Reforming the United Nations Security Council

Feasibility or Utopia?

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Abstract/ Résumé:

Reforming the United Nations Security Council has been on the agenda of the General Assembly for over two decades. However, structural reform of the Council remains elusive. This research paper will seek to explain why after so many years nearly all 193 states within the UN remain actively seized on the matter of reform, and ongoing commitment to Council reform can be observed. In order to properly analyze SC reform efforts and the various obstacles along the way, this paper emphasizes states' motivations during the reform process. This thesis argues that although states work on the same objective, namely that of reforming the UNSC, they do so for varying reasons. With the help of new institutionalist theory, an argument is formed that highlights how certain states are more driven by strategic calculations and self-interest, while others are more normatively motivated, and thus are more driven by what is considered appropriate. Furthermore, this thesis highlights that despite only lukewarm support for reform from certain states, not a single state can publicly denounce Council reform, because the reform issue itself has become an ingrained norm. Emphasis will be given to structural reform, such as increasing the size of the Council, as well as improving the SC's working methods. Despite the lack of formal reform, the SC has continually proven to be adaptive in order to remain relevant well into the 21st century.

Depuis déjà deux décennies, l'Assemblée générale de l'Organisation des Nations Unies planifie la réforme du Conseil de sécurité, alors que la restructuration de ce dernier demeure complexe. Nous tenterons donc, dans notre mémoire, d'expliquer pourquoi après tant d'années, près de 193 États membres s'intéressent activement à cette réforme et comment il est possible d'observer leurs engagements à ce propos. Afin d'analyser les efforts et les différents obstacles quant à cette dite réforme du Conseil de sécurité, les motivations des États membres lors du processus seront analysées. Nous avançons donc l'idée selon laquelle les États membres possèdent tous un même objectif, soit réformer le CS, mais qu'ils le font pour de multiples raisons. Basé sur la théorie néo-institutionnelle, il sera démontré comment certains États membres agissent selon leurs propres intérêts à la suite de calculs stratégiques, alors qu'au contraire, certains d'entre eux agissent de façon normative par rapport à ce qu'ils considèrent convenable. Par ailleurs, notre mémoire démontre que malgré un faible support de la réforme par certains États membres, aucun d'eux ne peut la dénoncer publiquement, puisqu'elle est devenue un incontournable. L'emphase sera mise sur la réforme structurelle, soit l'élargissement du CS, aussi bien que sur l'amélioration de ses méthodes de travail. Malgré le manque de restructuration formelle, le Conseil de sécurité ne cesse de s'adapter afin d'être pertinent toujours au XXIe siècle.

Key Words: United Nations, Security Council, Reform, Logic of appropriateness, Logic of consequences, New Institutionalism, Global Governance.

Mots clés : Organisation des Nations Unies, Conseil de sécurité, réforme, logique d'appropriation, logique de conséquence, théorie néo-institutionnelle, gouvernance mondiale.

List of Acronyms:

AU – African Union

ACT - Accountability, Coherence, Transparency Group

C-10 - Committee of Ten

E-10 – Elected Non-permanent members of the UN Security Council

ECOSOC - Economic and Social Council

EEG - Eastern European Group

EP - European Parliament

EU - European Union

G-4 – Brazil, Germany, India and Japan

GRULAC - Latin American and Caribbean States

HLP – High Level Panel on Threats, Challenges and Change

IGO - Inter-governmental Organization

IGN - Inter-governmental Negotiations process

L.69 - Reform Coalition consisting mainly of developing countries

LDC- Less Developed Countries

LOA – Logic of Appropriateness

LOC – Logic of Consequences

NAM – Non-Aligned Movement

NATO - North Atlantic Treaty Organization

NGO - Non-governmental Organization

OEWG - Open Ended Working Group

P-5 – The five permanent members of the UNSC

PGA – President of the General Assembly

RES - Resolution

RO - Regional Organization

S-5 – The Small Five Group: Switzerland, Singapore, Jordan, Costa Rica and Liechtenstein

SG – Secretary General of the United Nations

TCC- Troop Contributing Country

UfC – Uniting for Consensus

UK – United Kingdom

UN – United Nations

UNGA – United Nations General Assembly

UNSC – United Nations Security Council

USA – United States of America

WEOG - Western European and Others Group

WSOD – World Summit Outcome Document

‘‘It always seems impossible until it’s done’’

- *Nelson Mandela*

‘‘They shall beat their Swords into Plowshares and their Spears into Pruning Hooks. Nation shall not lift up Sword against Nation. Neither shall they learn War any more’’

- *Isaiah*

1. Introduction

1.1 The Puzzle

During times of seemingly ever increasing globalization the role and importance of international organizations (IOs) and institutions has been heightened in numerous ways. The United Nations system, and specifically, the Security Council (UNSC) is among the most significant and authoritative institutions within the realm of global governance. The UNSC has the primary responsibility for the maintenance of international peace and security according to Article 24 of the UN Charter. However, it has often been argued that the Council's formal structure and organization is outdated, and does not represent the current power dynamics of the 21st century. This thesis aims to explain the public commitment of nearly all UN member-states in regard to reforming the Security Council, despite no formal changes having occurred since the last *de jure* reform in 1965, when the Council was enlarged to its current composition.

Few institutions are as well-known as the Council, yet the UNSC remains very little understood (Luck 2006: 127). The UNSC's main task is to ensure prompt and effective action in regard to settling disputes, and it has ''primary responsibility for the maintenance of international peace and security'' as highlighted by Article 24 of the UN Charter. Further functions and powers of the Security Council include: calling upon parties of a dispute to settle conflicts by peaceful means, investigate international disputes, determine threats or acts of aggression against international peace, apply sanctions, recommend to the General Assembly the appointment of the Secretary General, request the ICJ to give advisory opinions on legal questions, or recommend to the GA the admission of new member states to the UN (Basic Facts about the UN: 2011: 7-9). Since the Security Council has such a wide array of powers at its disposal, and the Charter is

often vague on provisions on how to exercise authority, it becomes clear that the UNSC is of primary importance within the realm of international affairs.

The research carried out primarily focuses on UNSC reform; however, this paper goes beyond merely analyzing the various reform proposals that have been advocated within the past two decades, and the major obstacles towards achieving reform. More importantly, it is vital to explain the ongoing commitment of most of the UN's 193 member-states in regard to the reform process, despite no formal reforms or Charter amendments currently being in sight. UNSC reform is essentially a political process, and any reform effort always ''implies a redistribution of benefits and losses for an organization's entities, either in terms of a reallocation of decision-making power or - and usually connected to this - a re-orientation of the organization's policy perspectives'' (Hosli et al 2011: 164). However, the impact on state behaviour due to the institutional structure of the Council itself, and that of the General Assembly, where most reform debates take place, is crucial in understanding why reform has proven to be such an insoluble issue to date. This paper accentuates and seeks to explain that despite nearly all states remaining committed to Council reform, varying motivations and factors exist in what truly drives states during the reform process, thus hampering reform efforts from successfully concluding.

This research will highlight that both strategic thinking, self-interest, and states acting according to the logic of consequences on the one side, as well as the logic of appropriateness and states being more driven by normative concerns can be observed when analyzing states' motivations during the reform process (March and Olsen 1998, 2009). Since some states regard reform as a zero-sum game, future reform efforts must stress the importance of transforming Council reform into a non-zero sum game and a win-win situation that satisfies at least a large majority (minimum two-thirds) of the UN membership. However, these two logics motivating

state behaviour should not be regarded as a strict dichotomy or entirely mutually exclusive, but instead more as a single continuum representing opposite ends or poles. Strategic calculations are affected by what is considered appropriate, and states which are less guided by self-interested concerns still factor strategic calculations into their behaviour. Generally speaking, ‘‘a theory of purposeful human behavior must take into consideration the diversity of human motivations and modes of behavior’’ (March and Olsen 2009: 20), while not making the mistake of subsuming one logic as a special case of the other.

In order to explain the puzzle at hand, I rely largely on theories of new institutionalism according to March and Olsen, and various constructivist IR scholars, which emphasize the importance of how norms, identities, and interests can be shaped and reinforced through organizational structures, but also accentuate how behaviour follows from existing rules (Hall and Taylor 1996; Thelen 1999) Clearly, sweeping assumptions about what explains ongoing commitment to the reform process is misplaced within an organization of 190-plus member-states. A more nuanced analysis is needed in order to discern why arguably some states are more driven by strategic motives, such as obtaining a seat on the Council, versus other states being more driven by normative beliefs of improving the Council as a whole, and a less self-interested calculus or paradigm. Moreover, it is crucial to explain why states favoring the status quo, also have shown enduring commitment to the reform effort. Here, the concept of organizational hypocrisy as explained by Lipson, and the pressure emanating from generally accepted norms will be examined (Lipson 2007; Finnemore and Sikkink 1998).

In light of the current inaction and moral bankruptcy of the Council regarding Syria and the Ukraine, but also past failures, such as in Rwanda or Bosnia, reforming the Council is of utmost importance. The formal structure of the Council, such as the ‘‘oligarchy of the P5’’

(Danchin and Fischer 2010: 109) is clearly outdated, leading to a loss of legitimacy *and* efficiency. However, reforming the Council's working methods, relations to the General Assembly, and the often cited veto, are of equal importance when analyzing the reform process. In order to tackle 21st century security threats, the Council cannot afford to operate with a post-WW II mindset and structure. This topic has received much attention in the early 1990s, immediately after the end of the Cold War, and also in the early 2000s leading up to the 2005 UN World Summit. Both events were regarded by many observers as crucial windows of opportunity for tackling the long overdue task of SC reform. Some scholars have also suggested that 2015, marking the 70th anniversary of the UN, the 50th anniversary of the first and only Council reform to date, and the 10th jubilee of the UN World Summit, which called for urgent action and early reform regarding the Council (WSOD Art. 153), can become a ''milestone'' for future reform efforts (Gowan and Gordon 2014). However, with the previous chair of the current inter-governmental negotiations (IGN) on UNSC reform, Jamaican ambassador to the UN, Courtenay Rattray, not having been re-appointed in October 2015, has led to a loss of momentum in regard to the reform process in New York.[1] It remains to be seen whether the new chair, the ambassador of Luxembourg to the UN, Ms. Sylvie Lucas, will be able to drive the reform process forward, which is now entering its 24th year.

The only reform of the Council up to date has been achieved in 1963 when the General Assembly and the P5 agreed on enlarging the Council from 11 to 15 member-states (Weiss and Young 2005). Reform in 1963 was largely due to decolonization pressures and the massive influx of newly emerged states joining the UN organization. Hence, the demand for a more representative Council steadily grew, until the P5 agreed to enlarge the SC. However, despite

[1] S/PV.7539, Open Debate of the Security Council, 7539th Meeting in New York on 20th October 2015.

general agreement by all UN member-states that reform is necessary in order to remain relevant and cope with today's security threats; no proposal for reform has thus far received the necessary two-thirds majority in the GA, including no veto from the P5, in order to pass a resolution on reform. Nevertheless, on December 3rd 1993, the General Assembly adopted resolution A/Res/48/26 to form the so-called Open Ended Working Group on UNSC Reform[2], which was designed to be the main driver within the UN to address possible reform plans. However, this Working Group has not achieved any viable results, and the process was transformed into negotiations under the framework of informal plenary within the General Assembly in February 2009 (Swart and von Freiesleben 2013)[3]. Likewise, the High Level Panel (HLP) on Threats, Challenges, and Change created in 2003 by then Secretary-General Kofi Annan, could not break the deadlock on reform issues (Müller 2006: 164-165)[4]. It became clear when the HLP with its only 16 panel members could not agree on a single framework for Council reform in 2005 that the issue would remain inextricable for years to come.

Although, structural changes of the SC have occurred only once within the past half-decade, the 1990s and the end of the Cold war were an opportunity for the Council to portray its continuing significance and relevance within world affairs. It remains crucial to note that during the past two decades, the Council has steadily been changing and adapting its working methods and procedures in order to cope with emerging crises, and increase overall transparency, as well as efficiency. Nonetheless, the vast majority of UN member-states remain actively seized on the topic of UNSC reform and is not satisfied with mere ad hoc and de facto changes of the

[2] Full name being the: the Open-Ended Working Group on the Question of Equitable Representation and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.
[3] GA decision 62/557
[4] Report of the Secretary General's High Level Panel on Threats, Challenges and Change: A More Secure World- Our Shared Responsibility.

Councils' proceedings. It has frequently been argued that piecemeal reform cannot replace the overall demand for a structural and comprehensive re-organization of the world's most authoritative international institutions.

1.2 Methodology and argument

I hypothesize in this paper that the reform process indicates that the Security Council is still profoundly valued by states; however, motivations for reforming the institution vary. Some states remain committed to reform because of strategic templates, and others because of an intrinsic value of improving the SC. Further, it is of utter importance to analyze whether states truly want major SC reform, or however, as stated by the Malaysian permanent representative to the UN, do ''we just want to be seen as being *politically correct*; hence we continue to mislead the world by claiming that we want reform in this important organ of the United Nations? It is time for us to reexamine our real intentions and positively help the process to move forward''.[5] Of course statements by UN diplomats cannot be taken at face-value; nevertheless with the help of an array of qualitative methodological tools and primary research, state motivations can be inferred with adequate accuracy.

The question of UNSC reform relies on multiple cases in order to generalize from and discern varying state motivations during the reform process, and explain why states remain committed to this issue (Collier and Mahoney 1996; George and Bennett 2005). Each country and its position on Council reform that is to be examined, serves as one case and helps explain why states remain committed to reform. Since there are 193 sovereign states currently within the

[5] Statement given by the Malaysian ambassador to the UN, H.E. Hussein Haniff on November 15th, 2012. Emphasis added.

UN, I will focus on the states which arguably have been most visible during the reform process, and are of particular importance for obtaining reform. This entails an in-depth analytical study of the formal standpoint of the P5 (China, France, Russia, UK, US), the G4 (Germany, Brazil, Japan, India) , the members of the Uniting for Consensus coalition (UfC), which is a group opposing the G4 and entails countries, such as Italy, Pakistan, South Korea, Argentina, Mexico, and Canada among others. The official positions of the African countries, especially South Africa, Nigeria, Egypt, Kenya, and Senegal in accordance with the Ezulwini consensus (March 7-8 2005, Ext/EX.CL/2 (VII)), will also be examined. Lastly, the standpoint of the Accountability, Coherence and Transparency group (ACT), which is trying to improve the Council's working methods deserves special accentuation. The ACT group is led under the stewardship of Switzerland and does not officially participate under the framework of inter-governmental negotiations (IGN) within the General Assembly.

I argue that some of these countries are more driven by the logic of appropriateness than mere strategic calculations, or possible cost-benefit analyses. It is also crucial to analyze whether states' positions towards reform have changed over the years and whether they are willing to compromise; or however, their standpoint towards reform has remained rather static. Official state positions dating back to the beginning of the Open Ended Working Group (OEWG) in 1993 will be examined (A/Res/48/26 and A/Res/48/264). Special emphasis will be given to statements following the launch of the IGN process in February 2009 in accordance with GA decision 62/557, and the beginning of text-based negotiations, including all three revisions of the working text under former Chair Zahir Tanin, Afghani Ambassador to the UN. Lastly, the positions on reform as expressed by member-states in the letter dating from July 31st, 2015, as circulated by the President of the General Assembly (PGA) and the former chair of the IGN, Courtenay

Rattray, in preparation for the draft resolution A/69/L.92, will also be analyzed (also see GA decision 69/560).[6]

The outcome or dependent variable is represented through the ongoing commitment of UN member-states working towards Council reform. The major explanatory factors, or independent variables, will be assessed through analyzing state motivations, and the reform process itself having become an internalized and generally deemed appropriate norm. In order to discern whether states remain committed to reform due to the logic of consequences and strategically motivated cost-benefit calculations, or however, due to more normative concerns and the logic of appropriateness, several mechanisms must be highlighted. Generally put, member-states that do not have a direct interest at stake during the reform process, are less powerful and have less resources available, and are working on reform because of a more identity based paradigm instead of being merely motivated by preferences; are more inclined to be motivated by what is termed the logic of appropriateness (March and Olsen 2009). On the other hand, states that have more at stake during the reform process, such as gaining a permanent seat on the Council but also directly losing to a concrete regional rival, and which are more motivated by strategically calculated alternatives and pay-offs, act more in accordance with the logic of consequences. Nevertheless, as previously stated, these two logics are not mutually exclusive and are always *both* present during state motivations, however, to a different extent. In other words, ‘‘rationality cannot be separated from any politically significant episode of normative influence or normative change, just as the normative context conditions any episode of rational choice’’ (Finnemore and Sikkink 1998: 888).

[6] Letter from the PGA of the 69th session, Sam Kutesa and the resulting GA draft resolution on September 11th 2015. Also GA decision 69/560 from September 14th 2015, and 69th Session, 104th Meeting (AM), September 14th, 20015, GA/11679.

States that are considered to be largely driven by strategic calculations include the P5, the G4, parts of the UfC coalition (especially Italy and Pakistan), and several African countries (South Africa, Nigeria, Egypt). Most of the states driven by strategic calculations are rather large and powerful in nature, and hold a direct stake in the outcome of reform efforts. The above mentioned coalitions of states either directly gain from an enlarged Council through a permanent or semi-permanent seat, or however, try to block a regional rival from becoming a member of a reformed Security Council. However, despite the strategic calculation of obtaining a possible permanent seat on an enlarged Council, the logic of appropriateness still applies to these states as well; however to a lesser degree. Japan and Germany are the UN's second and third largest financial contributors[7] and argue that it is appropriate for them to gain more leverage in the Council. Likewise, the African states interested in obtaining permanent seats also justify their position through correcting historical injustices, which is tied to their identity, suggesting the logic of appropriateness (March and Olsen 2009).

On the other hand, states such as, Liechtenstein, Panama, other less developed countries, or further members of the ACT coalition, should at least according to the classification of March and Olsen, be rather motivated by the logic of appropriateness. Empirical evidence does not only support this claim, but also suggests that during the 23 year long reform process, states motivated more by the logic of appropriateness have achieved farther *de facto* reform of the Council and its working methods, than states driven by overly strategic calculations. The above mentioned states are all rather small in nature and have arguably no direct stake during the reform process except through an improved UNSC that functions more efficiently and transparently, and thus improves the overall system of collective security for all 193 UN member-states. In point of fact, the ACT

[7] ST/ADM/SER.B/505; ST/ADM/SER.B/582; ST/ADM/SER.B/638; ST/ADM/SER.B/910.

group does not even participate in the IGN process, but has nonetheless made improvements to reforming the Council's working methods. On October 23rd 2015, the ACT group launched a voluntary code of conduct in regard to limiting the use of the veto in cases of genocide, crimes against humanity, or other war crimes. This code of conduct has been supported by far over 100 member-states.[8] It would be difficult to argue that the ACT group and its supporters were driven *primarily* by strategic calculations when launching the code to restrain the veto, or when trying to improve the overall working methods of the Council. Arguably, because smaller states without a direct stake in the reform process are considered to be more neutral, trustworthy, and honest brokers, thus not posing direct threats to other states, has helped them in advocating further reform proposals.

In order to strengthen causal inference and discerning whether some states are more motivated by the logic of consequences or the logic of appropriateness, I also conducted personal interviews with multiple country delegations to the UN, NGOs, think-tanks, and prominent academics working within the field. Much of the insight gained from researching the topic of SC reform has been through primary sources including UN documents and official speeches, as well as secondary literature centered on UNSC reform. However, the fieldwork carried out directly in New York has been invaluable in explaining why states remain committed to reform. Because methodologically measuring states' motivations can be difficult, considering that states' official positions or statements often deviate from their actual behaviour or intent, qualitative interviews are an essential part of the paper (Leech et al 2002).

[8] The code can be located at http://www.unelections.org/files/Code%20of%20Conduct_EN.pdf, and also on the homepage of the permanent mission of Liechtenstein, which is the leader of this initiative.

Using structured interviews (a sample questionnaire can be found in the appendix) enhances objectifying true state motivations and intent. I have conducted over 35 interviews with both current and former UN diplomats and country delegations spanning all geographic areas of the globe, including North and South-America, Africa, Eastern and Western-Europe, the middle East, and the Asia-Pacific region, mainly in New York City after the 70th general debate of the UNGA in October 2015. The respondents were contacted via my university email account, and I was very successful in increasing my response rate by using a snowball sampling method once I arrived on site in NYC. In order to decipher what genuinely motivates states during the reform process, I did not pose this question directly to the states under investigation. Clearly when posing this question to say the Chinese, Egyptian, or Indian permanent missions, they are all likely to dress up their answers and motivations in socially acceptable and appropriate terms. In order to truly investigate and code what drives states' motivations, it is superior to ask state delegations about their views on other member-states motivations instead of their own. Likewise, interviews conducted with outside observers and experts working for the Chair of the IGN process, who are not attached to any particular country, helped decoding genuine state motivation.

Following the previous section and considering that inferring states' motivations is a crucial part of this paper, I make use of three distinct techniques in order to adequately infer state motivations. First, literature on the two logics of action will be examined, including a detailed analysis of possible mechanisms triggering each logic, according to March and Olsen (2009). Connecting the two logics of action to state motivations is essentially unproblematic, because ''there is nothing illogical in suggesting that motivations are related to behaviour'' (Welch 1993: 14). As previously stated, if a state is rather large, has a direct stake in the reform outcome, is

powerful, or is primarily guided by cost-benefit analyses and strategic preference formation, the state is more likely going to act according to the logic of consequences. However, smaller and less powerful states with fewer resources and a distinct identity and history, and with no direct national interest at stake, are more likely to follow the logic of appropriateness. The second manner through which state motivations will be inferred is through primary sources, namely official UN records, speeches, meetings, and resolutions. Content analysis of various state positions was undertaken in order to analyze whether states make reference to narrow self-interested principles, thus wishing to obtain a seat on the Council largely due to a feeling of entitlement; or however, are states emphasizing normative principles and the importance of reforming the Council as a whole and for the entire international community during the reform process. Since statements by state delegations cannot be taken at face-value, my third technique in order to decipher genuine state motivations is through personal interviews with UN diplomats, NGOs, academics, and civil society. The qualitative fieldwork component of the paper has enabled me to grasp for what precise reasons are states engaged during the reform process. These three approaches should ideally provide for a relatively value-free and neutral judgment of a state's motivation.

The third and last independent variable is that the reform process itself has become a norm, and even states favoring the status quo must still remain, at least officially, committed to reform. A norm can generally be described as ''a standard of appropriate behaviour for actors with a given identity'' (Finnemore and Sikkink 1998: 891). The underlying mechanisms at play here are habitualization, the institutionalization of the norm through the Open Ended Working Group and the IGN process, and overall socialization within the UN. It has been argued that it is more helpful to exhibit whether social sanctions exist in case a norm is breached, instead of

reciting the mere existence of a norm. This is largely because internalized norms are inherently difficult to observe (Elster 2007: Ch. 22).

For example, when norms are breached this can generally be tied to certain social sanctions, punishment, or loss of opportunities. Likewise, because of peer pressure and conformity strains, states cannot openly express their dissent towards the reform process. Generally, ‘‘we recognize norm-breaking behavior because it generates disapproval or stigma; and norm conforming behavior either because it produces praise, or, in the case of a highly internalized norm, because it is so taken for granted that it provokes no reaction whatsoever’’ (Finnemore and Sikkink 1998: 892). Likewise, if Pakistan as a vital member of UfC, or China as an observer of this coalition, would publicly denounce the reform process and indicate they favor the status quo, this in turn would come at a certain political cost. Moreover, after over two decades of reform negotiations, a certain institutional inertia has been build up, and the reform process cannot be credibly abandoned anymore.[9] The ongoing commitment of states towards Council reform has certainly become the appropriate thing to do, and because norms by definition always entail an element of ‘‘oughtness’’, depicting reform as a norm is a fruitful approach.

Lastly, since leadership is also crucial when analyzing reform and can potentially act as a catalyst for state motivations, independently of whether states are motivated by strategic calculations or the logic of appropriateness, the variable of leadership must be controlled for. In order to assess leadership and whether it has an impact on state behaviour and motivations, I investigated who is in charge of reform for each country’s permanent mission to the UN, and

[9] This institutional inertia has been pointed out by various interviewees from both the governmental and non-governmental sector.

whether high profile diplomats or national politicians have been engaged on the reform issue, or however, the task is being delegated to lower-tier bureaucrats. In addition to having researched official statements by state leaders in regard to Council reform, the question of whether leadership plays a role during the reform process was also directly posed when conducting interviews with UN delegates and independent experts.

1.3 Implications of the research project

One of the major problems of reaching consensus on reform is that the majority of states cannot agree on ‘‘where the goal posts are, and every [state] is kicking the ball in different directions’’ (Interview from October 21st, 2015). Much academic literature and policy debates have been devoted to the topic of Security Council reform. However, few studies have highlighted the micro-processes at play and accentuated what drives and motivates states during the reform process. Despite working towards the same goal that nearly all 193 UN members share, namely that of making the Council more effective and legitimate, the underlying various motivations for reform potentially hamper the entire process. The SC is at the heart of the ‘‘collective security regime’’ (Ruggie 1992: 575) within international relations and despite its outdated structure remains of utter importance for the entire global community.

Research on SC reform entails various significant contributions to academic literature, but has also real-world policy implications. Further, this research question has ramifications for literature centered on institutional resilience and change, within the field of both comparative politics and International Relations (IR). The Security Council remains one of the most important international institutions within the realm of world politics, largely due to its potentiality to

enforce decisions. However, what this paper did *not* try to accomplish was to present a policy paper suggesting alternate reform proposals. It is largely intended to explain the decades-long ongoing commitment to reform on the part of states, and what motivates them during this process. Essentially, ‘‘it remains striking that even after so many years of deadlocked negotiations, so many UN member states (including those that are most unsatisfied with the current institutional architecture) remain fully committed to the reform – spending considerable diplomatic resources on a process that many declare doomed to fail’’ (Pouliot 2014: 213). This thesis broadens our understanding of why states remain committed to an issue many spectators have deemed insoluble.

It has been argued that ‘‘institutions are resistant to redesign ultimately because they structure the very choices about reform that the individual is likely to make’’ (Hall and Taylor 1996: 941). However, this does not necessarily mean that reform will be forever an impenetrable task. For the ongoing reform efforts, a distinction should be made between genuine reform and mere adaptation of the Council. The SC clearly has been adapting over the years, and by consulting with non-Council members, seeking outside expert advice, and increasing the Council's overall transparency to the public, the SC has been able to remain relevant even 70 years after its creation.[10]

This paper is organized in the following way. First, the theoretical framework is displayed. Special emphasis is given to the theory of new institutionalism, with a particular focus on the normative strand of said theory. Likewise, differentiating between the logic of consequences (loc) and the logic of appropriateness (loa) is crucial. Furthermore, the concept of

[10] See GA Resolutions and related documents: A/Res/59/313; A/69/321; A/60/L.49; S/2006/78; S/2013/515; ACT framework.

organized hypocrisy and portraying the reform process as a norm is accentuated. In a second part, the ongoing value of the SC will be presented. It is of utter importance to apprehend the continuing relevance of the SC in order to understand why states remain committed to reform. In the third and largest section of this paper, the focus is on the reform process itself. A brief history of the Council and the reform process will be provided for, and lastly the major aspects of reform namely the type of membership, the veto, relations to the GA, and improving the working methods are addressed.

2. The Theoretical Framework

2.1 New institutionalism and the two logics of action

In order to explain states' ongoing commitment to reform, the author makes use of theories largely derived from new institutionalism, with particular emphasis on normative institutionalism (Hall and Taylor 1996; March and Olsen 1984, 1998, 2009). New institutionalism developed largely in the mid 1980's by James March and Johan Olsen. The approach is widely used in comparative political science, anthropology, sociology, and economics. However, with the steadily increasing study of IGOs and global governance, this theory has also been applied to recent IR literature. In contrast to rational choice approaches, new institutionalism emphasizes how preferences are endogenously created and not purely exogenously given. In fact, ''over time deliberation and reasoned arguments become habitualized and normatively accepted, turning egoists into citizens (Habermas 1989). More generally, Mills (1940) has hypothesized that the long acting out of a role or rule of appropriateness will often induce a man to become what at first he merely sought to appear''

(quoted in March and Olsen 2009: 22). Due to the longevity of the reform issue, states have become socialized within the UN, and preferences are being shaped by the institutional processes of reform itself. For example, the current ACT group focusing on the improvement of the Council's working methods has been largely build upon the remnants of the previous S5[11] coalition, which was abandoned due to a lack of progress and P5 pressure. New institutionalism highlights that in the short run actors create rules, but in the long run rules are able to shape actors (Scott 2014: Ch. 7). Put in other words, over time ''institutions seem to be neither neutral reflections of exogenous environmental forces nor neutral arenas for the performances of individuals driven by exogenous preferences and expectations'' (March and Olsen 1984: 744), and institutions are more than mere mirror images of existing social forces. For example, several interviewees working for former Chair of the IGN process, Jamaican ambassador Rattray, have pointed out that the reform process operates in its ''own little world or bubble in New York City'' (Interview from October 19th, 2015).

Moreover, institutional change and reform can develop a certain self-sustaining inertia over time and developments are to a certain degree independent of external and exogenous forces and events. In contrast to rational choice approaches, which emphasize that change follows when some powerful actor has an incentive to challenge existing arrangements because they think an alternative arrangement will provide more benefits or entail fewer costs; normative institutionalism emphasizes that interests and motivations are not purely constructed exogenously. Instead these scholars regard institutions themselves as more active agents. The distinction between endogenous and exogenous influences shaping behaviour will also be accentuated when depicting the reform process as a socially accepted norm, later in this chapter.

[11] The S5 consisted of Switzerland, Singapore, Jordan, Costa Rica and Liechtenstein.

Institutions are important when investigating UNSC reform because institutions and institutional rules, such as the veto, can help create actors and define their available modes of action (Scott 2014: 39). In like manner, institutional reform and change are often hard to achieve because institutional frameworks structure the very choices an individual or state is likely going to make. In that sense, institutions are self-reinforcing. Put in other words,

> ‘‘each individual, responding to the institutional elements implied by others’ behavior and expected behavior, behaves in a manner that contributes to enabling, guiding, and motivating others to behave in the manner that led to the institutional elements that generated the individual’s behavior to begin with. *Behavior is self-enforcing in that each individual, taking the structure as given, finds it best to follow the institutionalized behavior* that, in turn, reproduces the institution in the sense that the implied behavior conforms the associated beliefs and regenerates the associated norms (Greif 2006: 15-16, quoted in Scott 2014, *emphasis added*).

Specifically in regard to the Security Council, several states fear that reform could potentially open a Pandora’s Box. Especially the P5 value the Council’s routines, habits, order, and continuity, and are hesitant to reform since changing the SC’s structure could potentially imperil their entrenched institutional privileges. One interviewee pointed out that in order to actually achieve reform, more insistence must be given to possible caveats and unintended negative consequences of reform. That same interviewee also pointed out that the ‘‘UN is very hesitant in becoming a learning community’’ due to the frequent shuffling around of diplomats (Interview from October 21st, 2015). The P5 and particularly the P3 (*here*: China, Russia, USA), clearly have a vested interest in maintaining the status quo. Their dominance in the Council is not only due to the veto privileges they enjoy, but also due to their intricate institutional knowledge of how the SC functions and decisions are being reached. Actions become

habitualized and internalized, resulting in minimalized conscious decision-making (Peters 2012: 40). In that sense, institutions can become hostage to their own history.

Since new institutionalism includes various strands that help explain the behaviour of actors, including normative, rational choice, and historical institutionalism (Peters 2012), particular emphasis will be given to the normative strand. The rational choice approach arguing essentially that institutions are formed from scratch or as a *tabula rasa* cannot be properly applied to the UNSC. Clearly, historical legacies from the League of Nations matter a great deal in explaining why the veto was established in the first place during official negotiations throughout the 1940s. However, this thesis does not argue that one strand of the theory is superior to the others. Instead, more synthesis and complementarity are critical in explaining why states remain committed to Council reform despite very little changes having occurred in the past years.

My research on UNSC reform will offer a link between purely rational choice approaches, which are arguably too theory driven and cannot fully explain the puzzle at hand, with a more sociologically based paradigm, which emphasizes the multifaceted-ness of preferences. In other words, especially within the broader context of institutionalist theory, the sharp dichotomy between calculous based approaches, such as rational choice, and culturally based approaches is detrimental, and hence cannot explain the issue of UNSC reform in full. In fact, ‘‘an actor can be influenced by both strategic calculation *and* moral cognitive templates’’ (Hall and Taylor 1996: 956, *emphasis added*). The Council reform debate will highlight that states remain committed to reform not only due to clear and precise payoffs (strategic consequences) defined in measureable power terms, but also due to a more genuine interest in

improving the Council as whole and for all states of the international community (logic of appropriateness).

The logic of actions, referring to both the logic of consequences and appropriateness, is a vital concept developed largely by March and Olsen. Despite the concept largely being used in explaining an outcome or behaviour, it can also be applied to states motivations without extensive conceptual stretching (Sartori 1970; Welch 1993). Chiefly, interests and motivations are intrinsically linked to a state's behaviour. Nearly all states are guided by strategic behaviour and self-interest on the one side, and what they consider to be appropriate on the other. States that are *primarily* guided by the logic of consequentiality or anticipatory action usually tend to focus on calculating their costs and benefits, taking alternatives and their values into account, and end up choosing the alternative with the best expected outcome (March and Olsen 2009). Likewise, strategically guided states are more driven by conscious calculations rather than identity-driven conceptions of appropriateness. Moreover, the logic of expected consequences stipulates that the ''constitution of the interests of a nation is taken as established *before* negotiations among nations begin'' (March and Olsen 1998: 951, *emphasis added*). Precisely this fact has arguably led to a gridlock among UN member-states in regard to reforming the Security Council. States are essentially not willing to bargain or truly negotiate over their positions on reform, and for the past 10 years have vehemently cemented their points of view. In fact, even with GA decision 62/557 and the launch of inter-governmental negotiations in early 2009, this has not led to a re-invigoration of the reform process. Instead, most debates within the informal plenary of the GA have resulted in states merely reiterating well-known country positions (Swart 2013). In the words of one UN diplomat, which is worth quoting at length here:

> ‘‘We can continue to pretend that we are in a negotiating process. We can meet once in every two or three months, gather just for the sake of reading statements prepared with the singular intention of putting across just our views, and in the process, ridicule the ideas of other parties. We can continue to take the “all or nothing” approach, like what has been done in the past 20 years. We can also continue intimidating smaller countries in the discussions, and then claim that all member states have equal rights in this most democratic assembly. To be politically correct, we should also continue telling the world that we want to reform the Security Council, even though deep down we know that is not what we actually want, and that we will takes all steps - political, legal and technical- to stall the whole process, and then blame the other party for being inflexible. By the way, Mr. President, the word “flexibility” has taken a new meaning in our discussions. It effectively means “you should agree with what I said and abandon your position’’.[12]

On the other hand, states that are *more* guided by the logic of appropriateness, present and portray themselves as less self-interested during the reform process. Some of these countries that are particular noteworthy and whose position will be explained in greater detail during the empirical section of this paper include Panama, Switzerland, Malaysia, and various rather small nation-states that have no direct stake in the reform process. States acting according to the logic of appropriateness have a more normative interest in reforming the Council and improving the entire collective security system as a whole, rather than trying to gain a permanent, semi-permanent, or non-permanent seat. Generally, under a logic of appropriateness ‘‘notions of duty, responsibility, identity, and obligation may drive behavior as well as self-interest and gain’’ (Finnemore and Sikkink 1998: 913).

Reforming the UNSC is not a hopeless matter. Several interviewees have stressed the importance of presenting the good of the institution itself as the primary objective of reform. Only when a proposal exists that allows every UN member-state to benefit from Council reform

[12] Statement given by Ambassador Hussein Haniff, permanent representative of the mission of Malaysia to the UN on November 15th, 2012.

and that is not overly driven by national interests; only then can the reform process move forward.

2.2 The reform process as a norm and organized hypocrisy

The reform process does not only accentuate that states remain actively committed to reform of the Council, although they remain committed for varying motivations; the process also highlights that talking about reforming the SC at the UN has become an ingrained norm. Even states that arguably favor the status quo over SC reform, cannot publicly denounce the reform efforts without the risk of being socially sanctioned. A norm is generally described as ‘‘a standard of appropriate behaviour’’ (Finnemore and Sikkink 1998: 891). It is surprising that all 193 UN member-states including all of the P5 publicly advocate for a reform of the Security Council. However, it is commonly known that especially China, Russia, and the US are not particularly interested in moving towards swift reform. In fact, certain states despite publicly advocating for reform are rather content with the status quo. Likewise, this does not only apply to the P3 but also states such as Pakistan, which arguably prefers the status quo over seeing a reformed Council with for example, India as a permanent member. Clearly, some states pay mere lip-service to reform in public, yet privately do very little to move the reform process forward. Whether certain states in fact want to spoil the reform process, or are engaged in reform for other reasons than publicly expressed will also be highlighted in the next section. One interviewee has emphasized that the ‘‘talibanistic adherence to procedural rules of some UN members’’ is merely a tool to stall the process (Interview from October 12th, 2015), which is in line with the statement by the Malaysian permanent representative.

In addition, it has been argued that ‘‘socialization is [the] dominant mechanism of a norm cascade…and socialization can be seen as a mechanism through which new states are induced to change their behavior by adopting those norms preferred by an international society of states’’ (Finnemore and Sikkink 1998: 902). Emergent norms must be institutionalized in order to become widely accepted. The OEWG and the IGN have in effect become socializing agents at the UN, and thus contributed to regarding Council reform as being the appropriate task to pursue. Likewise, since ingrained norms are inherently difficult to observe, it is instead a more fruitful approach to analyze whether sanctions are being applied in case a norm is breached. If China, the US, Pakistan, or any other state for that matter would publicly denounce the reform process and utter that they favor the status quo over reform, this action would be coupled with certain political and social costs (Elster 2007: Ch. 22). Nevertheless, some states use the ongoing reform process itself as mechanism to legitimize the eroding authority of the Council by only masquerading that they favor reform and are engaged on the issue. This concept is known as organized hypocrisy.

The concept of organized hypocrisy has been made prominent in IR literature by Stephen Krasner (1999), who characterized the norm of sovereignty as an organized hypocrisy that despite being widely acknowledged was regularly being breached by powerful states, if it served their own national-interests. Similarly, in order to remain academically rigorous, the concept of hypocrisy is derived from sociological and normative institutionalism, which ‘‘emphasizes the importance of cultural aspects of organizational environments in determining the structure and activity of organizations’’ (Lipson 2007: 7). Organizational hypocrisy denotes that some states do not truly want reform, but instead only pay lip-service to the process, while in reality preferring the status quo. Michael Lipson mentions that a case of organized hypocrisy exists

when talk and decisions are not matched with, or are inconsistent with, actions of states. In other words, the UNSC can respond to external normative pressure by promising reform; however, ‘‘if such reform talk and decisions are disconnected from the decision-making structures and processes that actually generate action, then they will constitute organized hypocrisy’’ (*Ibid* p. 15).

In essence to avoid being considered a hypocrite when it comes to the reform process, states must credibly show that they coupled reform efforts with sufficient political will in order to truly bring reform about. If a disconnect between official rhetoric and actual practice exists, it can slow down reform efforts. However, it must be noted that the vast majority of the UN's 193 member-states truly want reform and are deeply dissatisfied with the status quo. Nevertheless, the concept is useful because it can induce insight to whether states, such as China or Pakistan among others, truly want reform or not. Pakistan potentially prefers the status quo and sees it as the lesser evil to actual reform, where its main rival India might be attributed a permanent seat. Thus Pakistan participates in the reform process not because of a normative concern of improving the Council's structure, but rather to prevent its regional rival from increasing its power. Likewise, UN insiders have gone as far as suggested that China is only part of the UfC coalition in order to obstruct progress on reform, and ‘‘a number of sources have asserted that the Ezulwini Consensus [one of the major impediments to reform] was orchestrated by China, probably in an attempt to slow down Security Council reform’’ (Swart and Von Freiesleben 2013: 43).

It becomes evident that motivations vary widely when it comes to explaining why states remain committed to the reform process. Hypocrisy can result from conflicting material and normative pressures and thus impede further reform efforts. Once hypocrisy has been identified,

the problem can start being resolved. One of the UN's functions is to equally represent conflicting worldviews and give each state the opportunity to voice concerns. At the same time it has often been articulated, both in policy as well as academic circles, that much of the UN's work is merely focused on getting the process right and not being concerned with actual outcomes (Weiss 2011). In that sense, the UN is tasked with upholding contradictory goals and principles. During SC reform debates, rhetoric often compensates for a lack of action, making the reform process a clear case of organized hypocrisy. The UN and its member-states routinely fall short of actual commitment, despite officially favoring reform. In the case of UN peacekeeping, Lipson highlights that:

> ''Paradoxically, the failure of reforms may… support organizational survival. Reforms that enhance an organization's capacity to efficiently produce coordinated action *may deprive it of the capacity to function as a political organization*. Conversely, then, the failure of action-oriented reforms preserves the ability of a political organization like the UN to reflect the inconsistencies of its institutional environment, thereby maintaining support in the form of both legitimacy and material resources such as member-states' dues'' (Lipson 2007: 22, *emphasis added*).

This in turn links back to the argument that reform might open a Pandora's Box, and that by reforming the SC it is by no means guaranteed that the Council will function more effectively, gain legitimacy, or become more transparent and accessible as a whole.

Finally, since critical junctures matter for reform, historical analysis of the reform process is carried out. Once certain key decisions have been selected, they ''produce outcomes that set history on a course whose mechanisms or reproduction make the initial selection unstoppable'' (Katznelson 2003: 290; Pierson 2004). The veto and the Council's formal structure were never considered to be a *fait accompli* (see Article 109 of the Charter), and current reform efforts can only be understood when taking history properly into account. The debacle around SC reform

must not be studied as a snapshot in time, but instead be analyzed within the broader context of the UN's creation and development. A historical grounded analysis and inference gained through a historical narrative, helps depicting reform as an ongoing process and not static occurrences (Danchin and Fischer 2010). Finally, the reform issue clearly shows that the Council is still valued by states, because the counter-factual that states turn away from the institution, sideline or neglect it, abandon the reform process, or even create rival organizations cannot be observed. If states would not remain committed to the SC and reform thereof, this would signal that the Council's value is decreasing.

3. The Value of the Security Council

3.1 The symbolic power of the Council

After having thoroughly established the theoretical framework of the paper, this section is dedicated to analyzing the ongoing value and relevance of the Security Council. The Council has been critiqued on the basis of its effectiveness and legitimacy for many years; however, the reform process itself is evidence that the authority of the SC is still being respected. Much of the SC's authority and power is derived through its symbolic character. Furthermore, the symbolic power of the SC is largely exercised through the value states attach to becoming non-permanent members of the Council, the value of adding items onto the SC's agenda, and how the institution itself uses the label peacekeeping akin to a ''corporate trademark'' that only the Council can authorize (Hurd 2008). Symbolic power is not simply ''the power to set the rules of the game,

but the power to 'enframe' the game itself, establishing the practices, categories, and cognitive schemes through which the game is understood and experienced'' (Loveman 2005: 1656).

Symbolic power and other forms of soft power have long been recognized by scholars as adding gravity to more tangible and crude vectors of power. This can be highlighted, when even the most powerful states within the international system are hesitant in pursuing unilateral action without having at least sought prior SC approval. The most obvious example in this regard is how the US has sought SC approval prior to its intervention in Iraq in 2003, and subsequently sought several SC resolutions concerning the resulting occupation of the country. In fact, this case has not as commonly perceived undermined the Council's legitimacy and authority, but instead strengthened it (Glennon 2003). By rejecting the Iraq war, the ''the SC reinforced the legal principles of the Charter on the use of force, and it raised the political costs of unilateralism for the hegemon'' (Hurd 2008: 195).

The SC possesses the monopoly over the authorization of the use of force in international affairs. One way the Council wields symbolic power becomes evident when analyzing the energy states expend on having the Council pay attention to issues of concern to them. Adding topics onto the Council's agenda and publicly discussing issues of interest for certain states carries great symbolic weight. States generally add topics onto the Council agenda to signal that an issue deserves particular attention, and state leaders frequently resort to highlighting that a particular point has been taken up by the UNSC during official speeches. Likewise, because every member-state of the United Nations can raise issues onto the Council's agenda in accordance with article 35 of the Charter, this adds an additional element of power to states wishing to emphasize particular disputes.

When in 1996 new procedural rules within the SC were adopted in regard to the summary statement of the SC and its agenda, many states emphasized the importance of keeping certain disputes onto the agenda, and not automatically erasing them after a period of five years of inaction (Hurd 2002; S/1996/603). States were generally successful in their endeavors to influence the workings of the SC agenda, since according to the current procedures, states simply need to notify the Secretary-General once every year in order to indicate that despite five years of inaction they still remain seized on the matter and would like to keep an issue on the agenda. Since these are procedural rules, the P5 does not possess the power to veto any proposed agenda topics from third states. The symbolic value is accentuated by, for example, Pakistan routinely referring to the conflict over Kashmir with India as the oldest item on the SC's agenda.

Another way to depict the symbolic power of the SC is through becoming a non-permanent member of the Council. It has frequently been argued that states sitting on the Council for a mere two-year non-permanent seat do not wield much tangible power, and generally find it difficult to influence the P5, or advocate their own agenda, partially because they simply lack the necessary expertise and institutional knowledge. Nonetheless, sitting on the Council as part of the E-10 carries immense symbolic weight and prestige (Pouliot 2014). The two-year non-permanent seats are often considered to be too short in duration for states to have a lasting impact. Likewise, non-permanent members often only hold the Council presidency once during their tenure, thus not being able to actively shape the Council's agenda longer than for a single month. In order to mitigate the lack of institutional expertise of the newly elected non-permanent members and acquaint them faster with the SC's working methods, the Council's procedures have slowly adapted over time. The current practice holds that ''the Security Council invites the newly elected members of the Council to attend all meetings of the Council and its subsidiary

bodies and the informal consultations of the whole, for a period of six weeks immediately preceding their term of membership or as soon as they have been elected, if the election takes place less than six weeks prior to the beginning of their terms''.[13]

Moreover, states continue to spend extensive resources on election campaigns, in order to obtain a non-permanent seat at the horseshoe formed table. For example:

> The Netherlands invited voting delegates to performances of the Royal Concertgebouw Orchestra of Amsterdam and took them on cruises of the East River; Canada ran a four year campaign, costing an estimated $1.9 million, that included sending retired diplomats and academics to lobby governments in nearly 100 countries and ended with free tickets to a performance of the Cirque du Soleil in New York; and Greece hosted a weeklong cruise in the Aegean for 120 UN delegates and their families (Hurd 2002: 43).

As becomes evident, merely being visible and performing an often more symbolic function at the Council is still a good valued in and of itself. Likewise, public hearings at the Council and open debates with non-members have increased substantially over the past ten years; however, states still rather become formally recognized as part of the E-10.

Lastly, one of the most visible examples of the Council exercising symbolic power can be found within the realm of UN peacekeeping. A UNSC sanctioned blue-helmet peacekeeping operation is widely regarded as a neutral and credible mission, deployed solely to secure international peace and security for all affected parties, and carry out their mandate with complete impartiality. In that sense, only the UN has the ability to authorize blue-helmets and the peacekeeping label is treated similar to a commercial trademark owned by the SC. This becomes evident, when Russia painted its helmets blue and trucks white, during several 1990s

[13] Note by the President of the Security Council, S/2006/507, 19 July 2006, paragraph 61. Also see A/Res/69/321.

interventions in Tajikistan, Moldova, and Georgia (Hurd 2002: 47; Hurd 2008: 126). In that sense, by imitating UN peacekeeping operations, Russia sought to portray itself as a more neutral and impartial actor during its interventions. Essentially:

> ‘‘The discursive power to apply the label “peacekeeping” lies not with Russia or any other individual state but with the Security Council as an entity with its own corporate identity. This is not a legal or academic judgment but one evident in the practice of the actors involved: states behave as if the Council is the legitimate authority for making these classifications….This poses problems for any model which suggests that states are actors that do not recognize any authority higher than themselves. (Hurd 2008: 128)… And when the Council acts as a gatekeeper, controlling access to the legitimating symbols under its authority, it gains some autonomy in the international system’’ (Hurd 2008: 134).

Likewise, since economic sanctions issued through the UN and SC resolutions are widely considered as legitimate since they ideally represent the voice of the entire international community; one strategy of former Colonel Qaddafi of Libya, in undermining the sanctions regime imposed on his country after the 1993 Lockerbie incident, was to depict the UN as illegitimate, employing double-standards, and being biased towards the West. However, this attempt in undermining the UN was largely rendered fruitless, because ordinarily states in essence cannot choose when to recognize the SC and when not. Essentially, the SC is a powerful actor on the world stage, because it still enjoys high levels of legitimacy, and ‘‘legitimacy in an international institution changes the strategic environment for states and so affects their behavior, even beyond those states that have been socialized to see the institution as legitimate’’ (Hurd 2008: 47). Likewise, the UN’s Global Compact, a strategy to foster more ethically sound business practices around the globe, which is endorsed by the UN, various NGOs, MNCs, and civil society, was also used as a symbolic tool by certain international enterprises to ‘‘blue-

wash'' their corporate business practices. It becomes evident that the Council still wields great amounts of power and authority on the international stage, thus explaining why states continue to push the reform process forward and cannot afford to neglect the Council altogether.

3.2 The SC as an information provider and elite pact

A different example of how the Security Council is able to affect state behaviour and shape states interests, is due to its unique position located at the center of the globe's collective security regime, and thereby also being based at the very heart of distributing valuable information regarding peace and security. A distinct rational choice argument is brought forth by scholars, such as Thompson and Voeten. Chiefly, the Security Council possesses valuable information unobtainable to other states not sitting on the Council. Likewise, the Council increases the transparency of states' intentions and information about why states are seeking Council resolutions. Security Council authorization ''can be seen as an impartial certification that an adversary does indeed pose a threat to international peace and security, and that the use of force is not intended to serve the narrow interests of a single country'' (Thompson 2006: 12). Hence, IO's can provide information and thus transparency about other states' intentions.

When the Council in fact authorizes an intervention, this in turn signals impartiality and that the use of force is not intended for the narrow self-interest of a single country, thereby not posing a threat to other states. Thompson also points out the diverse nature of the Council's membership, with the E-10 being elected according to regional representation. This heterogeneous compilation of diverse member-states adds to the Council's perceived impartiality and neutral decision-making function. Even though the author emphasizes that the Council has

little procedural legitimacy since many decisions are taken during informal hearings and gatherings in a way that reduces transparency greatly, the Council's function as an information provider to other states remains highly valued. Thompson points towards the legitimation function of the SC, and when ''a coercing state works through a sufficiently neutral IO, this sends information to both foreign leaders and their publics, information that can determine the level of international support—material or political'' (*Ibid* p. 3). By working through the UNSC instead of acting unilaterally indicates that a state is willing to accept restraints on its use of force and that it generally has benign objectives (Hawkins et al 2006: Ch. 10).

Viewing the Council as a neutral information transmitter also suggests that states can strategically use the Council for their own interests, but nonetheless due to its perceived legitimacy are not free to choose when to take the SC into account and when it can be ignored. Even though, the Council is often critiqued on basis of its undemocratic character and special position of the P5, one should not discard the relevance of the E-10. Although, the E-10 lack hard power ''the Council gains much of its legitimacy from two facts: that the majority of its members are non-permanent, serving two year terms, and that they, unlike the permanent members, are *elected* by a two thirds majority of the General Assembly'' (Einsiedel et al 2015: 203, *emphasis added*). Many small and medium sized states do neither have the capacity to obtain information nor the expertise regarding international conflicts, in comparison with the wider UN. Thus, the SC remains a valued organization that is worth maintaining and reforming. Likewise, regarding the SC as a neutral information provider highlights the distinction that some states are engaged in the reform process and value the Council because they can benefit through an improved Council as a whole, or however, some states merely use the SC to legitimize their strategic interest. Thompson emphasizes that ''it is quite likely that actors are motivated by both

rationalist and normative concerns, and any complete theoretical account of the legitimation effect should include both components'' (Thompson 2006: 30). This becomes even more important considering that empirically entangling both logics is difficult, because their effects are observationally equivalent.

Lastly, Voeten argues that member-states value the Council for its function as an elite pact. An elite pact can generally be described as ''an agreement among a select set of actors that seeks to neutralize threats to stability by institutionalizing nonmajoritarian mechanisms for conflict resolution'' (Voeten 2005: 528). Furthermore, when the SC authorizes the use of force, the great powers and the states that cooperate to settle a dispute should not be challenged. The SC's ongoing relevance and value is explained as an institutionalized manifestation of the great powers, and how this elite pact can foster cooperation in the midst of a security dilemma. Moreover, especially small states value the SC, because the Council is able to constrain great powers, at least to a certain extent. Voeten points out that ''if, however, the United States exercises force in the absence of SC authorization, other states should challenge it and its allies, for instance, by reducing cooperation elsewhere'' (*Ibid* p. 543). Council authorization is valued because it indicates that no costly challenges will result from its actions; however, the absence of SC authorization can signal increased possibilities for costly challenges and reduced cooperation.

Nevertheless, the elite pact argument has been critiqued by some scholars based on empirical grounds. It has been widely accepted that smaller powers do not accept the structural dominance and institutional privileges of the P5, and there is ''no evidence that states praise the SC for holding the great powers together'' (Binder and Heupel 2015: 247). These same scholars also accentuate that the Council still enjoys enough rudimentary legitimacy to exert considerable authority within the international system. Their analysis shows that 65% of all negative

statements made by states' representatives during Council reform debates refer to the SC's procedures and working methods (*Ibid* p. 245). This should send a strong signal especially towards the ACT reform coalition, which is continually working on improving the Council's working methods, and strengthening the SC in its current composition rather than waiting for prolonged structural reform to occur. In fact, the empirical analysis carried out by the aforementioned scholars suggests that the SC can continue to prolong widely demanded reforms without being viewed as entirely illegitimate.

3.3 The broadening scope of security and related matters

Within the past 25 years, and the end of the ideological divide between the former Soviet Union and the USA, which has crippled the functioning of the UNSC immensely; the UNSC has gradually expanded its reach into almost all matters of international life. The broadening notion and definition of security related threats is particularly noticeable. According to Chapter VII of the UN Charter, Article 39 reads that ''the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security''. This gives the SC much leeway in deciding what truly constitutes a threat or breach to international peace or security and what does not. In the past years the UNSC has expanded its definition of security from previously a rather state-centric and traditional view to include threats such as environmental degradation, global pandemics, or economic and social matters. This re-interpretation of its charter mandate has led to many criticisms of the UNSC, stemming from both national governments, as well as, other UN organs and agencies, most notably ECOSOC and the GA.

Many observers and diplomats argue that the SC is encroaching on issues that are believed to be within the exclusive authority of other UN bodies. The L69 and AU group in particular are voicing similar concerns. Moreover, Russia has recently argued that by ‘‘dragging the General Assembly agenda into the Security Council draws the Council and its members away from fulfilling their main task’’.[14] On the other hand, several other states accentuate the need for closer cooperation between the various UN organs and agencies, and highlight that security and economic or social matters are inherently connected and inter-related, and fall neither between the exclusive jurisdiction of either the SC nor any other UN body (Interview, October 24th, 2015). Likewise, GA resolution A/69/321 stresses that the ‘‘relationship between the principal organs of the United Nations is *mutually reinforcing and complementary*, in accordance with and with full respect for their respective functions, authority, powers and competencies as enshrined in the Charter’’ (*emphasis added*).

Nonetheless, through the widening notion of security, the Council has also expanded its authority and value within international relations. The UN Charter itself should not be regarded as a static document, but instead more of a living framework able to evolve over time, even in the absence of formal amendments. It is largely because the charter has an open-ended intent, which permits a genuine flexible interpretation (Alvarez 2005). One example of how the SC widened its mandate is by acting more as a legislature and law-maker, thus effectively taking power away from the General Assembly. Traditionally, when the Council adopted resolutions, those same resolutions were constraint both in time and spatial terms. Generally, the Council traditionally did not adopt sweeping resolutions binding on a manifold of member-states at the same time. However, this practice changed with the onset of global terrorism, and particularly

[14] Speech by the Russian representative, 7539th Meeting, Tuesday, 20 October 2015, 10 a.m., New York.

SC resolutions 1267, 1373, and 1540. For example SC resolution 1540 calls upon *all* states ‘‘to adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral nonproliferation treaties’’. It has commonly been argued that many resolutions in regard to terrorist financing and related matters are not geographically or timely limited, hence similar to law-making and thus an ‘‘attempt by the UNSC to make global law’’ (Alvarez 2005: 198). Likewise, the Council used its charter discretion by establishing international war crime tribunals during the 1990s after the civil war in Rwanda and former Yugoslavia. Much of this debate stems from the fact that the SC is not primarily a legal actor, but a political one.

As one can see, ample reasons exist why the SC is still being valued. Rather than being sidelined or supplanted, states continue to push for reform and improve the institution. However, motivations for this push towards reform vary as we will see in the next section of this paper. Clearly, the UNSC is a unique IGO both in political and legal terms. The charter gives the UN and thus the SC clearly legal superiority over any other international institution that might develop and come into existence. Article 103 of the Charter reads that ‘‘in the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail’’.

While some states focus on the prestige that a Council seat entails and regard it virtually as an entitlement to obtain a seat, or however, other states emphasizing that a seat should be regarded more as a responsibility not a privilege stemming from the coercing capability of the SC, is of paramount importance in comprehending the SC reform process. For the continuing relevance and legitimacy of the SC it is utterly significant that the actions of the SC must be

perceived not in any particular interest of the Council itself or any of its members, but in the interest of peace and in the interest of the people who are the victims of violent conflicts throughout the world (Interview from October 7th 2015). The reform process can only advance once the debate is not regarded as a zero-sum game or within the national interest of particular countries. In the words of the former permanent representative of Singapore, ‘‘not once in this entire debate on Security Council reform have we heard any major state declare that it deserves permanent membership because it is willing to give a solemn commitment to put global interests ahead of national interests’’.[15] Therefore analyzing the reform process through the lens of state motivations can both improve our understanding of why the reform process has been dragging on for over two decades while commitment has remained ongoing, and also possibly help in discerning what proposals are most likely going to benefit the international community as a whole.

4. The Reform Debate

4.1 The reform process hitherto

In order to completely understand the reform process of the Security Council, a sound and historically grounded analysis is imperative. Reform, it has been argued by some scholars and policy-makers, could easily be turned into a party game these days. However, achieving genuine reform remains of the utmost importance. The ratio between the Security Council and the general membership of the UN was 21% in 1945 (a ratio of 1:5), 13% in 1965 (a ratio of 1:8)

[15] Speech given by the permanent representative of Singapore, General Assembly 55th session, 64th plenary meeting, Thursday November 16th, 2000, 10 am, Question of equitable representation on and increase in the membership of the Security Council and related matters.

and less than 8% (a ratio of 1:13) at present (Facilitators Report, April 19, 2007). Nevertheless, as already noted by the South African representative to the UN in late 2000, ‘‘no matter how desirable it would be in principle, we will never be able to reach complete consensus on the question of how to increase the membership of the Council’’[16] In this following section, a brief timeline of the reform process will be provided for, including an analysis of the various major reform coalitions engaged in the debate, as well as the various proposals promoted over the past 23 years. Despite the longitude of the reform process and the blatant disagreements among member-states in how to ideally reform the Council, the reform issue is not likely going to disappear from the General Assembly’s agenda any time soon. Even though some close observers of the reform process have argued that by the UN’s 75 anniversary in 2020, compromise has either been reached or the issue will be finally shelved (Swart 2015: 5).

When analyzing reform efforts it is crucial to remember, as the current PGA Mogens Lykketoft points out that ‘‘we must never lose sight of the fact that, at any given moment, 178 Members of the United Nations are not members of the Security Council, and that some 35 per cent of the membership has never even served as Council members’’[17] Moreover SC reform has not only been such a protracted issue due to differing views over institutional design, but more significantly due to the fact that reform is essentially a political charged topic with vital national interests at stake. Simply put, reform ‘‘is a loaded word because its meaning is often so subjective and because any significant change will affect the power relations and the status of particular member states’’ (Fasulo 2009: 56). Historical reasons can help explain why the current structure of the UN and the SC has arguably become outdated over the years, and why it was

[16] Statement given by the South African representative, A/55/ PV. 64, General Assembly 55th session, 64th plenary meeting, Thursday November 16th, 2000, 10 am, Question of equitable representation on and increase in the membership of the Security Council and related matters.
[17] S/PV.7539, 7539th Meeting, Tuesday, 20 October 2015, 10 a.m., New York.

designed this way in the first place, since ‘‘the essential basis for an attempt to anticipate the future of the United Nations is an understanding of its past’’ (Claude 1968: 106). The importance of history becomes clear when analyzing the past of the UNSC and its reform process. The concept of path dependency according to Thelen and Pierson is especially noteworthy at this point. Once certain rules become established and ingrained, it can be greatly difficult to reverse or overturn them. Likewise, critical junctures, institutional equilibria, and unintended consequences must be thoroughly understood, and ‘‘the distributional biases in particular institutions or policies ‘feed back’ so that over time, some avenues of policy become increasingly blocked, if not entirely cut off’’ (Thelen 1999: 26).

A major shortcoming of the League of Nations, the predecessor of the current UN, for example, has been the League’s exaggeration of the equality between the great and small powers. To be fair, the League did accomplish certain objectives in trying to preserve the peace, such as solving border disputes between Finland and Sweden, convincing Greek and Yugoslav forces not to invade Albania, or convincing Greece to withdraw its forces from Bulgaria in 1925. In 1934 the League even ‘‘dispatched a tiny peacekeeping force to hold onto a buffer zone between Colombia and Peru (Schlesinger 2003: 26). However, it is well-known that with the isolationist stance of the United States of America, the 1932 invasion of Manchuria by Japan, and Italy’s incursion into Ethiopia sealed the fate of the League of Nations.

Plans for creating the United Nations organization started already early during the 1940s in the midst of World War II and culminated with the ratification of the UN Charter on October 24th, 1945. The 1942 created Atlantic Charter, the 1944 negotiations in Dumbarton Oaks, the 1945 Yalta conference, and the nine-week long conference in San Francisco in 1945, all have led to the establishment and current structure of the UN and the Security Council. Prior to 1945, it

has often been argued that the UN Charter risks freezing in the ‘‘post war world in a rigid pattern created by expedient decisions made during the war’’ (Schlesinger 2003: 168). This fear has proven to be correct and is precisely what has hampered the UNSC reform process in practice.

In the end, the newly created UN seemed to fall somewhere in between President Roosevelt’s envisaged idea of the so-called four policemen, and the highly admired ideals of the League, which was needed in order to keep the smaller nations satisfied with the new structure. Changing the UN Charter, which some interviewees have referred to as the constitution of the world, is extremely arduous. According to Chapter XVIII, Article 108 ‘‘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 process by two thirds of the Member of the United Nations, including *all* the permanent members of the Security Council’’ (*emphasis added*). The biggest change compared to its predecessor came through the enforcement power of the newly created UNSC. Since the League’s covenant had only given its council the power to recommend armed military intervention or the use of force against an aggressor state, but contained no provision to actually carry out its decisions; the UNSC had to be given a stricter mandate and the tools to carry it out. The veto power, which will be addressed in the next section in greater detail, is one of the cornerstones of the UN framework. In order to secure lasting peace and convince the Soviet Union as well as the United States to sign on to the new world organization, the great powers were given special privileges; a system that was preferred over the unanimity rule under the League’s covenant. Nevertheless, despite the significance of the veto during the creation of the UN, it has also become one of the focal points of reform efforts and subject of contention, already since the SC’s early beginnings in 1945.

Reforming the current composition of the UN Security Council can either be achieved from above or below, it has been argued (Gowan and Gordon 2014: 6). Reform from above would entail forging an elite consensus among the P5 and other member-states directly involved in the reform issue. However, this process is not likely going to succeed and has been deemed as illegitimate by some observers. A different and arguably more inclusive approach towards reform is through pushing reform from below and trying to achieve a two-thirds majority in the GA, thus obtaining the legally required votes in order to amend the charter. Clearly, in an organization of 193 member-states and seemingly twice as many views on how to best achieve reform, obtaining this two-thirds majority is troublesome.

However, institutional reform of the UN is not impossible as the past has indicated. The Council was enlarged to its current 15 members in 1965. Other examples include the enlargement of ECOSOC in 1965 and 1973, and more present institutional changes such as the creation of the Human Rights Council in 2005, the Peacebuilding Commission, and UN Women. In essence, the SC reform process is not a failure of the United Nations as such, but more of a deficiency on the part of states in reaching consensus. The UN and particularly the Security Council were never intended to ‘‘get us to heaven but [instead] save us from hell’’ (Weiss et al 2007: 367) in the words of former SG Dag Hammarskjöld. In like manner, reform is unlikely going to occur until strong evidence exists that not reforming the Council has serious negative repercussions, and could potentially undermine the entire world organization.[18]

[18] A former high level UN civil servant pointed this out to me.

4.2 The main reform coalitions and reform proposals

The following paragraphs will first introduce the major reform coalitions involved during both official and unofficial negotiations including the P5, L69, G4, African group, UfC, and ACT coalition. Furthermore, the proposed reform proposals with the beginning of the early 1990s and GA resolution A/Res/47/62 and A/Res/48/264 leading up to the most up-to-date proposal, GA decision 69/560 will be presented. Arguably, one of the most powerful groups of states yet least vocal in regard to reform is the P5. The current permanent members of the SC can be split up between two groups of states. On the one hand, the P2 consisting of France and the United Kingdom have repeatedly supported calls for further Council reform. On the other hand, the P3 consisting of China, Russia, and the United States, despite public rhetoric advocating reform, often stand rather on the sidelines and observe the reform process more passively. In fact, several observers pointed out that China's involvement in the UfC coalition is for the sake of hampering the reform process and prevent it from successfully concluding (Swart 2013). Likewise, several interviewees mentioned that even though France and the UK publicly support the reform process and are also the only two permanent members who signed the ACT code of conduct for limiting the use of the veto in case of atrocity crimes; these two states only promote changing the Council's composition because they are aware that genuine reform is very unlikely. Similarly, interviewees accentuated that France and the UK can count on the USA to exercise its veto in case an unfavorable reform proposal achieves momentum. Essentially, some observers argue that France and the UK use the reform process itself in order to legitimize and defend their own institutional privileges.

In fact, despite the P2 possessing the veto power, they cannot legitimately make use of this prerogative anymore. If rules are biased towards the strong, this in turn can be problematic

for the legitimacy of the UN (Cronin and Hurd 2008). Since both France and the UK have practically lost their great power status they once held during the post-war period, these states cannot legitimately exercise their veto any further without risking harsh criticism from the international community. It has been said that ‘‘if the UK and France would use the veto this would result in a political explosion’’ (Einsiedel et al 2015: 159), and that France and the UK must earn their legitimacy to sit on SC daily through extraordinary performance. The main difference between France and the UK in advocating SC reform lies in their different stance regarding the issue of the veto for possible new permanent members. Both states generally support the G4 proposal that endorses increasing SC seats both in the category of permanent and non-permanent seats, yet the UK is largely against extending the veto power to new members, whereas France would accept new permanent members with the same privileges enjoyed by the current P5 (Framework Document July 31st, 2015). However, some interviewees also noted the fact that the P2 might only favor reform to permanently ‘shut the door’ and leave their veto privileges untouched. The rest of the P5, namely the P3 is more hesitant in regard to Council reform. Clearly, the status quo works in favor of these states, and the P3 is largely guided by the logic of consequences and strategic calculations rather than the logic of appropriateness.

Nevertheless, despite the passive stance towards reform by the P3, several interviewees pointed out that they generally do not support the official IGN process per se, since reform debates are largely discussed in the General Assembly and not within the Security Council where the P3 dominate. Hence, even the most powerful members of the UN cannot entirely control the path of the reform process. Similarly, when debating reform of the SC’s working methods, the British representative Emyr Jones Parry stated in regard to the S5 proposal that ‘‘I don’t like it. It presumes the General Assembly should tell the Security Council what to do’’ (Swart 2013: 10).

Generally, the P3 would support a moderate expansion of the Security Council with no more than 21 member-states in total, although they do not agree on which states to add. Generally, official statements by all government representatives must be analyzed critically. The P5, but also several other states, such as Pakistan or Argentina are content with the slow-moving reform process since reform is likely to alter global and regional power dynamics.

One academic interviewee emphasized that Russia does not truly ‘‘get anything out of the UN, and without the veto would probably retract from the organization altogether’’ (Interview from October 13th, 2015). Nevertheless, Russia repeatedly stated that:

> ‘‘The reform of the UN Security Council is one of the most important issues on the agenda of this world organization. In the situation when positions of the main groups of states - those who support the idea of the UN Security Council's expansion in both categories and those who do not - remain polar, one can advance in the negotiating process only by searching for a compromise. In these circumstances we are prepared to consider any reasonable option of expanding the Security Council including the so-called "intermediate solution", which is actually a compromise solution, provided that this option enjoys the widest possible consent at the UN. Working methods should be tackled by SC and not GA- However, the leading role in this process should belong to the Security Council itself as the only legitimate master of its own procedures and working methods’’ (Annex I, Framework Dcoument, July 31st, 2015).

Further, the stance of the United States has largely remained unchanged over the past two decades. Since the early 1990s the US has advocated for permanent seats for both Japan and Germany. However, after the German government’s decision not to support the US during the 2003 Iraq war, support for the German bid for a permanent seat has eroded. Likewise, it remains

unlikely that China would support a permanent seat for one of its main regional and historic rivals, Japan.

China itself, similar to Russia, has openly advocated for a new composition of the SC and is a strong supporter of adding developing countries as new permanent or non-permanent members. However, due to its informal observer role within the UfC coalition, a group often dubbed as 'the spoilers' and partially responsible for protracting the reform debate, China's stance can be identified as organized hypocrisy, in accordance with Lipson (2007). Official rhetoric is not being matched with genuine practice. Although China arguably prefers the status quo over reform, it cannot publicly say so or officially denounce the reform process. This behaviour can be compared to following and abiding by a social norm. The international community views and recognizes Council reform as ''the standard of appropriate behavior'' (Finnemore and Sikkink 1998: 891). Moreover, a number of sources ''have asserted that the Ezulwini Consensus [one of the major impediments to reform] was orchestrated by China, probably in an attempt to slow down Security Council reform; a claim that some African diplomats find highly insulting'' (Swart and Von Freiesleben 2013: 43).

A second major reform group actively engaged during the reform process since the early 1990s, however, only formerly being recognized as the Group of Four (G4) since 2005, consists of Brazil, Germany, India, and Japan. The G4 promotes adding six permanent seats, four of which they themselves would occupy, and also increasing the category of non-permanent seats from 10 to 14. Germany and Japan were among the first member-states in the early 1990s to portray themselves as 'natural candidates' in case of Security Council expansion. Germany and Japan made their aspirations for permanent membership clear, dating back to the first official GA resolution centered on SC reform (A/48/264) from 1993, a document summarizing the views of

all UN member-states in regard to Council reform. Adding Germany and Japan as new permanent members became known as the Quick-Fix solution during the mid-1990s.

The German representative emphasized that ‘‘the Federal Government is gratified that a number of Member States have expressed the view that the federal republic of Germany should be a natural candidate for permanent membership on the Security Council. It regards this as an appreciation of its political, material, financial, and personnel contribution towards preserving world peace. The Federal Government is also prepared to assume the responsibilities which permanent membership of the Security Council entails’’ (A/48/264, page 44). Likewise, Japan’s bid for permanent status stems largely from its financial contributions, with being the second largest contributor state to the UN’s overall budget. However, Japans contributions have decreased in the past 10 years from a record high in 2005 with paying 19.5% of the UN’s regular budget to currently paying a mere 10.8% according to official UN data.[19] This could potentially signal that Japan’s desire to become a permanent member is slowly eroding over the course of time. Similarly, a permanent seat at the SC is viewed as a responsibility rather than a right, and Japan’s often neutral stance on international disputes is not always welcomed by the wider Council membership. One interviewee described the Japanese as ‘‘the champions of abstaining’’ (Interview from October 7th, 2015). Especially with the currently growing SC agenda, Japan is possibly less willing to take on a more active and assertive role in international affairs.

In contrast to Germany and Japan whose international profile has arguably decreased in the past two decades, though not in absolute but relative terms, Brazil and India, both emerging regional and possibly global powers form the remainder of the G4 coalition. Overall, the G4 claims to have over 100 supporters among the UN membership, though precise numbers are

[19] 2005: ST/ADM/SER.B/638; 2015: ST/ADM/SER.B/910.

difficult to evaluate and are constantly in flux (Pouliot *forthcoming*; Swart 2015: 3). India, an emerging global power does not face the same problems as Japan and Germany, who would like to see reform occurring sooner rather than later. The official position of the G4 towards reform, as displayed in the draft resolution from July 2005 (A/59/L.64) has remained stable over the past 10 years. The G4 advocates for:

> That the membership of the Security Council shall be increased from fifteen to twenty-five by adding six permanent and four non-permanent members; (b) That the six new permanent members of the Security Council shall be elected according to the following pattern: (i) Two from African States; (ii) Two from Asian States; (iii) One from Latin American and Caribbean States; (iv) One from Western European and Other States; (c) That the four new non-permanent members of the Security Council shall be elected according to the following pattern: (i) One from African States; (ii) One from Asian States; (iii) One from Eastern European States; (iv) One from Latin American and Caribbean States (A/59/L.49).

Likewise, the G4 promotes the idea of extending veto rights to new permanent members, although it is agreed that the veto will not be exercised in the first 15 years after reform has been achieved. Positive votes in the Council would then require a 14 out of 25 majority with the absence of any cast vetoes.

However, especially Germany and Japan have softened their stance in regard to extending veto rights to new permanent members in the past years. Whereas Brazil and India would not accept permanent membership without the same privileges as currently enjoyed by the P5, Germany and Japan are willing to accept an increased role at the horseshoe formed table without extending the veto right. Several interviewees pointed towards a possible rift among the G4 coalition and especially between the emerging powers Brazil and India, and declining ones,

namely Germany and Japan. Lastly, it can be said that since becoming a permanent member for the G4 is largely due to a feeling of entitlement (Interview from October 15th, 2015) and the G4 consists of rich and powerful countries, these states are mainly driven by the logic of consequences.

The coalition directly opposing the G4's bid for permanent membership is the UfC, or Uniting for Consensus coalition, previously also known as the coffee club (Hellmann and Roos 2007). The UfC consists of states such as Italy, Pakistan, Argentina, Canada, Columbia, Mexico, South Korea, Spain, and Turkey, with Indonesia and China acting as indirect observers. What is striking is that this coalition was largely formed on the basis of regional rivalries when compared to the G4 membership. The UfC staunchly opposes any expansion of the permanent category of membership and instead favors either solely expanding non-permanent seats or creating a new category of semi-permanent seats with varying tenures.

Since the UfC members would directly lose to a regional rival if expansion of the permanent membership category were to occur, it is largely strategic self-interest that drives UfC motivations. These states are largely driven by the logic of consequences, with notable exceptions such as Canada. The example of Italy highlights this fact well. Italy has for almost two decades been one of the most visible and vocal opponents of extending permanent membership in the SC. Despite being in favor of semi-permanent seats or a similar third category in addition to the existing permanent and non-permanent categories since the very beginning of the reform process, in 1993 Italy emphasized that ''should it be decided to increase the number of permanent members, Italy feels entitled to be one of them, on the basis of its record as one of the major contributors to the United Nation and to the peace-keeping operations decided on by the Security Council'' (A/48/264, page 52). Likewise, several scholars have argued that ''the

strategy pursued by Italy has been to counter all attempts to give Germany and Japan a privileged role in the SC as that would have serious consequences for Italy in terms of prestige and international political clout. Italy has, for the time being, achieved its main aim of blocking the unfavourable reform'' (Pedrazzi 2000: 55).

As a result, the UfC has been labelled by several UN diplomats, observers, and interviewees as spoilers of the reform process. However, this accusation is not entirely justified. The original draft resolution by the UfC in 2005 (A/59/L.68) promoted an expansion of the Security Council in the non-permanent category, in order to ensure fairer opportunities for participation to all Member States. Likewise, the UfC is convinced that periodic elections and re-elections are the strongest means to promote palpable accountability, allow for frequent rotation and fair and equitable representation of the Member States in the Security Council. The UfC proposal were to add 10 non-permanent members to the existing E-10 and P5. However, critics have suggested that non-permanent members in the Council do not exercise much leverage, and in practice the Council consists of ''5 members and 10 observers'' (Einsiedel et al. 2015: 158). The proposal of 2005 has since somewhat evolved, and in 2010 Italy and Colombia presented several alterations to the previous proposition. In 2010 Italy and Colombia drafted A/64/CRP.1. In this document, the UfC promotes a third category of non-permanent seats with 3-5 year long tenures without the possibility of immediate re-elections, as well as, increasing the number of the regular 2-year non-permanent seats, however, with the difference of allowing up to two immediate re-elections. Under Chapter V, Article 23 of the UN Charter immediate re-election for non-permanent members is currently not possible. Furthermore, the Colombia-Italy proposal stipulated that the Council ought to adopt formal rules of procedure, abolish or restrict the veto to

only Chapter VII mandates, and create a review conference 10-16 years after reform had taken place.

As previously stated, many UfC members advocate the increase of non-permanent or semi-permanent seats, because they would likely lose a permanent seat bid to strong regional rivals thus suggesting the logic of consequences. Likewise, it has been suggested that for states such as Argentina or Pakistan, prolonging the reform process can be characterized as a foreign policy success, since those states prefer the status quo over seeing their regional rivals gain permanent representation at the SC (Interview from October 16th, 2015). However, other states, most prominently Canada, is more pragmatic in its approach towards reform. Canada is a staunch supporter of finding a consensual solution to the logjam on Council reform. Likewise, Canada is not against the idea of permanent membership per se as pointed out by several internal UN observers (Interview from October 21st, 2015). Instead, Canada simply believes that the benefits of increasing the non-permanent membership, outweigh the benefits of adding more permanent members. Thus it can be argued that Canada is more guided by altruistic and normative values, and increasing the Council's transparency and accountability as a whole, signaling the logic of appropriateness.

A third major reform coalition consists of the African group steered by the Committee of Ten (C-10), and operating under the Ezulwini Consensus of 2005, as displayed in GA draft resolution A/59/L.67. The main logic of action driving the behaviour of the African group is two-fold in nature. On the one hand driven by strategic calculations, on the other hand, more based on identity and the logic of appropriateness. Since the African bloc represents a total of 54 countries and virtually no other member-state denies the underrepresentation of African countries at the SC, it has frequently been said that ''Africa is the *heavyweight* in Security

Council reform discussions'' (Gowan and Gordon 2014: 5) and the C-10 is the key to unlocking the gridlock during the IGN reform process. The official position of the C-10, currently led under the stewardship of Sierra Leone, is the Ezulwini Consensus which has remained unchanged for over a decade after being agreed upon in Swaziland 2005 during an African Union summit. The Ezulwini agreement stipulates to:

> ''Enlarge the Security Council in both the permanent and non-permanent categories and improve on its working methods; (b) Accord the new permanent members the same prerogatives and privileges as those of the current permanent members, including the right of veto; (c) Grant Africa two permanent and five non-permanent seats in the Security Council and increase its membership from fifteen to twenty-six with the eleven additional seats to be distributed as follows: (i) Two permanent seats and two non-permanent seats for African States; (ii) Two permanent seats and one non-permanent seat for Asian States; (iii) One non-permanent seat for Eastern European States (iv) One permanent seat and one non-permanent seat for Latin American and Caribbean States; (v) One permanent seat for Western European and other States'' (A/59/L.67, 18 July 2005).

It is crucial to point out that the Ezulwini consensus' persistence on the veto is arguably the single most important obstacle to overcome in order to reform the UNSC. A different obstacle to overcome for the AU is the decision of which African countries ought to occupy the two permanent seats that the AU demands. According to official statements by the African delegations and personal interviews with several African missions, this decision has not yet been made and will only be discussed once a consensual reform proposal exists and is voted upon. Also, the decision that the AU alone decides internally which country should run for a non-permanent seat has caused friction during the reform process. Since at least three major African countries aspire to become permanent members, namely Egypt, South Africa, and Nigeria, but

also other African states including Ethiopia, Ghana, or Senegal feel entitled, has led to ‘‘the same kind of internal divisions found in the other regions…and there are self-nominated candidates…and those who oppose them including competing large countries and disgruntled neighbors (Swart 2015: 7).

Comparable to the G4 division on whether to extend veto powers or not, some African leaders have called on the AU to soften their stance regarding the extension of the veto. For example, former Nigerian president Obasanjo ‘‘had warned African leaders of the consequences if they did not compromise: The main issue before us, he said, is to decide either that Africa will join the rest of the world, or the majority of the rest of the world, in bringing to a conclusion a demand for UN reform, or if Africa will stand on a nonnegotiable position which will certainly frustrate the reform efforts’’ (Swart and Von Freiesleben 2013: 8). Most UN diplomats and representatives agree that the African demand for a veto is a non-starter, as Professor Weiss of the City University of New York put it. Also, one interviewee mentioned that the African demand for veto rights could be used as a potential bargaining chip later on once a resolution is more imminent, and that they would eventually drop their demand (Interview from October 7th, 2015).

In the case of the AU and C-10 reform coalition, the logic of consequences, as well as, the logic of appropriateness can be observed. On the one hand, several key players among them Egypt, Nigeria, or South Africa are clearly driven by strategic interests and obtaining a permanent seat, not only for Africa but primarily for their own national prestige and leverage. The remark by the Nigerian president and his willingness to give up the veto supports this assertion, and largely rejects pan-Africanist claims. However, since the two logics of action according to March and Olsen, always tend to co-exist although to varying degrees, several

African member-states are more driven by identity-related factors than strategic thinking, which signals the logic of appropriateness. Most African states link the pursuit of permanent and non-permanent membership to correcting historical injustices. One interviewee even linked the struggle over Council reform to the decade long fight against colonialism. Even though for some states, the ‘‘current quest for permanent seats is similar to the past quest for being recognized as a world leader, not altruistic values’’ (Danchin and Fischer 2010: 109), this is somewhat of an overgeneralization. The AU makes clear that it bears ‘‘in mind the undeniable fact that in the year 1945, when the United Nations was being formed, most of Africa was not represented and that, as a result, Africa remains to this day the only continent without a permanent seat in the Council’’ (A/59/L.67). Since most current UN peacekeeping operations are located on the African continent, yet Africa has a mere three non-permanent seats, this claim is aptly justified.

Similarly, a different reform coalition called the L69, named after the 2007 submitted draft resolution A/61/L.69 and sponsored by India with several other prominent co-sponsors including Brazil, South Africa, and Nigeria, also advocate for an expansion in the permanent and non-permanent category of membership (Swart and Von Freiesleben 2013). The L69 largely consists of developing countries and takes a cross-regional approach. As one can see, there is an overlap between several G4 and C-10 countries within the L69. In the original 2007 proposal by the L69, the group did not specifically refer to the expansion of possible veto rights. However, over the duration of time their stance seems to have hardened, with declaring in 2012 that veto rights should be extended to new permanent members. This signals a growing convergence between the L69 and C-10 coalition.

A last reform group, not officially participating in the IGN process that was launched in February 2009, is the so-called ACT coalition. ACT stands for Accountability, Coherence, and

Transparency. The ACT group is based on the remnants of the previous S5 group, which was active during the late 2000s and largely failed in achieving its goals of reforming the Council's working methods. The ACT group is led under the stewardship of Switzerland, and includes 27 states from several regions of the world. It is noteworthy to point out that the ACT group solely works towards reforming the Council's working methods and procedures in its *current* composition, and does not aspire to be another reform group stalling the process even further. The ACT is particularly significant since its members are *not* primarily driven by strategic motivations, but instead rather normative values and the logic of appropriateness. Many states ''that have no clear stake in the efforts to enlarge the council have consistently emphasized the importance of the way in which the council conducts its business'' (Einsiedel et al 2015: 175). This pragmatic approach serves to improve the functioning of the Council as a whole and for the good of the entire international community, instead of serving mere narrow self-interests. The ACT coalition will be discussed further when analyzing the reform process surrounding the Council's working methods. Likewise the ACT 'code of conduct' launched by Liechtenstein on October 23th, 2015, to limit the use of the veto and any negative votes from non-permanent Council members in case of atrocity crimes, can inconceivably be labeled as self-interested.[20]

[20] The code of conduct can be located at http://www.unelections.org/files/Code%20of%20Conduct_EN.pdf.

4.3 Milestones during the reform process

This section concludes presenting the various reform groups in existence during the Council reform process to date, and the chapter will now turn towards some major milestones during the 23 year-long reform process, starting with the 1993 establishment of the Open Ended Working Group (OEWG) in accordance with resolution A/Res/48/26.[21] Calls for reforming the UNSC have been heard in the GA since the latter part of 1979. However, with the establishment of the OEWG, which was sidelined by the IGN process commencing in early 2009, SC reform gained momentum. The OEWG sometimes dubbed as the Never Ending Working Group by UN insiders (Fasulo 2009; Weiss 2003, 2011) is significant, since despite its often sporadic meetings, the group started consulting with an array of diverse member-states and served as the main platform for exchanging views on Council reform. However, since consensus remained elusive and a quick-fix solution for SC reform impossible to achieve, many states grew increasingly frustrated already early on during the reform process.

A major push for reform came on March 20th, 1997 by former PGA, chairmen of the OEWG, and Malaysian ambassador to the UN, Ismail Razali. The so-called Razali plan[22] was presented as a draft resolution, yet was never put up for a vote. It stipulated that SC reform should be pursued in a three stage process (Luck 2006). Generally, Razali envisioned that the Council should be expanded to 24 members, including adding five permanent and four non-permanent seats. The first two stages of the Razali plan included determining the number of both permanent and non-permanent seats, as well as, which countries should occupy these seats. It is

[21] Full name being the: the Open-Ended Working Group on the Question of Equitable Representation and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.

[22] U.N. Doc. A/AC.247/1997/crp.1, A/51/47 Annex II.

noteworthy to emphasize that the first two stages were to be voted on by the General Assembly with only a simple majority needed in favor of the proposal to pass, and then move on towards the third stage. Only in the third and final stage, an official charter amendment was required, as stipulated by Article 108 and necessitating a two-thirds majority in the GA including no negative vote from any of the P5. This three-stage process with varying majority requirements was a legal limbo for the UN (Bourantonis 2005). Despite many states disliking the three-stage process, the proposal was finally killed off by the Non-Aligned Movement (NAM) which feared that the proposal could be divisive for the group as a whole. With the NAM's integrity at stake and fierce resistance stemming from states such as Argentina, Mexico, Italy, or Indonesia (the same states that later formed the UfC coalition) the Razali plan, though creating momentum at the turn of the millennium, ended up not bringing about reform nor changing the attitude of states towards the OEWG process.

A different milestone, often referred to as a critical window of opportunity in regard to SC reform, was the 2005 UN World Summit. The World Summit was labelled a ''San Francisco II moment'' (Weiss et al. 2007) by many UN observers and diplomats. The main impetus for reform came from former SG Kofi Annan and his High Level Panel on Threats, Challenges, and Change. Resolution A/59/565, more commonly known as the *A more secure world- Our shared responsibility* report emanating from the HLP, promoted two distinct proposals for reform. Model A and B both sought to increase the number of seats on the Council to 24, although the proposals differed in substance; namely that Model A sought to increase both categories of membership and Model B created a new category of semi-permanent seats. The Panel was also strongly in favor of creating a review conference in 2020, 15 years after reform was supposed to take place (Swart 2015: 2). However, momentum was quickly lost in 2005 when it became

blatant that states would not be able to agree on which model to adopt in order to continue the reform process. This lack of consensus should not be surprising considering the fact that the 16 experts working on the HLP were not able to devise a single proposal for reform. Hence, it was very unlikely that 190-plus UN member-states would agree on a particular proposal. After the 2005 UN summit, during which Council reform subsumed some ‘‘90% of diplomatic energy in New York City’’ (Interview from October 21st, 2015), the reform process stalled. 12 years after the OEWG was first established, and not having moved beyond addressing concerns over state sovereignty and ingrained preferences and enmity among member-states, it was widely believed that a new kind of reform process was needed.

Table 1: Model A and B from the HLP

Security Council reform: models A and B

Model A provides for six new permanent seats, with no veto being created, and three new two-year term non-permanent seats, divided among the major regional areas as follows:

Regional area	*No. of States*	*Permanent seats (continuing)*	*Proposed new permanent seats*	*Proposed two-year seats (non-renewable)*	*Total*
Africa	53	0	2	4	6
Asia and Pacific	56	1	2	3	6
Europe	47	3	1	2	6
Americas	35	1	1	4	6
Totals model A	**191**	**5**	**6**	**13**	**24**

Model B provides for no new permanent seats but creates a new category of eight four-year renewable-term seats and one new two-year non-permanent (and non-renewable) seat, divided among the major regional areas as follows:

Regional area	*No. of States*	*Permanent seats (continuing)*	*Proposed four-year renewable seats*	*Proposed two-year seats (non-renewable)*	*Total*
Africa	53	0	2	4	6
Asia and Pacific	56	1	2	3	6
Europe	47	3	2	1	6
Americas	35	1	2	3	6
Totals model B	**191**	**5**	**8**	**11**	**24**

Source: UNSG report, In Larger Freedom, page 43.

After the Facilitators Report of 2007, it became increasingly clear that the OEWG reform process had failed. The landmark GA decision 62/557 from September 2008 is arguably the most

important single event during the 23 year long SC reform process. Decision 62/557 adopted on September 15, 2008, imposed a deadline to begin official SC reform debates under the framework of informal plenary in the GA, and commence inter-governmental negotiations (IGN) no later than February 28, 2009. More importantly decision 62/557 established the well-known five categories of Council reform, namely: categories of membership; the question of the veto; regional representation; size of an enlarged Security Council and working methods of the Council; and the relationship between the Council and the General Assembly. Several of these will be discussed in the next section of this paper. Despite the renewed momentum for reform and the fact that the reform process should be member-state driven and carried out in good faith, with mutual respect and in an open, inclusive and transparent manner, and reform should be based on the widest possible political acceptance, although it remains unclear what this truly means; the IGN process currently in its 7th year remains without having achieved any viable results.

Moreover the IGN process ought to be based on the general rules for informal plenary in the GA including ‘‘i) no record of the meetings; ii) no formal decision is taken; iii) no vote will be applicable. The principle that nothing is agreed until everything is agreed. No artificial deadlines. The commitment of good faith and mutual respect by all sides, who shall refrain from: i) unilateral or pre-emptive moves including tabling of draft resolutions; and ii) calls for votes, at any stage of the negotiations process’’ (Swart and Von Freiesleben 2013: 29-30). However, when ‘‘the format was changed from working group to informal plenary, in 2009, several missions were hoping to facilitate negotiations by moving beyond pre-cooked country declarations to informal discussions- however meetings remained highly scripted, no true

dialogue happening between groups and… more often than not speeches are still scripted and doesn't allow for productive exchange of ideas and thoughts'' (Pouliot *forthcoming*, p. 126).

Over the years, several chairs were appointed by the PGA in order to lead the IGN process. The first chair, Afghani representative Zahir Tanin, did make some progress throughout the years. One major problem that the chair had to overcome is that largely the UfC group argues that the IGN process should be largely membership driven in accordance with resolution A/53/30 from 1998, whereas, the G4 and AU promote a stronger and independent role for the chair. Nonetheless, after several squabbles between the UfC and competing coalitions, Chair Tanin did move towards text-based negotiations on May 10, 2010. The resulting document became known as Revision 1, or Rev. 1. However, it has commonly been argued that the 30-page document is merely a summary statement of all the existing reform proposals and can hardly serve as a sound basis for genuine negotiations. Revision 1 was followed by revision two and three respectively. The ''most up-to-date version of Revision 3 was circulated in April 2013 along with a shorter document that was meant to serve as a user-friendly guide for the lengthy negotiation text'' (Gowan and Gordon 2014: 15). However, since Tanin was increasingly regarded as too active of a chair, he was being replaced when former PGA Sam Kutesa appointed Jamaican permanent representative Courtenay Rattray from Jamaica in 2014.

Rattray's appointment led up to the latest GA decision 69/560[23] on September 14th, 2015. Once again, due to concerns over the membership driven nature of the IGN process, Rattray was not being re-appointed. This has arguably once again led to a loss of momentum in New York and accusations that the UfC are acting as spoilers (Interview from October 21st, 2015), not willing to entirely commit to the IGN process. Current PGA, Mogens Lykketoft, appointed

[23] Also refer to A/69/L.92.

ambassador of Luxembourg to the UN, Ms. Sylvie Lucas, as the new and current IGN chair in October 2015. Nevertheless, without Rattray, decision 69/560 and its main component the letter from the PGA dating from July 31st, 2015 would not have been possible. This so-called 'Framework Document' is the latest collection of reform proposals and serves as the basis for all future reform negotiations. When in the months preceding the July 31st letter, the PGA Kutesa and Chair Rattray asked the member-states to 'populate' this framework text, the UfC yet again were very hesitant in contributing and only listed their official position in the appendix. When the framework document was officially launched on September 14th, 2015, opinions differed on whether it was a positive or negative development.[24]

The G4, AU, L69, and the P5 (excluding China and Russia) hailed decision 69/560 and the framework document as a major success and a landmark decision. Instead of being a mere technical rollover vote as has happened the preceding 23 years, decision 69/560 has arguably put negotiations on an irreversible, text-based path. The representative from Saint Lucia speaking on behalf of the L69 characterized the decision as a ''game-changing development in the shadow-boxing that had thus far taken place behind the scenes'' (Meeting GA/11679). India's speaker associating with the L.69 and G4 groups, said the ''Assembly President had delivered a truly historic initiative, considering the stiff challenges he had encountered to step back from an issue that had been on the agenda for 23 years''. He furthermore remarked that "this is not a technical or rollover decision… rather, it was highly substantive, as for the first time, a decision on reform had been adopted through an official 'L document'. Thus far, we've only been able to make statements in the air or at each other. The text had set negotiations on an irreversible, text-based

[24] Sixty-ninth Session, 104th Meeting (AM), September 14th, 20015, GA/11679.

path, meeting the twin goals of preserving work done in sixty-ninth session and carrying it forward'' (*Ibid,* Official Meeting Record).

Negative voices stemmed largely from the UfC camp. Pakistan and China argued that the process of populating the framework document was a flawed process and was not driven by the member-states of the United Nations. China referred to the decision as a technical roll-over vote as has happened in the past years. Pakistan was most vocal in its opposition arguing that ''the Chair's actions were arbitrary and no attempt had been made to reflect or bridge divergent views. The process had been marked by confrontation and could not provide the basis for a negotiated solution'' (*Ibid*). Surprisingly, Italy supported the framework document on the basis of the quintessential importance of collectively moving the SC reform process forward. It must also be acknowledged that despite some negative connotations attached to the document, decision 69/560 was taken unanimously. From personal interviews, judging whether the current text for future negotiations and decision 69/560 is indeed a step forward or has the potential to derail future negotiations, remains difficult to assess. Many states largely associated with the groups promoting permanent membership increase see the decision as a step forward. However, several states of the so-called 'silent majority' and not officially being associated with any particular reform group, argue that the potential for conflict has increased and revision text two or three from former Chair Tanin should have served as the negotiation text instead. This contention highlights why the SC reform process has been progressing rather slowly over the years; considering the fact that the framework document hardly introduces any novel alterations to the existing reform proposals, nor does it include any game-changing reform proposals that have not existed in the past.

4.4 The veto

As previously discussed, one of the most contentious debates surrounding Council reform revolves around the veto power. The G4, AU, and L69 firmly believe that the veto power should be extended to possible new member-states. France is the only P5 member currently advocating for an extension of the veto to new members. The rest of the P5 staunchly opposes any kind of alteration to the existing veto power, being it expanding it or removing it altogether. Despite the overall sentiment that the veto should not be regarded as a right but rather a privilege, and states' recognition of the inherent anti-democratic element surrounding the veto, many states nonetheless still feel entitled to exercise the same privileges as the current ''P5 oligarchy'' (Danchin and Fischer 2010: 109). Likewise, the African group argues that ''the veto should be abolished but so long as it exists, it should be extended to all members of the permanent category of the Security Council, who must in this regard enjoy all prerogatives and privileges of permanent membership in the permanent category including the right of the veto as a matter of common justice'' (Framework document, July 31st, 2015, page 15). Clearly the two logics of justice and inequality, hardly fit together.

Controversy surrounding the veto power is not novel, however. Already during the San Francisco conference in 1945, several smaller states critiqued the veto privilege which was agreed upon at Yalta by the UK, USA, and the Soviet Union. The Soviet Union wanted an even stronger veto namely over all procedural issues as well as substantive ones, however, finally settled for only being able to veto substantive issues due to growing US pressure. The coalition against the veto was led by Australia and New Zealand, and at one point several smaller states threatened to leave the San Francisco conference over disputes centered on the veto (Chapnick 2006: 84). In fact, ''the smaller nations coming to the conference sent signals through heated

cable traffic implying that they would not necessarily accept (the veto) as a fait accompli the special powers bestowed upon five nations'' (Schlesinger 2003: 100). In fact, France only secured the veto power and a seat as a permanent Council member largely due to British influence and Churchill's insistence on creating a strong continental European power in order to balance the Soviet Union.

After it became clear that the veto would be an absolute necessity and core condition for the Soviet Union to join the new world organization, but also to convince the US Congress to not vote down the proposal, most smaller states retreated from the issue. Nonetheless, Australian Minister for Foreign Affairs, Herbert Evatt, continued leading the campaign against the veto. Australia was rallying smaller sized states, and Evatt proposed that only a combination of three vetoes instead of merely one, would be deemed legitimate to block a Council vote. This idea is akin to the current proposal from Malaysia as postulated in the 2015 framework document. Even Republican senator Arthur Vandenberg, one of the key architects of the San Francisco conference, stated in his diary that ''this veto bizness is making it very difficult to maintain any semblance of a fiction of sovereign equality among the nations here in Frisco'' (Schlesinger 2003: 196).

Because the wording of the veto, a term that itself has never found its way into the Charter, was very vague since it was first agreed upon in Yalta, several states feared rightfully that the United Nations could be dominated by a great powers condominium. However, one of the major shortfalls of the League of Nations was its too democratic institutional design and the non-recognition of power inequalities among nations. The rationale behind the veto was that the great powers would at the same time despite enjoying voting privileges also be the main suppliers of troops and material for the UN when needed, hence the veto was preferred over the

previous unanimity rule under the League's covenant. Of course, reality exhibited that the P5 with the exception of the USA (which owes large arrears) make very few material or financial contributions to the UN at present, thus de-legitimizing the veto power further. The veto was seen by many states in 1945 as a fundamental principle, since ''the surest way to make the new organization fail would be to require one of the Big Four to take part in peacekeeping activities that it had voted against, particularly if that nation were somehow involved in the dispute. Only the great power veto inherent in unanimity could guarantee that this would never occur…[and] a judgement against one of the big four, would probably drive it out of the world organization; the result would be the next world war that the UN was designed to prevent'' (Hilderbrand 1990: 32/184). Many smaller states, which initially opposed the creation of the veto it is argued, were persuaded to drop their demands by the great powers, but also received side-payments on other issues of their concern. Likewise, the open and transparent manner at which the veto subject was being discussed and deliberated in San Francisco re-assured smaller nations, and legitimized the actions of the great powers (Hurd 2008). Since the veto was never envisaged to be a *fait accompli* (see Art. 109 of the UN Charter); 1945 can be characterized as a critical juncture, which has set the SC on a certain and irreversible path. Once certain key decisions have been selected, they ''produce outcomes that set history on a course whose mechanisms or reproduction make the initial selection unstoppable'' (Katznelson 2003: 290; Pierson 2004).

The veto debate has not progressed *bona fide* over the years, with the exception of the ACT code of conduct that promotes voluntary veto restraint in case of mass atrocities, which will be explained in the working methods section. The veto is

> ''considered to be inherently different from other elements discussed in the reform process as it is the result of a political

> understanding that pre-dates the Charter and thus could not be reformed by the wider membership. Its reform could only be governed by the same historical rationale that initially brought it into being as a tool of restricting the scope of the collective security system according to their major policy considerations. *The abolition or modification of the veto would not be ratifiable through a Charter amendment*. The involvement of the Assembly in matters falling within what permanent members consider to be exclusive competence of the Security Council is not amenable, nor is explanation of the use of veto before the Assembly (the P-5 consider that the two organs stand on an equal footing)''.[25]

Even though many UN member-states are frustrated with the inequality and inefficiency resulting from the use and abuse of the veto, it has generally been argued that the veto is not *the* single issue that will make or break the Council reform process (Interview from October 20th, 2015). Lack of consensus among possible candidate states of the Council and the inability to achieve a 2/3 majority in the GA are the main obstacles. However, once reform becomes imminent, it remains to be seen whether the P5 will truly bow down to the voice of the world community as constituted by the UNGA, or however, whether China will use its veto to block a possible Japanese membership.

Existing proposals regarding the veto revolve around several key issues. It is generally understood that veto reform is sub-divided into ideal and attainable reform. Trends regarding the veto include the restriction of its use, prevention of its extension, resignation from its reform at this stage and extension of it to all permanent members so long as it exists, limiting the veto in case of mass atrocities, limiting the veto to only Chapter VII resolutions, putting a cap on how

[25] Note by the President of the General Assembly, 10 September 2009, A/63/690, page 9-10. Emphasis added. Also see the Facilitators Report from 2007.

many vetoes can by exercised by each member, or changing the weight of the veto thus requiring a minimum of two vetoes to block a resolution (GA/63/690).

The veto debate is still a major concern to most states because the so-called Uniting for Peace resolution (GA resolution 377 V) from November 3rd, 1950, has largely not lived up to its ideals, and the veto remains ‘‘the core and is the sustaining force of the system of collective security’’ (GA/63/690). A pledge by the P5 to voluntarily restrain their use of the veto is welcomed, although not legally binding. Likewise, it is feared that temporary and intermediary solutions, or decisions to be settled at a possible review conference, can become locked in over time, and in fact turn out to be permanent arrangements (Einsiedel et al 2015; Von Freiesleben 2008). Nonetheless, it is hoped that a voluntary restriction potentially socializes states into appropriate behaviour and thus make veto reform easier to achieve at a later stage. Even though, the use of the veto has been reduced drastically, considering from 1945 until 1990 the veto was used 193 times, and this trend slowed down immensely after the Cold War, so that in between 1990 and 2003 the veto was used a mere 12 times, mainly by the United States (Weiss 2003: 150); the recent double vetoes in 2015 over Syria and Ukraine issued by Russia and China have increased the calls for veto reform once again.

The veto debate shows well that several key states, both current and aspiring permanent members of the Council, are primarily driven by strategic calculations and the logic of consequences. Large, powerful states with much at stake during the reform process tend to focus on narrow national interests over altruistic and normative concerns regarding legitimacy and efficiency. Generally, smaller states are most vocal in their pursuit of eradicating or at least limiting the use of the veto. Cuba states that ‘‘it is indispensable to eliminate the veto immediately for being an anachronistic and undemocratic privilege. While its elimination is

attained, other mechanisms should be implemented in order to limit its use to the extent possible'' (Framework Document, July 31st, 2015, page 15). Panama's statement goes along similar lines noting that ''the veto is an anachronistic tool, belonging in a period of our past history. Regardless of which membership formula we end up using for the Security Council, our aim should be to eliminate the veto. Until we reach the stage of full abolishment of the veto, we should continue to strive for it not to be used, especially in humanitarian situations. As an ethical statement, the P5 should refrain from using the veto when their national interest is involved'' (*Ibid*).

The foregone analysis suggests that states promoting further veto extension or are hesitant in limiting its use are largely driven by the logic of consequences. This stands in stark contrast with the majority of smaller states across all regions, which favor either outright abolition of the privilege or at least limit its use signaling the logic of appropriateness. Likewise, since casting a veto does not require any explanation on the part of the P5, calls for increased transparency on part of the Council's working methods have surged.

Several interviewees pointed out that the demand by largely the African group and more recently the L69 for expanding the veto right, is an absolute non-starter for reform. However, since the Ezulwini consensus does not seem to fall apart any time soon, the author of this paper himself would like to make his one and only suggestion for improving existing reform proposals. Despite the over 25 current proposals for reform in existence (Finizio and Gallo 2013: 232), it is utterly burdensome to work on a project similar to this for over 12 months and not visualize how the reform conundrum could possibly be resolved. The author suggests, instead of extending the veto power to each new potential permanent member-state, the AU could potentially be pleased with what I have coined a ''regional veto''. In practice this would mean that under the *current*

composition of the SC, where Africa holds three rotating non-permanent 2-year seats, unless all three African states have reached consensus on rejecting a potential resolution, then it is automatically adopted, provided it fulfills the usual criteria for adoption (9 positive votes including no veto from the P5). If the entire three African delegations on the other hand unite behind a negative vote, then this can be considered to have the same weight as the current veto bestowed upon the P5. However, as soon as only one African nation goes against this 'African consensus', no regional veto can be cast. In addition to satisfying the African demand for a veto, this solution could also potentially foster pan-Africanism without undermining the efficiency of a reformed Security Council. The veto reform debate will continue to be a priority for many UN member-states since inequality is a threat to effectiveness, and higher legitimacy in turn can enhance effectiveness (Hurd 2008). Nevertheless, it is crucial to remember as one interviewee pointed out that although the veto gives the right to certain states to say no to a decision, it does not give the power to impose their view onto the Council or other UN member-states.

4.5 What type of membership increase?

Several different types of membership reform are in existence today. Most proposals revolve around the issue, whether to add more permanent, non-permanent, or create a new category of semi-permanent seats. Various propositions on how to change the membership of the Council have already been presented in previous sections. However, as previously mentioned the G4, L69, and African Group who advocate increasing seats in the permanent category, and the UfC group which favors only increasing non-permanent seats, both are largely driven by strategic calculations. Nevertheless, despite concerns over sovereignty and national-interest being of fundamental importance during the reform process (Weiss 2011), several states are

distinctly driven by the logic of appropriateness and normative interests, tying to improve the Council for the entire international community. One of the best examples in this regard is the reform proposal promoted by Panama.

Ideally, serving on the UNSC should not be viewed as representing a single nation but instead be regarded as a matter of representing the rest of the world. Panama does not try to necessarily reiterate existing proposals, but instead promotes an entirely new and somewhat idealistic plan for Council reform. Panama pursues a proposal, which includes a gradual removal of *all* categories of membership. According to Panama, the very nature of membership categories does not correspond to the democratic institution that Panama is trying to perfect. In the long run, Panama would like to see that there are *no* membership categories at all, just as is the case in all the other United Nations bodies. The proposal due to its extraordinary content is worth quoting at length here:

> ‘‘By the United Nations Centennial in 2045, we envision a Security Council consisting of 24 members, all on equal standing, elected for three-year terms, with the opportunity for consecutive re-election. Considering the commitments well into the 2030’s as already acquired by some Member States in terms of their candidacy under the current membership structure of 5 permanent members and 10 non-permanent members on a two-year rotation. The final composition of the Security Council will be phased in over two stages. The first stage, beginning in 2017 and ending in 2030, introduces five semi-permanent seats which entail a tentatively indefinite tenure without the right to veto, to accommodate the G4 and one member of the African Group; one additional non-permanent seat each for the Eastern European Group and the Arab States, and two for the Small Island

> Developing States. The second stage introduces three-year election cycles beginning in 2030 for all positions in the Security Council. Measures to ascertain the re-election of the P5 until the United Nations Centennial in 2045 should be discussed and incorporated''[26].

The gradual removal of categories of membership is clearly an extreme proposal and not likely going to garner great support. However, the example of Panama shows that the country is evidently not driven by overly strategic calculations or self-interest. Panama itself being a relatively small country, has nonetheless already served on the SC four times. Hence, it is surprising that Panama does not advocate for increasing regional representation or takes a similar stance as the SIDS, which promote an increase in the non-permanent category. The stance of Panama can only be explained through an idealistic lens and being primarily driven by normative and altruistic values, thus suggesting the logic of appropriateness.

Certainly, the case of Panama is the exception rather than the rule. Generally, all states agree that the Council membership must be reformed. The debate surrounding permanent and non-permanent membership is among the chief obstacles. The proposal presented by Italy and Colombia (A/64/CRP.1) to create a new category of semi-permanent seats of 3-5 years has found several supporters among the UN membership, even outside the UfC camp. Hungary, Liechtenstein, Ireland, or New Zealand, all favor the possibility of longer-term seats. Nevertheless, states disagree on the length of the term of this new potential category of seats, and whether re-elections should be permitted. Proposals for semi-permanent seat duration vary ''anywhere from 3-15 years'' (Müller 2010: 91).

[26] Letter by president of GA, Sam Kutesa (Uganda) from July 31 2015, Framework Document page 4, Section a.3.11.

One major impediment of short-term seats similar to the current two year term system, however, is the lack of institutional knowledge and of the SC's working methods. Many states that serve on the Council for the first time find it difficult to have a lasting impact on the Council's agenda. In fact, it has been argued that one of the P5's major advantages does not stem from the veto power altogether, but instead due to the P5's intrinsic knowledge of the SC's institutional structure and procedures. This deficit has been remedied to a certain extent through allowing ''the newly elected members of the Council to attend all meetings of the Council and its subsidiary bodies and the informal consultations of the whole, for a period of six weeks immediately preceding their term of membership or as soon as they have been elected''[27]. Nonetheless, most non-permanent members of the Council still only hold the Council presidency once during their 2-year tenure. The two-year terms are simply too short and as a result often inefficient. In like manner, ''lack of human and financial capacity at [various] Permanent Missions to the UN were cited as impediments to efficient functionality on the Council and difficulty with the fast pace of work on the Council for non-permanent members. One interlocutor described non-permanent members as 'tourists' and said that by the time they learn how to be effective Council members, their term is nearly finished'' (Gowan and Gordon 2014: 20).

A different approach, yet sharing similarities to the above mentioned proposals, is the so-called intermediary or transitional model. This proposal advocates longer term seats with a review mechanism, which then possibly transforms these seats into permanent ones. However, many observers fear that this transitional approach could quickly become a permanent solution. The idea behind a mandatory review conference is to foster ''compromise by suggesting that

[27] Note by the President of the Security Council, S/2006/507, 19 July 2006, paragraph 61. Also see A/Res/69/321.

Member States agree on partial reform now, while retaining the option of revisiting, evaluating, amending - or perhaps even changing them - at a mandatory review conference that would be written into the Charter and scheduled to take place after a fixed amount of time'' (Von Freiesleben 2008). This idea is essentially nothing novel, since Article 109 of the UN Charter stipulated for a review conference in 1955, which however due to the rising Cold War tensions never occurred. Nevertheless, the vast majority of states favoring an expansion of the permanent category of seats do not appear to be willing to accept this solution. At the UN, the doctrine that ''nothing is agreed until it's all agreed'' (Interview from October 22nd, 2015) still reigns supreme. Likewise, the transitional approach it has been argued would be a legal limbo for the UN and the legal consequences are not entirely apparent.

The only element all states tend to agree upon is the selection process of potential new Council members. Generally, Council members whether permanent or non-permanent, should be elected based on financial commitment to the UN, troop and peace-keeping contributions, upholding democratic ideals, but also population size, economic weight, and their human rights record, although the latter point is controversial. This is in essence not utterly different from Article 23 of the UN Charter, which stipulates that members of the SC should be elected by the GA with ''due regard being specially paid, in the first instance to the contribution of Members of the United nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution''.

A last possible reform proposal presented in this section, has been to maneuver away from the state-centric system that the UN is based on, and increase regional representation at the Council. The idea of a European Union Council seat is the most cited illustration in this regard (Deudney and Maul 2011). The idea of an EU seat has openly been advocated by states such as

Italy, Belgium, or the Netherlands. In the case of Italy, the logic of consequences seems to trump desire for further European integration, since the country evidently has no possibility of obtaining a permanent seat at the Council, thus trying to construct a solution where it can achieve maximum gains. Nevertheless, the concept of regional representation and an EU seat despite being high on the agenda during the 1990s is legally not feasible. According to Article 4 of the UN Charter, the organization is open only to states (Ronzitti 2010), although the EU does possess an enhanced observer status in various UN organs and agencies. Likewise, the merging of the British and French seats is almost certainly guaranteed to be a futility, especially with the growing anti-EU sentiment in the UK, but also in several eastern-European countries.

The debate centering on the EU highlights another caveat of the UN system, namely the regional distribution of seats within the SC. Many UN diplomats and academics have argued that the regional representation system currently employed by the UN is outdated. There is simply no need between an artificial divide among eastern and western European states, and the fact that the Asia-Pacific group includes the entire region of the Middle East seems nonsensical. This is accentuated by the EU's 28 members being elected in three different regional groupings, namely the Asia-Pacific group (Cyprus), and the Eastern European and WEOG. However, despite the improbability of a merged EU seat, the ratification of the Lisbon treaty in 2009 and the increased EU actorness within international relations had an impact on the UN. Several EU parliament resolutions emphasized that the EU should coordinate its actions at the SC and speak coherently with a single voice. The EU parliament emphasized that a potential EU seat remains on the

agenda, and urged the High Representative (HR) to foster consensus on this issue among EU member-states.[28]

Similarly, Article 34 (formerly 19) of the consolidated Treaty on European Union (TEU) stipulates that ‘‘Member States which are also members of the United Nations Security Council will concert and keep the other Member States and the High Representative fully informed. Member States which are members of the Security Council will, in the execution of their functions, defend the positions and the interests of the Union, without prejudice to their responsibilities under the provisions of the United Nations Charter. When the Union has defined a position on a subject which is on the United Nations Security Council agenda, those Member States which sit on the Security Council shall request that the High Representative be invited to present the Union's position’’. Nonetheless, the idea of an EU seat has lost much traction during the past decade. Moreover, it is crucial to recognize that increasing the amount of seats on the SC, independent on which kind of category; can always come at the cost of efficiency. Overall, reform proposals for increasing the size of the SC, range from a 21 to 26 member Council, ideally establishing a balance between representation and efficiency.

4.6 Strengthening the Council’s working methods

The SC can be compared to an iceberg; much of its work is carried out informally and is neither seen nor discussed by the general public (Luck 2006: 17). Furthermore, since *de jure* reform has not yet occurred since the onset of the OEWG in 1993, and the current geopolitical climate is not necessarily favorable for reform either; many states switched their focus onto *de*

[28] European Parliament recommendation to the Council of 25 March 2010 on the 65th Session of the United Nations General Assembly (2010/2020(INI)), P7_TA(2010)0084.

facto Council reform by improving the SC's working methods and procedures. The advantage of this approach is clear. No official Charter amendment is required to pass a resolution on changing the SC's working methods. In fact, the SC has been operating under only its provisional rules of procedure since its very first session on January 17th, 1946, and never adopted a formal code on working methods.

The main reform group centered on this issue is the so-called ACT group, which was built up on the remnants of the former Small-Five. The S5 consisted of Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland, and existed in between 2005-2012. The group was largely dissolved due to lack of progress, and in 2013 superseded by the Accountability, Coherence and Transparency (ACT) initiative that is currently spearheaded by Switzerland and consists of a cross-regional alliance with a total membership of 27. Early S5 proposals for reforming the Council's working methods can be found in draft resolution A/60/L.49, from March 17th, 2006. The S5 called for increasing the accountability, transparency, inclusiveness, and representativeness of the work of the SC in order to further enhance its legitimacy and effectiveness. The draft resolution stipulated that the Council ought to submit subject-oriented reports in accordance with Article 24 of the UN Charter to the GA, increase consultations between Council and non-Council members, as well as consult with member-states whose interests are directly affected by an SC resolution on a more frequent basis.

Likewise, the SC should be more pro-active instead of merely being a re-active organ. Thus, lessons-learned groups should be established to evaluate past missions and mandates authorized by the SC. Likewise, consultations with major troop contributing countries (TCC's) should be enhanced. Due to the frequent use of sanctions in the past two decades in order to solve political and military conflicts, the S5 urged to increase cooperation among the SC

membership with states that are particularly affected by Council resolutions. Moreover, the S5 also urged the P5 to restrain their use of the veto and explain the use thereof, once a veto had been casted. The S5 also urged that ‘‘no permanent member should cast a non-concurring vote in the sense of Article 27, paragraph 3, of the Charter in the event of genocide, crimes against humanity and serious violations of international humanitarian law’’ (A/60/L.49). This last proposal was also taken up by the ACT framework and will be discussed shortly.

Nevertheless, despite much support from states across all regions, the S5 was dismissed in 2012, partially due to growing P5 pressure. The P5 argued that the internal workings of the SC should only be discussed by Council members themselves, and not the wider membership of the UN. The UfC group also did not support the S5. Despite the S5 failure, ‘‘in the enigmatic world of security council reform, the S5 stood out as perhaps the only group whose purpose was not primarily driven by national self-interest’’ (Einsiedel et al 2015: 185). This clearly highlights that the S5 was not driven by the logic of consequences but rather by what they considered to be appropriate action. Likewise, limiting the use of the veto in case of atrocity crimes as advocated by the ACT and their code of conduct, can hardly be explained with the logic of consequences. Rather, as Panama pointed out during the launch of the code of conduct on October 23rd, 2015, a moral responsibility exists to take stringent action in case of atrocity crimes.

However, reforming the working methods of the SC is not an easy task to pursue. Several states including the G4, AU, and P5 argue that tackling the issue of working methods on its own resembles a Band-Aid approach and should not be pursued independent of other areas of concern i.e. membership increase. What makes reform so inextricable is that piecemeal reform is rejected from the outset by the major players during the reform process, and comprehensive reform is prioritized. For example Germany stated in the SC’s annual open debate on working methods in

2015 that ‘‘it is crucial to improve the working methods of the Council, but that cannot replace the urgent need for structural reforms’’. Sierra Leone added that ‘‘cosmetic changes to working methods would not advance the fundamental need for a comprehensive reform of the Council to expand its permanent and non-permanent members’’[29]. Piecemeal reform would certainly increase the possibility of reforming the Council sooner rather than later, and even during personal interviews many states that publicly assert that piecemeal reform is out of the question, have stated that comprehensive reform is excessively more difficult to achieve.

However, the current ACT group defies this assumption. The ACT, officially launched in March 2013, works towards the improvement of the Council's working methods in its *current composition*. This means that the ACT does not try to present alternative reform proposals, and indeed does not participate in the IGN process as a whole, although several individual member-states are tied to various reform coalitions. Since, ‘‘the real impediment to reform via the General Assembly is not just the permanent members, but also the states that attach more importance to protecting their stakes on council enlargement than to concrete improvements on working methods’’ (Einsiedel et al. 2015: 190), the ACT is distinctly more driven by normative concerns trying to improve the Council for all UN member-states, instead of protecting narrow self-interests.

The ACT advocates more public and open meetings, regular briefings of the SC and the wider UN membership, enhanced consultations with TCC's and especially affected member-states, substantial wrap-up sessions, more Arria formula meetings, a fairer and more inclusive allocation of penholderships, a more transparent process when electing the Charis of the Council's subsidiary bodies, and lastly to expand the Council's horizon scanning policy thus

[29] S/PV.7539 (Meeting Record), 7539th Meeting, Tuesday, 20 October 2015, 10 a.m., New York.

being able to ‘‘identify and discuss potential risks and to take action at an early stage’’ (ACT Factsheet, June 2015). The ACT’s largest accomplishment to date, however, was the launching of the so-called code of conduct on October 23rd, 2015.

The code urges Council members to ‘‘voluntary agree to refrain from using their veto in situations involving mass atrocity crimes’’[30]. The code does not only apply to the permanent members of the SC, but urges all current and future non-permanent Council members to voluntary abstain from casting a negative vote in case atrocity crimes have been committed. According to the official document launched this past October, ‘‘there is no procedural trigger for the code to apply. Instead, the Code would be triggered by any situation involving these crimes – in other words, the facts on the ground would be the trigger and lead to Security Council action’’. Although not being legally binding, it is hoped that voluntary restraint would essentially socialize states into appropriate behaviour, thus pushing states to ingrain the norm of not voting against resolutions concerning atrocity crimes (Hall and Taylor 1996; Finnemore and Sikkink 1993, 1998). A similar proposal is also advocated by a joint French-Mexican initiative and has garnered around 80 supporters, whereas the ACT code has far over 100 supporters at present. Already in 2013, French Foreign Minister Laurent Fabius published an op-ed article in *The New York Times* advocating that the permanent members refrain from using the veto “if the Security Council were required to make a decision with regard to a mass crime…[except in] cases where the vital interests of a permanent member…were at stake”. Furthermore, Fabius laid

[30] The code can be located at http://www.unelections.org/files/Code%20of%20Conduct_EN.pdf , and also on the homepage of the permanent mission of Liechtenstein, which is the leader of this initiative.

out criteria for triggering this veto restraint, stating that the UN Secretary-General would make the determination on the occurrence of mass crime at the request of at least 50 member states[31].

Although, the code of conduct is supported by states stemming from all major reform coalitions including France and the UK, it remains to be seen whether the code will truly have an impact on the ground, or whether as one interviewee put it ‘‘is merely a gimmick [and] solving problems at the UN doesn’t start at the solution end but starts with national interest’’ (Interview from October 21st, 2015). Likewise, despite the support from several ‘heavyweights’ during the reform process, several reform-vocal states cautioned the rest of the UN membership that although the code being a positive development, one should not lose sight of comprehensive and structural reform of the Council. Nevertheless, the ACT is trying to foster a culture of zero tolerance towards atrocity crimes, and states such as Panama or Austria, emphasized a moral imperative to end those crimes. Indeed, it would be difficult to argue that the ACT group and its supporters were driven *primarily* by strategic calculations when launching the code to restrain the veto, or when trying to improve the overall working methods of the Council. Arguably, because smaller states without a direct stake in the reform process are considered to be more neutral and trustworthy, thus not posing a direct threat to other member-states; has helped them in advocating reform proposals. Of course, a strategic element always remains. After all, the ACT group purposely chose to work on reforming the Council’s working methods in its current composition instead of joining the IGN process due to efficiency considerations.

A last example of reforming the Council’s working methods is presented through the increasing use of the soi-disant ‘Arria formula’. The Arria formula is named after former

[31] http://www.securitycouncilreport.org/monthly-forecast/2015-10/in_hindsight_security_council_decision-making_and_the_veto.php

Venezuelan ambassador to the UN, Diego Arria, who in 1993, ‘‘devised it so that his colleagues on the Security Council could benefit from a briefing on the humanitarian situation in the former Yugoslavia from Father Zocko, an orthodox priest from Medjugorje, Croatia’’ (Weiss and Young 2005: 135). Soon after, the UNSC started to regularly consult individual experts, civil society groups, and NGOs that could be of particular importance to the SC when drafting resolutions. Arria meetings are held in a conference room, and not in the Security Council consultation room or chamber. Arria meetings are convened at the initiative of a member of the Council, and have generally been perceived as a positive development. Similar to the informal consultations of the Security Council, Arria meetings are not envisaged in the UN Charter or the SC’s provisional rules of procedure. However,

> ‘‘Under Article 30 of the Charter, the Council is the master of its own procedure and has the latitude to determine its own practices. The Arria-formula meetings are very informal, confidential gatherings which enable Security Council members to have a frank and private exchange of views, within a flexible procedural framework, with persons whom the inviting member or members of the Council (who also act as the facilitators or conveners) believe it would be beneficial to hear and/or to whom they may wish to convey a message. They provide interested Council members an opportunity to engage in a direct dialogue with high representatives of Governments and international organizations – often at the latter’s request – as well as non-State parties, on matters with which they are concerned and which fall within the purview of responsibility of the Security Council’’ (Handbook on the Working Methods of the Security Council, December 2006, Non-paper from 25 October 2002).

In retrospect, it becomes evident that despite the lack of structural reform, the SC’s working methods have continually been adapting over time. This is crucial considering that the survival of institutions depends on their flexibility (Thelen 1999). Likewise, states tend to pull

the plug on any IO that does not perform adequately. Enhancing transparency and inclusiveness of the SC's work, increasing open and public meetings, consulting with outside experts and TCC's, and heightening the interaction between the SC and other major UN organs, can all result in maximizing the Council's legitimacy and efficiency. Many of the Council's working methods still need improvement, and it remains nonsensical that the SC still operates under its provisional rules as established in 1946.

However, ''the quota of *open sessions* of the Council (as opposed to closed consultations) has increased to 61% in 2015 (2014: 55%). This sets a trend to more transparency and interactivity'' (ACT Fact Sheet, June 2015). The piecemeal approach as advocated by the ACT group accentuates that even mere adaption is still conducive to improving the Council as a whole. Furthermore, only reform debates that are not driven by primarily strategically calculated self-interests are likely going to succeed in the future. A win-win situation must be created, in which no UN member-state sees itself as a loser of the reform process.

4.7 Relations between the SC and the GA and related matters

One of the main reasons for enhancing GA-SC relations arrive from the fact that the SC has increasingly taken up tasks previously believed to be under the exclusive authority of the GA. Several resolutions have been passed in order to revitalize the functions of the GA, especially in regard to security related issues (A/RES/59/313). Likewise, although Article 24 of the Charter states that ''in order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council *primary* responsibility for the maintenance of international peace and security'' (*emphasis added*), this does not signify that the SC has the

exclusive responsibility to tackle security related issues. The SC's encroachment upon the GA has been stressed by a multitude of states, including Russia and China, who argue that the Council's agenda simply becomes too crowded. Furthermore, smaller developing nations prefer discussing most issues in the more transparent assembly format. The delegate of Singapore stated in this regard that ''open meetings of the Council in themselves do not create greater transparency. Transparency depends on the scope given to non-members to understand, appreciate and access the Council's decision making considerations'' (Framework Document, July 31st, 2015, page 20/ e.40). The widening scope of the SC's agenda has also led to a heightened significance of the Council as a whole. Interpreting its Charter mandate made the Council appear more flexible rather than static, despite the lack of *de jure* reform.

A current subject of discussion among the SC and GA members is the upcoming election of the new Secretary-General of the UN. Even though far from being a high-politics issue, the P5 still enjoy their veto privileges in this regard and can reject potential candidates who have been suggested by the GA. This has led to increasing demands for reforming the selection and election process of the new SG, when Ban Ki-moon's term comes to an end on December 31st, 2016. The ACT is one vocal proponent of making the SG selection process more transparent and inclusive. Regularly scheduled SC briefings to the GA are encouraged with particular emphasis on the nomination process of the next SG. Assembly resolution 69/321 passed on September 22nd, 2015, is particularly noteworthy in this regard. This resolution reaffirms that ''the relationship between the principal organs of the United Nations is mutually reinforcing and complementary, in accordance with and with full respect for their respective functions, authority, powers and competencies as enshrined in the Charter''. It has been decided that during the current 70th session of the GA, an ad-hoc working group ought to be set up in order to deliberate the issues

surrounding the SG selection process and overall revitalization of the GA. Resolution 69/321 was a milestone in reforming the SG selection process as argued by one of the interviewees, however, implementation is key to fulfilling the already high hopes. Next to increasing demands for more gender-balance and a female Secretary-General, the resolution requests the

> ‘‘Presidents of the General Assembly and the Security Council to start the process of soliciting candidates for the position of Secretary-General through a joint letter addressed to all Member States, containing a description of the entire process and inviting candidates to be presented in a timely manner. [It] also requests the Presidents of the General Assembly and the Security Council to jointly circulate to all Member States on an ongoing basis the names of individuals that have been submitted for consideration as candidates for the position of Secretary-General together with accompanying documents, including curricula vitae’’

It becomes evident that despite the often negative connotation attached to SC reform, several steps have been taken in order to remedy some of the Council’s shortcomings, including the non-transparent way in which the SC conducts its business. However, leadership is a vital component of any reform effort. When delegations were confronted with the issue of leadership and possible lack thereof during the reform process, opinions varied widely. There is also much disagreement about what kind of leadership the Chair of the IGN process should exercise. The G4 coalition largely advocates for a more prominent and pro-active role for the chair in order to drive the reform process forward. However, the UfC group staunchly opposes any reform process that is not directly driven by the UN membership itself.

When the former PGA of Uganda, Sam Kutesa, and the Jamaican representative Courtenay Rattray, first send out calls to populate the so-called framework document on March 27th, 2015, and asked each state to contribute to the final document (PGA letter dating from 31st

July, 2015), the UfC coalition was very hesitant in contributing their expertise and views on reform. Instead, the UfC would have preferred if either the first or second revision text prepared under former Chair of the IGN, Zahir Tanin, would have been employed as a basis for future text-based negotiations. In a letter directed to both Rattray and Kutesa, dating from May 1st by Italian permanent representative to the UN, Sebastiano Cardi, speaking on behalf of the UfC group; Italy made it clear that ‘‘we believe that the authority to deem which text is suitable or practical rests solely with Member States. In this regard, we reiterate our preference for Rev-2, which is the only text that until now enjoys consensus as a starting point for negotiations. We must not be deterred by the complexity or the dense nature of documents when the results we aim to achieve are as significant as the reform of the Security Council. In our view, there is no ambiguity that "executive authority" in the negotiating process rests with Member States’’[32].

Leadership is an essential part of the reform process, and many interviewees consented to the assertion that high-profile leadership is needed, not only in New York City, but also in the respective capitals of UN member-states. Likewise, the African Union gathers minimum twice per year at summit level meetings to discuss reform, and the G4’s national leaders routinely press for reform as well. However, as is the case for the majority of UN member-states, the reform process rarely reaches domestic audiences or prominent figures outside New York. Likewise, several African diplomats did point out that many other UN member-states only sporadically discuss Council reform at the highest political levels. One diplomat who worked under the former Chair of the IGN, Courtenay Rattray, highlighted that the reform process ‘‘operates in its own little bubble here in NYC’’ (Interview from October 22nd, 2015). In fact, despite the paramount importance of Council reform, general domestic publics are largely ignorant of the

[32] Also see Resolution 53/30 from November 23rd, 1998.

issue, and the reform process is rarely a topic for discussion outside New York (Gowan and Gordon 2014). Moreover, capitals and domestic publics in Berlin, Rome, Brasilia, Buenos Aires, New Delhi, or Ottawa, are seldom engaged directly in regard to SC reform and should be further involved. Of course, the occasional statement by a head of state does surface every so often, for example President Obama promoting a possible permanent seat for India during his official state visit. The G4 also periodically releases press statements at the ministerial level at the beginning of each new General Assembly session. However, the question whether a lack of leadership can be observed during the reform process cannot be answered in a straightforward fashion.

The issue of SC reform had higher political salience in the early 1990s and in 2005 during the UN World Summit. However, many political leaders have detached themselves from the ongoing reform efforts. Unquestionably, it astonishes that states with frequently rotating heads of state and governments have maintained rather rigorous positions concerning reform. In addition, some scholars and observers of the reform process argued that Council reform itself has become a high-jacked process, and is no longer about security or the improvement of a flawed institution per se (Hassler 2013). Nevertheless, almost every Permanent Mission at the UN has currently at least one expert working on the reform process. The most recent developments on improving the working methods and the ACT's code of conduct are prime examples of how pro-active leadership can achieve genuine change. On the whole, leadership is crucial in order to create and sustain sufficient momentum and political will among UN member-states.

Despite the almost quarter of a century ongoing reform process not having achieved comprehensive or structural changes in the world's most important international organization, the fact that the reform process itself is nowhere near disappearing from the GA's agenda, is proof of the SC's ongoing relevance. Put in other words, ''when the Council ceases to be

controversial, in all likelihood it will have ceased to matter. It is a backhanded compliment to the centrality of the work of the Council that its composition and working methods continue to attract so much attention and that seats on it remain so coveted'' (Einsiedel et al 2015: 196).

In conclusion, it becomes overt that state motivations play a major role during the reform conundrum and can potentially hamper the reform process. A summary statement can be found below.

Table 2: Summary of Reform Motivations

Reform Group	Members	Active Since	Main Motivation for Reform	Evidence	Major Obstacles/ Opposition
P5	China, France, Russia, UK USA	Sporadically since the early 1990s	Preserving all pre-existing rights and privileges; increase legitimacy of own position; LOC	Not fully engaged in the reform debate. China indirectly stalling the process. Satisfied with status quo. Organized hypocrisy.	No direct pressure due to veto; Demands for more legitimacy; ACT and small states
G4	Brazil, Germany, India, Japan	Officially since 2005, Germany and Japan since 1990s	Feeling of entitlement and obtaining a permanent seat; LOC	Not accepting semi-permanent seats, nor dropping the veto demand. Few concessions given over the years.	Largely the UfC; China in case of Japan
UfC	Argentina, Canada, Colombia, Italy, Mexico, Pakistan, Turkey, and others	Officially since 2005, Coffee-club since 1990s	Obscuring permanent seat expansion, increasing seats in non-permanent category; LOC	Fear of regional rivals obtaining permanent seats.	Africa's demand for permanent seats; the G4; parts of ACT; Legal limbo for UN
African Group	All 54 African states, Committee of 10 (C-10)	Largely since 2005	Mixed motives; Obtaining more seats; Improving SC representation;	Not willing to compromise on veto stance. Highlighting historical	Many states against the veto demand by the C-10 (P5, ACT)

			LOC and LOA	injustices, and the importance of increasing African voice on SC.	
L.69	In total over 40 LDCs, Brazil, India, Nigeria, South Africa	Since 2007	Increase LDC representation, but since 2012 growing convergence with C-10; LOC	Substantially hardened their stance regarding the demand for a veto in the past years.	No single country but overlap of L.69, G4, and C-10 is feared; Anti-veto demand
ACT	In total over 27 members, Denmark, Estonia, Ghana, New Zealand, Switzerland	Since 2013, S5 since mid-late 2000s	Improving the SC's working methods thus increasing its efficiency, legitimacy, and transparency; LOA	Willing to improve the SC in its current composition. Pragmatism. Piecemeal if comprehensive reform is not attainable. De facto over structural reform. Code of Conduct.	P5 argument that working methods should be addressed by the SC alone; States against piecemeal approach
Country Specific	Small states such as Panama, Liechtenstein, Cuba etc.	Largely since 2005, sporadically in the 1990s	Creating a more representative, equitable, transparent SC for all UN member-states; LOA	Willing to work on veto restraint in its ideal not only attainable form. Creating a single category of seats. Not compromising on democratic credentials.	Often too idealistic; not enough supporters; states against piecemeal approach; P5

From the above table it becomes apparent that Security Council reform is an extremely intricate and inter-woven process with a multitude of actors working on the 'same' overarching goal; however, for very diverse reasons. It remains perplexing that despite nearly all 193 UN member-states agreeing that SC reform is an absolute necessity in order to maintain the Council's legitimacy and ability to cope with 21st century security threats, no common position on reform where at least two-thirds of the UN membership agrees upon, has yet been found. As a result of these varying motivations, the Council reform process has effectively been stalled for the past two decades. Unless some key reform groups, and individual member-states, show

sufficient political will to seriously compromise on the issue of reform, the debate is likely going to subsume many additional years. The foregone analysis suggests that studying and analyzing state behaviour is extremely arduous. Official diplomatic statements and positions cannot be taken and understood at face-value. Despite official rhetoric and referring to principles of justice, fairness, efficiency, and legitimacy regarding Council reform, many states remain fixated on their own potential narrow and self-interested gain, instead of improving the UNSC as a whole and for the sake of the organization as such.

5. Conclusion

5.1 Summary of the reform debate so far

In the past two decades, the GATT has been transformed into the WTO, the EU has widened and deepened substantially, the North Atlantic Treaty Organization had to radically adapt to the changing geopolitical climate in the western hemisphere, and a manifold of other IGO's have been created or changed their primary mandates. However, no such drastic evolution has been witnessed at the UNSC, although some changes did occur. Reforming the UN Security Council is a topic that has received much attention during its almost quarter of a century negotiation process. Although structural reform of the Council has not occurred since 1965 when the SC was enlarged to its current composition, ample adaptions in the Council's working methods can be observed since the beginning of the OEWG in 1993. Similarly, the reform process itself cannot entirely be characterized as a failure. Arguably, ''the rhetorical fireworks over the last two decades have contributed to a permissive environment that facilitated pragmatic modifications in working methods. These have injected more openness, accountability and

diverse inputs into Council deliberations and could be expanded'' (Weiss 2011: 198). However, one critical shortcoming is the often cited belief that a reformed and more representative SC will automatically also become more efficient and successful in tackling today's security threats.

The concepts of legitimacy and efficiency are frequently not entirely reconcilable. Nonetheless, despite the importance of both concepts in regard to Council reform and the fact that every single diplomat and observer interviewed highlighted this fact; the reform process has not yet addressed the delicate balance between those two essential objectives. However, several interviewees pointed out that the Council is currently neither effective nor legitimate, thus any reform is favorable compared to the status quo. Several close observers of the reform process, accentuated that legitimacy is the cornerstone of the UN system and thus deserves particular emphasis.

One interviewee stated that ''even if the Security Council is not effective, it can still be legitimate'' (Interview from October 19th, 2015). On the other hand, as a former representative of the Netherlands pointed out ''no one can seriously believe a council with 24 members can be more effective than one with 15, but it has become politically incorrect to point this out'' (Chapnick 2006: 89). This tension between efficiency and legitimacy should nonetheless not be regarded as a strict dichotomy. The Council's authority in international relations is largely derived from its perceived legitimacy and neutrality. Hence, authority can generally be understood as legitimated power. Conversely, once this perceived legitimacy of the Council decreases due to unrepresentativeness or growing inefficiencies, the authority of the UNSC is at stake. The UN's collective legitimization function has long been accentuated (Claude 1966). Likewise, the UNSC remains at the very core of the globe's international regime on the use of

force, and despite the outdated and increasingly anachronistic looking structure of the SC, the Council is not being sidelined by any rival or competing institution.

The topic of Council reform is complex due to a multitude of reasons. Reforming the UNSC has been on the agenda for over two decades. However, reaching agreement on any of the proposed reform plans has proven to be unattainable thus far. This is even more perplexing considering that nearly all states agree that reform is necessary in order to ensure the Council's effectiveness and legitimacy. Arguably the survival of institutions depends on their flexibility. However, the UNSC seems to be an outlier case in this regard. Analyzing states' motivations in regard to the reform process has proven to be valuable and helps nuance the reform debate, and partially explains why reform has been dragging on for so many years. Distinguishing between two different types of logic motivating states, namely the strategically motivated logic of consequences versus the more normatively motivated logic of appropriateness (March and Olsen 1989; 1989, 2009) has highlighted that Council reform has different meanings to differing states. Despite working and negotiating on the same topic, states do so for varying motives and principles. States primarily motivated by normative concerns try to improve the Council as a whole, whereas strategically and self-interested states try to gain as much as possible from the reform process. This zero-sum approach as observed with many of the major reform coalitions, with the exception of the ACT group, has contributed to hindering the reform process from concluding.

The previous analysis of state motivations regarding the Council reform process has accentuated several implications for the study of state behaviour. Clearly, official diplomatic statements cannot serve as a legitimate basis for analyzing and comprehending genuine state motivations and interests. The concept of organized hypocrisy has shown that official statements

are often not combined with associated action or implementation. However, although certain UN member-states, above all the P3 and certain regional rivals, arguably favor the status quo over reform, they cannot overtly say so. In this sense, the reform process has become a norm and states cannot choose whether to promote official reform efforts or not. It has widely become accepted that reforming the UNSC has become the appropriate task to pursue. Moreover, the ACT coalition and several further UN member-states engaged in a more pragmatic and piecemeal approach towards achieving Council reform, have largely been successful in their endeavor due to limiting the fear of other UN member-states that they pursue the task of Council reform for their own self-benefit (Einsiedel et al. 2015). Chiefly, member-states portraying their reform efforts as a non-zero-sum game and acting out of normative concerns, have appeared less threatening and more trustworthy to other states. Those same states have also been more successful during the reform debate and achieved more viable results compared to their solely strategically motivated counterparts.

Nonetheless, state behaviour is seldom motivated by merely one logic of action. Any comprehensive approach aimed at explaining state behaviour must take into consideration the complexity of motivational factors and the actuality that ‘‘an actor can be influenced by both strategic calculation *and* moral cognitive templates’’ (Hall and Taylor 1996: 956, *emphasis added*). Comprehending state behaviour implies analyzing motivations from various angles, and not to merely investigate official predispositions. Time is a crucial factor when dissecting the question of why states do certain things and not others. In regard to the Council reform process, an inclination to flexibility and compromise highlights whether a state is truly engaged in the reform debate due to narrow self-interest, or however, for the betterment of the institution as a whole. Why certain states are more motivated by normative concerns over strategic calculations

goes beyond the scope of this study. However, state identity, power, resources, and prestige are certainly among the drivers in answering the question of 'why states do what'.

Analyzing states' motivations adds causal inference to the mere statement that reform has been proven to be unachievable due to concerns over sovereignty. Likewise, new institutionalist theory as employed in this paper, highlights how political institutions are neither completely static nor in constant flux. Surely, concerns over sovereignty are one major obstacle towards structurally reforming the Council. However, constructivist theorists remind us that ''sovereignty is an ongoing practice and not a once and for all creation'' (Wendt 1992: 415). The argument that indeed the very meaning and definition of sovereignty has been changing over the years can also be observed directly at the UN. Membership in the UN ''is no longer validation of sovereign status and a shield against unwanted meddling in a state's domestic jurisdictions'' (Slaughter: 2005: 620). The G4, L69, UfC, and African group, all stress the importance of the UNSC in today's globalized world, although their views differ on how to reform the SC to best reflect the current geopolitical situation.

The Council is potentially more significant today than at any previous time-period before. Further, the SC has been deadlocked for most of its existence and especially during the Cold War, signaling that it can also withstand the current reform debacle. It is crucial to find a common denominator during the reform process. One commonality that every reform coalition promotes is an increase in the non-permanent category of membership. One educated guess is that if the various reform groups cannot unite behind a single proposal for comprehensive structural reform, a similar reform as occurred in 1965 where 'only' four non-permanent seats were added onto the SC is a plausible outcome of the reform process. The delegation of Cuba underlines that ''the reform of the Security Council must not be a postponed or ignored goal. A

real reform of the United Nations will not be possible without a true reform of the Security Council. Urgent practical actions are a must'' (Framework document, PGA letter from July 31st, 2015, f.8). The reform debate signals that the Council despite its many shortcomings is currently still a valued international organization by most states.

5.2 Where do we go from here? Pointing the way forward

In this paper, I have shown that state motivations clearly matter for the reform debate, and many UN member-states are not committed to the reform process due to concerns over improving the Council per se. All too often, narrow national interests prevail over strengthening the collective security system of the SC as a whole, and improving the institution for the entire international community. It remains to be seen if reform still remains elusive within the next two decades, whether states are willing to continue to push for reform, or however, the Council will slowly lose its standing in international affairs. Germany and Japan are declining powers, but many other aspiring new member-states are increasing both their political and economic clout in world affairs. India is even considered by some to be on the verge of being a global power, although the country still lacks extensive diplomatic resources as argued by some (Einsiedel et al. 2015). In fact, had India, Brazil, Japan, and Germany organized a successful effort to rally for long-term interim seats in 2005 (Model B of the HLP), ''there's a good chance that it would have succeeded- and all of those actors would now be looking back on a nearly decade-long tenure on the council, with the serious prospect of having their long-term seats rolled into a permanent or semipermanent agreement'' (*Ibid* p. 809). Many interviewees and observers have also pointed out a potential rift among the G4 coalition in the future.

One long-time observer of Council reform expressed that ‘‘by the 75th Anniversary of the UN in 2020, compromise has either been reached, or the issue has finally been shelved’’ (Swart 2015: 5). However, due to the decade long struggle over SC reform, it seems that UN member-states have reached an impasse, where reform despite being unlikely, cannot be simply abandoned anymore without admitting utter failure of the entire reform process. This also signals that talking about Council reform among all 193 UN member-states has become an ingrained norm, and even states that secretly favor the status quo cannot publicly denounce reform efforts. One reason for this norm emergence is socialization among UN member-states in the OWEG and IGN process. Indeed, ‘‘socialization can be seen as a mechanism through which new states are induced to change their behavior by adopting those norms preferred by an international society of states’’ (Finnemore and Sikkink 1998: 192).

Essentially, ‘‘institutions are resistant to redesign ultimately because they structure the very choices about reform that the individual is likely to make’’ (Hall and Taylor 1996: 941). However, despite the rigid UN Charter this does not necessarily mean that reform will be forever an insoluble issue. For the ongoing reform efforts, a distinction should be made between genuine reform and mere adaptation of the Council. The SC clearly has been adapting over the years, and by consulting with non-Council members, seeking expert advice, and increasing the Council’s overall transparency to the public, the SC has been able to remain relevant even 70 years after its creation. Ideally, states should be more pragmatic in their approach towards Council reform, and abandon the conception of a comprehensive reform package, which settles all disputes concerning SC reform at once. Piecemeal reform, as advocated by the ACT group, has proven to be more successful thus far and is likely going to gain more momentum over the years, especially if regional rivalries and conflicts over types of membership persist.

Discerning between different states' motivations helps understand the complexities involved during the reform issue. This is useful for analyzing whether states are committed to reform because of narrow self-interests and possible pay-offs, or however, an intrinsic value of improving the Council as a whole for the entire international community. Nevertheless, despite the current geopolitical situation in the world not being considered as overly promising for reform, states continue to push for it, thus highlighting the Council's ongoing value and relevance in the 21st century. Studying the issue of Council reform in detail has not only real-world policy implications, but can also shed light on why states remain committed to certain objectives, despite achieving only very little progress over the years. Insights derived from this research project can help expand on literature that seeks to explain why outdated formal structures are being maintained, and why states work on issues deemed as insoluble by some observers.

Nevertheless, it must be noted that analyzing the Council reform debate through the lens of state motivations is merely the opening gambit in comprehending the intricate details of the reform issue. One long-time observer of the SC reform process emphasized that all these proposals focus on ''getting what we want…and all of these proposals have in common an aversion to answering the question: what can go wrong here?'' (Interview from October 25th, 2015). The person continued by stating ''the fact that something can go wrong is not a reason to cease moving forward. But to willingly disregard the potential downsides of proposed major institutional change is quite disturbing. The UN is a system in which things are interdependent no matter how hard they try to deny it. Changes in one area, especially of this magnitude, will change other areas of the UN system, not to mention change the way national capitols relate to the UN. The real challenge is to anticipate impacts from any reform measures pursued and

moderate those that are excessive or injurious to the system''. Once the reform process becomes more de-politicized and the focus switches towards a positive-sum game, reform of the SC will be an easier task to accomplish. However, until this objective is achieved, UN member-states will likely continue to quarrel over who gets to sit at the horseshoe formed table in New York City.

References:

Bibliography and Academic Sources:

ABBOTT, Kenneth; SNIDAL, Duncan, 1998, Why States Act through Formal International Organizations, The Journal of Conflict Resolution, Vol. 42, No. 1 (Feb., 1998), pp. 3-32.

ALVAREZ, Jose E., 2005, International Organizations as law-makers, Oxford/New York, *Oxford University Press.*

AVANT, Deborah; FINNEMORE, Martha; SELL, Susan, 2010, Who Governs the Globe? *Cambridge University Press.*

BARNETT, Michael; FINNEMORE, Martha, 1999, The Politics, Power, and Pathologies of International Organizations, *International Organization* 53, no 4: 699-732.

BARNETT, Michael; **FINNEMORE, Martha**, 2004, Rules for the World: International Organizations in Global Politics, *Cornell University Press.*

BINDER, Martin; HEUPEL, Monika, 2015, The Legitimacy of the UN Security Council: Evidence from Recent General Assembly Debates, *International Studies Quarterly* (2015) 59, 238–250.

BOURANTONIS, Dimitris, *2005, T*he History and Politics of UN Security Council Reform, London/New York, *Routledge.*

CHAPNICK, Adam, 2006, UN Security Council reform and Canadian foreign policy: Then and now, *Canadian Foreign Policy Journal*, 13:1, 81-96.

CLAUDE, Inis, 1966, Collective Legitimization as a Political Function of the United Nations, *International Organization*, Vol. 20, No. 3 (Summer, 1966), pp. 367-379.

CLAUDE, Inis, 1996, Peace and Security: Prospective Roles for the Two United Nations, *Global Governance* 2 (1996), 289-298.

COLLIER, David; MAHONEY, James, 1996, Insights and Pitfalls: Selection Bias in Qualitative Research, *World Politics* 49, 1 (October 1996): 56-91.

COOPER, Andrew F.; HUGHES Christopher W.; DE LOMBAERDE Philippe, 2008, Regionalisation and Global Governance: The Taming of Globalisation? London, *Routledge.*

CRONIN, Bruce; HURD, Ian, 2008, The UN Security Council and the politics of international authority, London/New York, *Routledge.*

DANCHIN, Peter; FISCHER, Horst (eds.), 2010, United Nations Reform and the New Collective Security, *Cambridge University Press.*

DEUDNEY, Daniel; MAULL, Hanns, 2011, How Britain and France Could Reform the UN Security Council*, Survival*, vol. 53 no. 5, October–November 2011, pp. 107–128.

EINSIEDEL, Sebastian; MALONE, David; UGARTE, Bruno Stagno (eds.), 2015, The UN Security Council in the 21st Century, *Lynne Rienner Publishers.*

ELSTER, Jon, 2007, Explaining Social Behaviour: More Nuts and Bolts for the Social Sciences, *Cambridge University Press*.

FASULO, Linda, 2009, An Insider's Guide to the UN, New Haven, *Yale University Press*.

FINNERMORE, Martha, 1993, International Organizations as Teachers of Norms: The United Nations Educational, Scientific, and Cutural Organization and Science Policy, *International Organization*, Vol. 47, No. 4 (Autumn, 1993), pp. 565-597.

FINNEMORE, Martha; SIKKINK, Kathryn, 1998, International Norm Dynamics and Political Change, *International Organization*, Volume 52, Issue 04, September 1998, pp 887-917.

FRANCK, Thomas M., 1985, Nation Against Nation- What happened to the UN dream and what the US can do about it, New York/Oxford, *Oxford University Press.*

GEORGE, Alexander; BENNETT, Andrew, 2005, Case Studies and Theory Development in the Social Sciences, Cambridge, *MIT Press.*

GLENNON, Michael J., 2003, Why the Security Council Failed, *Foreign Affairs,* Vol. 82, No. 3 (May - Jun., 2003), pp. 16-35.

GRANDE, Edgar; PAULY, Louis, 2005, Complex Sovereignty: Reconstituting Political Authority in the Twenty-First Century, Toronto, *University of Toronto Press.*

HALL, Peter; TAYLOR, Rosemary, 1996, Political Science and the Three New Institutionalisms, *Political Studies, XLIV,* 936-957.

HASSLER, Sabine, 2013, Reforming the UN Security Council Membership- The illusion of representativeness, London & New York, *Routledge*.

HAWKINS, Darren G. et al., 2006, Delegation and Agency in International Organizations, Cambridge, *Cambridge University Press.*

HILDERBRAND, Robert C., 1990, Dumbarton Oaks: The Origins of the United Nations and the Search for Postwar Security, Chapel Hill & London, *The University of North Carolina Press.*

HOSLI, Madeleine; MOODY, Rebecca; O'DONOVAN, Bryan; KANIOVSKI, Serguei; LITTLE, Anna, 2011, Squaring the circle? Collective and distributive effects of United Nations Security Council reform. *Rev Int Organ* (2011) 6:163–187.

HURD, Ian, 2002, Legitimacy, Power, and the Symbolic Life of the UN Security Council, *Global Governance*, Vol. 8, No. 1 (Jan.–Mar. 2002), pp. 35-51.

HURD, Ian, 2008, Myths of Membership: The Politics of Legitimation in UN Security Council Reform, *Global Governance 14* (2008), 199–217.

HURD, Ian, 2008, After Anarchy- Legitimacy and Power in the United Nations Security Council, *Princeton University Press.*

HURD, Ian, 2011, International organizations: politics, law, practice, Cambridge, *Cambridge University Press.*

KATZNELSON, Ira, 2003, Periodization and Preferences: Reflections on Purposive Action in Comparative Historical Social Science, in James Mahoney and Dietrich Rueschemeyer, eds., *Comparative-Historical Analysis in the Social Sciences* (2003), 270-301, *Cambridge University Press.*

KENNEDY, Paul, 2006, The Parliament Of Man- The Past, Present, and Future of the United Nations, New York, *Random House.*

LAKE, David A., 2007, Escape from the State of Nature: Authority and Hierarchy in World Politics, *International Security*, Volume 32, Number 1, Summer 2007, pp. 47-79.

LAKE, David, 2009, Hierarchy in International Relations, *Cornell University Press.*

LEECH, Beth, et al, 2002, Symposium: Interview Methods in Political Science, *PS: Political Science and Politics* (December 2002): 663-688.

LEE, Seryon, 2011, The Feasibility of Reforming the **UN** Security Council: Too Much Talk, Too Little Action? (4) *J. E. Asia & Int'l L*. 405.

LIPSON, Michael, 2007, Peacekeeping: Organized Hypocrisy? *European Journal of International Relations;* Mar 2007; 13, 1; ProQuest Central pg. 5-34.

LOVEMAN, Mara, 2005, The Modern State and the Primitive Accumulation of Symbolic Power, *AJS Volume* 110 Number 6 (May 2005): 1651–83.

LUCK, Edward, 2006, UN Security Council- Practice and Promise, New York, *Routledge.*

MARCH, James G., OLSEN, Johan P., 1984, The New Institutionalism: Organizational Factors in Political Life, *The American Political Science Review*, Vol. 78, No. 3 (Sep., 1984), pp. 734-749.

MARCH, James; OLSEN, Johan, 1989, Rediscovering Institutions- The Organizational Basis of Politics, New York/London, *The Free Press.*

MARCH, James G., OLSEN, Johan P., 1998, The Institutional Dynamics of International Political Orders, *International Organization* 52, 4, Autumn 1998, pp. 943–969.

MARCH, James; OLSEN, Johan, 2009, The Logic of Appropriateness, *Arena Center for European Studies*, University of Oslo, working paper, 04/09.

MÜLLER, Joachim (ed.), 2006, Reforming the United Nations-The Struggle for Legitimacy and Effectiveness, Leiden/Boston, *Martinus Nijhoff Publishers*.

MÜLLER, Joachim (ed.), 2010, Reforming the United Nations- The Challenge of Working Together, Leiden/Boston, *Martinus Nijhoff Publishers.*

NYE, Joseph S.; DONAHUE, John D., 2000, Governance In A Globalizing World, Washington D.C., *Brookings Institution Press*.

OLSEN, Johan, 2009, Change and continuity: an institutional approach to institutions of democratic government, *European Political Science Review* (2009), 1:1, 3–32.

PEDRAZZI, Marco, 2000, Italy's approach to UN Security Council reform, *The International Spectator*, 35:3, 49-56.

PETERS, B. Guy, 2012, Institutional Theory In Political Science. The New Institutionalism, New York, *The Continuum International Publishing Group.*

PIERSON, Paul, 2004, Politics in Time, Princeton: *Princeton University Press*.

POULIOT, Vincent in PAUL, T.V.; LARSON, Deborah; WOHLFORTH, William (eds.), 2014, Status in World Politics, Cambridge University Press

POULIOT, Vincent, 2016 (forthcoming), International Pecking Orders: The Politics and Practice of Multilateral Diplomacy, *Cambridge University Press.*

ROSENAU, James N., 1995, Governance in the Twenty-First Century, *Global Governance 1(1),* Jan-April, pp. 13-43.

SARTORI, Giovanni, 1970, Concept Misinformation in Comparative Politics, *American Political Science Review* 64, 4 (December 1970): 1033-1053.

SCHAEFER, Brett D. (ed.), 2009, ConUNdrum*:* The Limits of the United Nations and the Search for Alternatives, Lanham MD, *Rowman and Littlefield.*

SCHLESINGER, Stephen, 2003, Act Of Creation: The Founding of the United Nations. A Story of Superpowers, Secret Agents, Wartime Allies and Enemies, and their Quest for a Peaceful World, Boulder/Colorado, *Westerview Press.*

SCOTT, W. Richard, 2014, Institutions and Organizations- Ideas, Interests, and Identities, *Sage Publications Inc.*

SLAUGTHER, Anne-Marie, 2005, Security, Solidarity, and Sovereignty: The Grand Themes of UN Reform, *The American Journal of International Law*, Vol. 99, No. 3 (Jul., 2005), pp. 619-631.

THELEN, Kathleen, 1999, Historical Institutionalism in Comparative Politics, *Annu. Rev. Polit. Sci. 1999. 2:369.404.*

THOMPSON, Alexander, 2006, Coercion Through IOs: The Security Council and the Logic of Information Transmission. *International Organization*, 60, pp 1-34.

VOETEN, Erik, 2005, The Political Origins of the UN Security Council's Ability to Legitimize the Use of Force, *International Organization* / Volume 59 / Issue 03 / July 2005, pp 527 – 557.

VOETEN, Erik, 2008, Why no UN Security Council reform? Lessons for and from institutionalist theory, in Bourantonis, Dimitris; Ifantis, Kostas; Tsakonas, Panayotis (eds.), 2008, Multilateralism and Security Institutions in an Era of Globalization, London/New York, *Routledge.*

WEISS, Thomas, 2003, The Illusion of UN Security Council Reform, *The Washington Quarterly*, Volume 26, Number 4, Autumn 2003, pp. 147-161.

WEISS, Thomas; YOUNG, Karen, 2005, Compromise and Credibility: Security Council Reform? *Security Dialogue* vol. 36, no. 2, June 2005, pp. 131-154.

WEISS, Thomas G.; FORSYTHE, David; COATE, Roger A., 2007, The United Nations and Changing World Politics*, Westerview Press*.

WEISS, Thomas, 2011, Fundamental UN Reform: A Non-starter or Not? *Global Policy,* Volume 2 , Issue 2, May 2011.

WEISS, Thomas, 2012, What's Wrong with the United Nations (and How to Fix It), Cambridge*, Polity Press.*

WELCH, David, 1993, Justice And The Genesis Of War, *Cambridge University Press.*

WENDT, Alexander, 1992, Anarchy is what States Make of it: The Social Construction of Power Politics, *International Organization*, Vol. 46, No. 2 (Spring, 1992), pp. 391-425.

Material Published Online

BASIC FACTS ABOUT THE UNITED NATIONS, 2011, New York, *Department of Public Information.*

FACILITATORS REPORT, 2007, Report of the Facilitators to the President of the General Assembly on the consultations regarding ''the question of equitable representation on and increase in the membership of the security council and other matters related to the security council, 19 April 2007.

FINIZIO, Giovanni; GALLO, Ernesto (eds.), 2013, Democracy at the United Nations : UN reform in the age of globalization, Brussels, *Peter Lang AG.*

GOVERNMENT OF JAPAN, 2006, Handbook on the Working Methods of the Security Council, December 2006, This publication is not an official UN document and has been edited and published by the Permanent Mission of Japan to the United Nations.

GOWAN, Richard; GORDON, Nora, 2014, Pathways to Security Council Reform, New York University Center on International Cooperation, Commissioned by the Permanent Mission of Japan to the United Nations.

HELLMANN, Gunther; ROOS, Ulrich, 2007, Das deutsche Streben nach einem ständigen Sitz im UN-Sicherheitsrat- Analyse eines Irrwegs und Skizzen eines Auswegs, Duisburg: *Institut für Entwicklung und Frieden,* Universität Duisburg-Essen (*INEF-Report* 92/2007).

HIGH LEVEL PANEL REPORT ON THREATS, CHALLENGES, AND CHANGE, 2004, A More Secure World: Our Shared Responsibility, available at: http://www.un.org/en/peacebuilding/pdf/historical/hlp_more_secure_world.pdf

MARTINI, Elisabetta, 2010, Restarting Negotiations for the Reform of the Security Council, *Istituto Affari Internazionali, DOCUMENTI IAI 10 | 08 – May 2010.*

RONZITTI, Natalino, 2010, The Reform of the UN Security Council, *Istituto Affari Internazionali, DOCUMENTI IAI 10 | 13 – July 2010.*

SECURITY COUNCIL REPORT, Special Research Report, 2007 No.3, 18 October 2007, Security Council Transparency, Legitimacy and Effectiveness: Efforts to Reform Council Working Methods 1993-2007.

SECURITY COUNCIL REPORT, Monthly Forecast for October 2015, http://www.securitycouncilreport.org/monthly-forecast/2015 10/in_hindsight_security_council_decision-making_and_the_veto.php

SWART, Lydia; VON FREIESLEBEN, Jonas, 2013, Governing and Managing Change at the United Nations: Reform of the Security Council from 1945 to September 2013, New York, *Center for UN Reform Education,* available at: https://centerforunreform.org/~centerf3/sites/default/files/SC%20Reform%20Sept%202013%20 publication.pdf

SWART, Lydia, 2015, Proposals to Reform the UN Security Council: Changing the Composition of the Security Council- Is There a Viable Solution, 1 March 2015, *Center for UN Reform Education.*

SWART, Lydia, 2015, Timeline UN Security Council Reform 1992- November 2015, New York, *Center for UN Reform Education.*

VON FREIESLEBEN, Jonas, 2008, A Look at the Transitional Approach to Security Council Reform, *The Center for UN Reform Education.*

VON FREIESLEBEN, Jonas, 2008, Member States Discuss Security Council Reform Again: A Never-Ending Process, *CENTER FOR UN REFORM EDUCATION.*

Most of the aforementioned material can be found at the following websites:

www.centerforunreform.org

www.reformtheun.org

www.globalpolicy.org

www.securitycouncilreport.org

Official UN Websites and Individual Country Delegations:

www.un.org

www.un.org/en/sc

www.**un**.org/en/documents/**journal**.asp

Afghanistan: www.afghanistan-un.org/

Argentina: enaun.mrecic.gov.ar

Australia: www.unny.mission.gov.au/unny/home.html

Belgium: www.diplomatie.be/newyorkun/

Brazil: delbrasonu.itamaraty.gov.br/pt-br/

Canada: www.canadainternational.gc.ca/prmny-mponu/

China: www.china-un.org/eng/

Colombia: http://www.colombiaun.org/English/Home.html

Croatia: http://un.mfa.hr/

Cuba: www.cubadiplomatica.cu/onu/EN/Mission.aspx

Cyprus: http://www.cyprusun.org/

Denmark: fnnewyork.um.dk

Estonia: www.un.estemb.org/

France: www.franceonu.org/

Germany: http://www.new-york-un.diplo.de/Vertretung/newyorkvn/en/Startseite.html

India: https://www.pminewyork.org/

Indonesia: www.indonesiamission-ny.org/

Italy: www.italyun.esteri.it/rappresentanza_onu

Jamaica: www.un.int/jamaica

Japan: www.un.emb-japan.go.jp/index.htm

Kenya: www.un.int/kenya

Lebanon: http://www.un.int/lebanon

Liechtenstein: www.newyork.liechtenstein.li/

Malaysia: www.un.int/malaysia/

Nigeria: redesign.nigeriaunmission.org

Pakistan: www.pakun.org/

Panama: www.panama-un.org/

Russia: www.russiaun.ru/en

Sierra Leone: www.un.int/sierraleone/

South Africa: www.southafrica-newyork.net/

Spain: http://www.spainun.org

Switzerland: www.eda.admin.ch/missny

United Kingdom of Great Britain and Northern Ireland: www.ukun.fco.gov.uk/en/

United States of America: www.usunnewyork.usmission.gov/

Official UN Records including Resolutions, Draft Resolutions, Official UN Reports and Statistics, Meeting Records, GA Decisions, and Speeches (in chronological order):

A/RES/47/62 (GA RESOLUTIONS)

A/RES/48/26

A/RES/48/264

A/Res/53/30

A/RES/59/313

A/RES/59/565

A/RES/60/1

A/RES/61/47

A/RES/63/690

A/Res/69/321

A/59/L.64 (DRAFT RESOLUTIONS)

A/59/L.67

A/59/L.68

A/60/L.49

A/61/L.69

A/64/CRP.1

A/69/L.92

GA Decision 62/557 (GA DECISIONS)

GA Decision 69/560

S/PRST/1995/48 (SC STATEMENTS)

S/2006/507

S/2006/78

S/2010/507

S/2013/515

S/2015/793

A/55/ PV. 64 (MEETING RECORDS)

S/PV.7539

GA/11679 (SPEECHES)

GA/11716

ST/ADM/SER.B/505 (SECRETARIAT INFORMATION/ BUDGET)

ST/ADM/SER.B/582

ST/ADM/SER.B/638

ST/ADM/SER.B/910

Appendix I:

Sample Questionnaire for Structured/Unstructured Interviews:

The main method being employed in regard to the selected participants for my research project is via interviews, both structured and un-structured. Interviewees will be asked several questions in regard to reforming the UNSC (a sample questionnaire can be found beneath). Since most interviewees are representatives of permanent missions to the United Nations in New York City or academics, and are still professionally active, there is a possibility that they will merely re-iterate official statements of their respective country. However, I still hope to get some sense of the highest priorities of each representation, which might not be publicly available. Also personal interviews can help investigating whether individuals see UNSC reform as a hopeless matter, or however, are still actively engaged with the topic and are actively seeking reform proposals. Priority is given to find out, what precisely is driving states and motivates them when seeking UNSC reform. It is important to note that all responses will be made anonymous.

It is also important to note that this questionnaire is merely preliminary, and is subject to change throughout the stage of interviewing. Since each interview is unique, I will make up questions and eradicate others on the spot while interviewing, in order to create a good flow of the interview, and make the interviewee feel at ease, which results in better response rates.[33]

Note: Ethics Clearance in order to conduct interviews has been obtained through McGill University's Research Ethics Board I (File # 406-0415).

Sample Questionnaire:

Open-Ended Questions:

1) What are the major obstacles in achieving reform, why hasn't is been achieved in 25 years? Is it the P5-veto, regional rivalries, states don't trust each other, other diverging views, want seats due to prestige, combination?

2) Do you think enough time and resources are being dedicated to reform? Should more national leaders (such as PM's) be directly engaged, more meetings etc.? Is there a lack of leadership?

3) Do you think there are currently any concrete proposals that are implementable, or more likely to achieve viable results than others? Is G4 proposal more realistic, should the AU drop demand for their veto? Semi-permanent seats an option? ACT framework.

[33] Weiner 1964, Leech et al 2002.

4) Have there been any major changes by your country to previous advocated reform proposals or paths towards achieving reform? Has the view of your country been changed over the decade long reform process.

5) What do you think motivates states most during the reform process? Is it strategic thinking (institutionalize current power structure), or are states genuinely interested in making the SC more representative (moral imperative at play). Does it depend on the state (big states more calculative, and small states more driven by making the SC more legitimate, normative demands)

Motivated by calculations or what's appropriate. Why keep reform issue on agenda.

6) Talking about windows of opportunity. Has a crucial opportunity in the 1990s after the end of the Cold War and during the 2005 World Summit been missed? Is the 70th GA an opportunity for an invigorated process (A/69/L.92)?

7) Does the possibility exist if the SC's legitimacy decreases further and reform remains unattainable, that the institution will be sidelined in the future? Will there be an alternative to the SC? If India, Brazil etc. in 20 years still upset will they form more regional bodies (BRICS bank vs. IMF etc.)

8) If the SC is increasingly unrepresentative of the 21st century, why is it still valued so much?

9) Has the SC reform process gotten a life of its own? Can the reform process still be abandoned and taken off the agenda?

10) Is the tension between legitimacy and efficiency of the UN Security Council reconcilable? Put in other words, is representativeness more or less important than performance?