and Lebanon (UNIFIL-MTF). Generally its bid has been supported by a large number of countries including: Russian Federation, Indonesia, the Community of Portuguese Language Countries (CLPC), France, and the UK. There is no official EU resolution supporting Brazil. However, several EU states have either clearly backed Brazil's bid as the aforementioned or strengthened diplomatic and trading bonds such as Poland. The only two states that have expressed their disagreement with Brazil's bid are the competitors from the Latin American and Caribbean region: Mexico and Argentina.

- **Germany:** Being the third biggest UN funder (after USA and Japan) providing 7% of the UN's budget, no one can argue the logic behind a permanent member seat by Germany. Obviously, such a bid is closely supported by France, the UK and the whole EU, while there is no state that has openly expressed its disagreement. However, since the European countries already have two permanent and two non-permanent seats, Germany's request is less likely to be granted than those of India or Brazil, as their regions don't have a permanent seat.

- **India:** India is the second country in the world in terms of population and the third in terms of active military. Furthermore it is one of the biggest contributors in the UN peacekeeping forces with over 8500 active troops at the time. As a member of the G4, it has made a bid for a permanent UNSC seat. It has been elected as a non-permanent member seven times, one of which (2011-2012) with an almost unanimous vote of 188 out of 190 general assembly member states. India's bid has been supported by many states, including the P5, while the only state with strong opposition is Pakistan. The main problem concerning India's request is the fact that it has not signed the Non-Proliferation Treaty (NPT), which focuses on nuclear proliferation.

Countries that support India's bid are:

Armenia, Australia, Bahamas, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Brunei, Bulgaria, Cambodia, Chile, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ethiopia, Finland, Ghana, Guyana, Hungary, Iceland, Israel, Jamaica, Laos, Lesotho, Liberia, Libya (under the Gaddafi government), Kazakhstan, Kyrgyzstan, Malawi, Malaysia, Maldives, Micronesia, Mongolia, Morocco, Myanmar, Nigeria, Norway, Oman, Palau, Peru, Poland, Portugal, Romania, Rwanda, Qatar,

Senegal, Singapore, Slovakia, Suriname, Swaziland, Syria, Tajikistan, Trinidad and Tobago, Tuvalu, Ukraine, the United Arab Emirates, Uzbekistan, Vietnam and Zambia.

- **Japan:** Japan is the second largest contributor to the UN's budget funding over 10% of the UN's budget. Although it is a G4 state, it is highly unlikely that its request will be granted at least for the time being. If an Asian nation is granted a permanent membership, it would be India. Its bid has been backed by a few Asian states and all states of Oceania. However it is China's strong opposition that plays a major role in not letting Japan have the desirable permanent membership.

TIMELINE OF EVENTS⁹

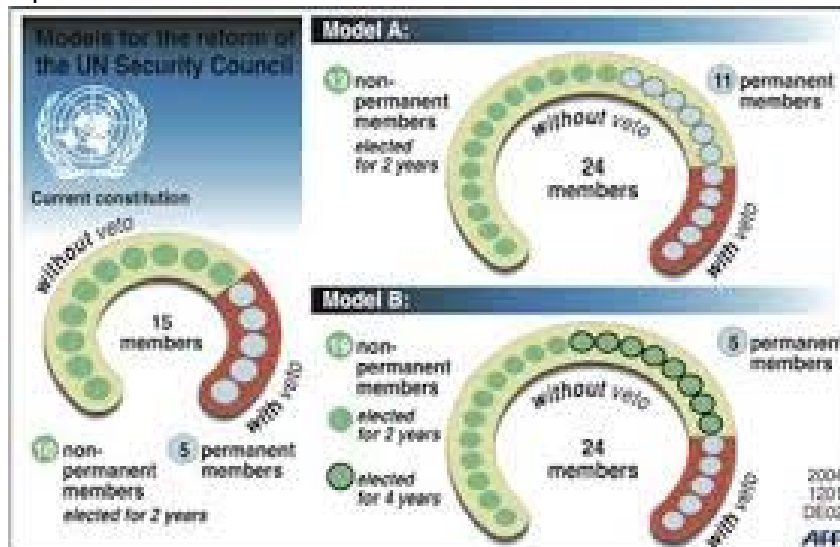
As mentioned previously, there has not been any UN action except for actions of minor importance. The most important events are:

1993: Reform of the Security Council is set as a GA topic for the first time

2004: Kofi Annan presents the Annan plan

2002: Procedural development report

2005: China criticizes a G-4 resolution as dangerous for UN as it would split UN Membership

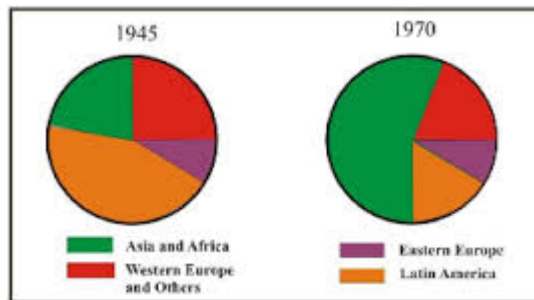


POSSIBLE SOLUTIONS

⁹ <https://www.globalpolicy.org/security-council/security-council-reform/un-documents.html?itemid=1451>

As previously mentioned, the solution to the issue are various including extension of the number of the member states of both permanent and not permanent seats. The resolutions that have been submitted are:

- GA 2011, submitted by the Small 5 (smaller alliance on the topic)¹⁰
- GA 2005, submitted by United for Consensus¹¹
- GA 2005 submitted by the African Union ¹²
- GA 2005 submitted by G4¹³



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¹² <https://www.globalpolicy.org/images/pdfs/0718auresolution.pdf>

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