



# SECURITY COUNCIL REPORT

## SPECIAL RESEARCH REPORT



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## UN SECURITY COUNCIL ELECTIONS 2010

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### 1. Introduction

Elections for the Security Council will be held during the 65th session of the UN General Assembly. The General Assembly is expected to hold elections on 12 October for five of the ten seats on the Security Council for non-permanent members serving two-year terms. The five seats available for election in 2010 will be distributed regionally as follows:

- one seat for Africa (currently held by Uganda);
- one seat for Asia (currently held by Japan);
- one seat for the Group of Latin American and Caribbean States (GRULAC), (currently held by Mexico); and
- two seats for the Western European and Others Group (WEOG), (currently held by Austria and Turkey).

The five new members elected this year will take up their seats on 1 January and will serve two-year terms on the Security Council for the period 2011-2012.

The processes and procedures governing elections to the Security Council are set out in detail in Annex 1. At this time it appears that three of the candidates will enjoy clean slate elections (they do not have any competing candidates):

- South Africa was endorsed by the AU in February 2010 as the candidate for the African seat. South Africa has had one term in the Council, in 2007-2008. South Africa was a founding member of the UN.

- India received regional endorsement from the Asian Group in February 2010 as its candidate. India is one of the founding members of the UN and has served six terms on the Council, mostly recently in 1991-1992.

- Colombia is the only candidate for the GRULAC seat. It has not yet received regional endorsement from the Group but possibly could before the election date. Colombia is one of the founding members of the UN and has had six terms on the Council, most recently in 2001-2002.

By contrast the two WEOG seats are contested and three candidates are vying for them:

- Canada, one of the founding members of the UN, has served on the Council every decade since, most recently in 1999-2000.
- Germany served on the Council most recently in 2003-2004 (both the Federal Republic of Germany [or West Germany] and the German Democratic Republic [or East Germany] were admitted to the UN on 18 September 1973 and united to form one sovereign state effective from 3 October 1990). If East Germany's one term the Council in 1980-1981 is included, Germany has served five terms on the Council).
- Portugal has served two terms on the Council, in 1979-1980 and 1997-1998. (Portugal was admitted to the UN on 14 December 1955.)

To be elected, whether the election is contested or not, a country needs to secure the support of two-thirds of the members which are present and voting (a minimum of 128 votes if all 192 member states participate). Formal balloting is required for elections to a principal organ of the UN such as the Council, even if candidates have been endorsed by their regional group and are running on a clean slate.

The table below indicates the number of available seats by region, the declared candidates and their previous experience on the Council.

## 2. The Seats

### 2.1 Contested Seats: Western European and Others Group

The two seats allocated to WEOG come up for election every two years. In 2010, as in the last election of WEOG members in 2008, three candidates are in contention for the two available seats. The seats are again hotly contested with all three countries generally viewed as viable candidates.

The two seats in the Group are open to all three candidates as there are no

seats formally allocated within WEOG for subregions. (Please see Section 5 of this report for more detail on the established practices and dynamics within this Group.)

There are a number of possible election scenarios for the two WEOG seats:

- two of the three candidates may obtain the necessary two-thirds of the votes in the first round of voting (however, with all three seemingly enjoying substantial support, this outcome seems unlikely);
- one of the three candidates may obtain the necessary two-thirds of the votes in the first round with neither of the other two obtaining a two-thirds majority (in such a case the voting would continue for the one remaining seat until one candidate obtains the necessary number of seats or its competitor withdraws); or
- multiple rounds of voting may take place because all three candidates initially fail to obtain the two-thirds majority.

(Extended multiple rounds of voting have occurred in the past—most recently in 2006 when Guatemala and Venezuela went through 48 rounds of voting, with both candidates eventually withdrawing. This scenario tends to occur if all candidates have a strong base of support that does not waiver as voting continues.)

General Assembly members are likely to take into consideration a range of factors in their voting including the following historical patterns.

#### **Previous Participation**

While all three candidates have previously won seats on the Council, the frequency and recentness of their service is noteworthy.

Region	Available Seats in the 2010 Election	States Running	Years Previously Served on the Council
Africa	1	South Africa	One term of two years (2007-2008)
Asia	1	India	Six terms comprising 12 years (1950-1951, 1967-1968, 1972-1973, 1977-1978, 1984-1985, 1991-1992)
Latin American and Caribbean	1	Colombia	Six terms comprising 12 years (1947-1948, 1953-1954, 1957-1958, 1969-1970, 1989-1990, 2001-2002)
Western European and Others Group	2	Canada	Six terms comprising 12 years (1948-1949, 1958-1959, 1967-1968, 1977-1978, 1989-1990, 1999-2000)
		Germany	Four terms comprising eight years* (1977-1978, 1987-1988, 1995-1996, 2003-2004) (* East Germany represented the Eastern European Group in 1980-1981)
		Portugal	Two terms comprising four years (1979-1980, 1997-1998)

Canada is the WEOG candidate with the most previous experience on the Council, most recently in 1999-2000. Canada is a founding member of the UN and has served six terms, roughly one each decade since 1947. Canada's candidacy was announced in 2001. With the exception of the first session of the General Assembly in 1946, when Canada withdrew after three unsuccessful rounds of voting, Canada has won each of its six previous bids for a Council seat (in 1947, 1957, 1966, 1976, 1988 and 1998) in the first round of voting.

Germany was admitted to the UN in 1973. (Both the Federal Republic of Germany [or West Germany] and the German Democratic Republic [or East Germany] were admitted to the UN on 18 September 1973. The German Democratic Republic and the Federal Republic of Germany united to form one sovereign state effective from 3 October 1990.) Germany has won each of its four previous bids for a WEOG seat on the Council in the first round of voting (in 1976, 1986, 1994 and 2002); East Germany was a member of the Eastern European Group when it served on the Council in 1980-1981. The majority of Germany's past terms on the Council have occurred at eight-year intervals. Having served in 2003-2004, Germany is the WEOG contender who was most recently on the Council. Germany announced its candidature in 2006, rather later than the other two WEOG candidates.

Portugal was the first of the three to announce its candidacy, in 2000. Its most recent term was in 1997-1998 making a gap of 12 years—somewhat shorter than is normal for small to medium size countries in the Group. Portugal has been successful in two

of its three previous bids for a Council seat, all of which were contested. (Portugal eventually withdrew in the 1960 election in favour of Ireland after nine rounds of voting; in 1978 Portugal won a seat on the Council after five rounds of voting and in 1996 Portugal was successful in its bid for a Council seat after two rounds of voting.) Portugal was admitted to the UN in 1955.

### ***Contributions to International Peace and Security***

The three candidates highlight their contributions in different ways:

- Canada stresses its long-standing commitment to multilateralism and peacekeeping, and the positive feedback it has consistently received for its previous service on the Council. In addition, Canada views its global involvement (including its recent hosting of the G8 and G20) as key indicators of its commitment in terms of security, economic and cultural ties, and highlights its status as a bilingual anglophone and francophone nation.
- Germany stresses that its commitment to peacekeeping missions over the last twenty years is serious (Germany's first participation in a peace mission, to Namibia, occurred in 1989). Germany also recognises a wide approach to international security including threats which cannot be addressed with primarily military means.
- Portugal stresses the value for medium and small-sized countries to be represented on the Council in order to foster inclusiveness and transparency, as well as its ongoing involvement in numerous peacekeeping missions. It also highlights its role as a maritime nation and as

a lusophone leader, participating actively in the Community of Portuguese Speaking Countries.

## **2.2 Uncontested Seats**

The contenders for the uncontested seats are all founding members of the UN.

### ***The African Seat***

Although the Africa Group maintains an established pattern of rotation between its various subregions, the key candidate is again South Africa after only a two-year absence. If elected as expected, South Africa will serve its second term as a non-permanent member of the Council (despite its size and status as a founding member of the UN, South Africa had not run for a Council seat until its successful bid for the 2007-2008 term). On 2 February the AU endorsed South Africa's candidature for a non-permanent seat on the Council at its summit in Addis Ababa, Ethiopia.

South Africa seeks to use its term on the Council to strengthen the international system and achieve a broader multilateral approach to questions of international peace and security in general and the promotion of the African agenda in particular. South Africa is one of the top twenty troop contributors to UN peacekeeping operations.

### ***The Asian Seat***

If successful, India will take a seat on the Council for the 2011-2012 term after a 19 year absence. Although not originally running on a clean slate (Kazakhstan withdrew from the race in January), India is running uncontested. India is a top-three troop contributor to UN peacekeeping operations.

### **The GRULAC Seat**

Colombia had at one point expressed interest in running for the 2010-2011 seat. However, when Brazil emerged as a competitor for the 2009 elections Colombia postponed its bid to 2010. There briefly seemed to be a possibility earlier in the year that the Caribbean nation of St. Vincent and the Grenadines would enter the race. However, it did not formalise a candidacy. At time of writing it seemed as if a clean slate election for GRULAC was likely, despite the fact that there was no formal GRULAC endorsement.

Colombia stresses that it is one of the longest-standing democracies in Latin America with a long history of support for multilateralism. It explains that its domestic situation over the past several decades has provided it with very practical experience in issues relating to conflict and that it can bring to the table some real experience on possible best practices in other situations and regions.

### **3. Possible Issues Involving Council Membership during 2011-2012**

#### ***The Effects of a Clean Slate Election***

There have been periods when the Council elections have been largely uncontested. For example, several times in the past decade there were full clean slates, i.e. only five candidates for the five seats (this occurred from 2002-2004 and in 2009). Similarly from 1989 to 1991 and then in 1994 Council elections were non-competitive. The longest period of non-competitive elections appears to have taken place following the reorganisation of the

electoral groups and the expansion of the Council membership from 11 to 15 that was decided in 1963 and entered into force on 31 August 1965. For nine of the ten years from 1965 to 1974 the number of candidates equaled the number of seats allocated to each region every year. But this was followed by a period of highly competitive elections from the mid-1970s to the mid-1980s.

Some observers argue that clean slate elections run the risk of depriving the General Assembly of a diversity of candidates by presenting states already endorsed by the regions for “rubber stamping”. (This practice was one of the criticisms leveled at the Commission on Human Rights, which was replaced by the Human Rights Council in 2006.) Article 23 of the UN Charter establishes criteria for elections to the Security Council. These criteria require a contribution to international peace and security and regard to equitable geographical distribution. To some extent pure rotation or other similar practices can run counter to this Charter provision. Some argue that non-competitive elections result in more complacent Council members who have not been required to engage in more active campaigning, which tends to energise candidates and require them to more clearly define their priorities and policies.

However, other observers point out that some regional groups prefer clean slate candidates believing that it enhances effectiveness rather than inhibiting it. Clean slates are also viewed by some as useful in avoiding regional or wider tensions. Also some groups see political value in taking their own decisions their own way, and perceive political

risks in lengthy elections and multiple rounds of voting. Systems of rotation can also encourage members who might not otherwise compete because of the lack of capacity to campaign. It should be acknowledged that there are cases where an uncontested election has produced very effective Council members. When a candidate does not have to spend time, energy and money on campaigning and knows with some certitude when they will serve on the Council, it is possible for motivated candidates to begin preparations for being on the Council well in advance.

### **4. A Unique Council in 2011?**

An interesting aspect of the 2011 composition of the Council is the fact that Brazil, India, Nigeria and South Africa will be on the Council concurrently. All four are major emerging countries and key stakeholders in both regional and global institutions. Brazil and India are part of the Group of Four (or G4, including Brazil, Germany, India and Japan) formed in 2004 to push for expansion of the Council. Although Japan rotates off the Council this year, three members of the G4 may have a place on the Council if Germany also is successful in gaining an elected seat.

Another factor is the development in 2003 of the India, Brazil and South Africa (IBSA) Dialogue Forum meant to enhance trilateral relations between the countries. The three countries also hope to promote broader “South-South” cooperation, being regional powers of South Asia, South America and Southern Africa respectively. (On the occasion of a state visit by the



South African president to India in June 2010, India and South Africa reiterated support for one another's current campaign for a non-permanent seat on the Council and agreed to continue working toward further reforms of the UN.)

Five UN members who have asserted bids for permanent membership could be on the Council in 2011.

By any standards the Council in 2011 could be the strongest group of UN and global stakeholders ever assembled on the Council. This could create a unique dynamic. However, it is difficult to predict whether this will in fact foster a more proactive and effective Security Council.

## 5. Modern Regional Groupings and Established Practices

Since 1963 the regional groups for the purposes of elections to the Security Council have been governed by a formula set out in General Assembly resolution 1991 A(XVIII). Under that resolution the seats previously available to the African and Asian states were combined. However, in reality the candidates for elections for the African and Asian seats operate separately and this report follows that customary practice.

The UN Charter provides that non-permanent members would be elected according to equitable geographic distribution. It does not stipulate how that should be achieved. Nor does it suggest a possible composition of appropriate geographical groups. Nevertheless, the principle of equitable geographic distribution gave rise to the establishment of electoral groups as a vehicle for achieving that goal. The

regional groups, as they now operate, are as follows:

African Group	53 members
Asian Group	53 members
Eastern European Group	23 members
GRULAC	33 members
WEOG	28 members

(Currently only Kiribati does not participate in any regional grouping within the UN.) The US is not a member of any group but attends meetings of the WEOG as an observer and is considered a member of this group for electoral purposes. Israel, which was without any group for many years, was given temporary membership in WEOG in May 2000, which is subject to renewal every four years. In 2005 Israel announced that it plans to run for a seat on the Council under WEOG in 2018.

### African Group

Most of the groups have informal understandings which are not codified into actual rules. The African Group is an exception to this in that it has adopted the Rules of Procedure of the AU Ministerial Committee on Candidatures within the International System for the selection of candidates. Subregional groups within the African Group tend to follow a disciplined rotation system. Theoretically, under this system every country in Africa should eventually get a turn to be a candidate for a seat on the Council.

In practice this system, if followed, means that the UN membership at large has little choice on the African candidate. The African rotation should follow a systematic cycle based on the following principle:

- North Africa (six states) and Central Africa (nine states) rotate one seat every two years;
- Western Africa (15 states) has one seat every two years; and
- Eastern Africa (13 states) and Southern Africa (ten states) rotate one seat every two years.

However, the picture becomes complicated at times because countries within a subregional group can change their affiliation. Also, some countries that can claim to straddle more than one geographic region have at times indeed chosen to shift from one subgroup to another. In theory under the rotation system the ten members of the Southern Africa subgroup should all have a turn in the Council over a 52-year period. However in practice other factors can override the system. For example, challengers can emerge within the same subregional grouping upsetting the rotation. Candidates can often be persuaded to drop out to avoid a competitive election. Moreover, there have been times when challengers have emerged and continued all the way through the election. Since 1965, when the current regional groupings were established, there have been only four competitive elections for the African seats. Nigeria prevailed over Niger after five rounds in 1977. It also challenged Guinea-Bissau in 1993 and won. In 1985 Ghana and Liberia went to four rounds before Ghana won. Another example was when Sudan lost to Mauritius in 2000. In a 9 October 2000 letter to the president of the General Assembly (A/55/463) Uganda raised objections to Sudan's candidature on both the grounds that it had not followed the proper procedures in notifying the AU and that it was under

UN Security Council sanctions. (The Organisation of African Unity, the AU's predecessor organisation, did not endorse any candidate that year.) Also, in practice within a subgroup some countries may choose to run more often, while others choose to run less frequently or not at all.

The process for selecting a candidate in the African Group has a defined path. First, the subregional groups select their candidates whose names will be forwarded to the African Group of ambassadors for endorsement. The ambassadors submit the candidates to the Committee on Candidatures of the African Group in New York which then transmits the candidates to the AU's Ministerial Committee on Candidatures of the AU which follows its written Rules of Procedure in selecting candidates. (The African Group and the AU are made up of the same members with the exception of Morocco which is not a part of the AU.)

Regional organisations, such as the Economic Community of West African States, may add their endorsement before the list goes to the AU ministers. A final decision is then taken by the Executive Committee, made up of the AU leaders, during AU summit meetings. However, despite having these written Rules of Procedure for candidate selection, some candidates have in the past submitted their candidature directly to the AU Ministerial Committee on Candidatures, bypassing the process in New York.

Overall the system of rotation tends to favour clean slate elections. However, there have been times when mechanistic application has resulted in

candidates being elected that would have struggled in a contested election and whose presence on the Council added little or nothing to resolving problems. (Rwanda's election in 1993 and its performance during the genocide in 1994 is an example.)

A factor which seems to be coming more into play is the growing desire by the larger countries in the region which have played a major role on the continent to be elected more often than strict adherence to the rotation system would allow. This appears to be the case with both Nigeria and South Africa. It remains to be seen how this factor will play out in the future.

#### **Asian Group**

In the Asian Group there are no formally established rotation practices for rotation of seats. While it has the same number of countries as the African Group, the Asian Group's wide geographic span—covering the Middle East, Northeast Asia and Southeast Asia—has led to a much looser regional grouping.

Still some patterns have emerged. Until the mid-90s there was an almost continuous South Asian presence on the Council with India, Pakistan, Nepal and Bangladesh occupying seats on the Council. However, these countries do not appear to have a policy of not running against each other. In 1975 India and Pakistan contested the same seat going to eight rounds with Pakistan finally winning. India and Pakistan also overlapped for a year in 1984. However, India has not been on the Council since 1992 (it did run in 1996 but lost to Japan).

Since 1958, Japan also has been a regular presence on the Council and

has accumulated twenty years on the Council (counting 2010) by running almost every four years beginning in 1966. The lack of a formal rotation system has meant that there is often competition for the Asian seat regardless of whether a candidate declares itself far in advance. Larger countries like Japan have tended to declare their candidacy closer to the election year while smaller countries have tended to announce their decision to run many years ahead of time. The only subgroup within the Asian Group which endorses its candidates is the Association of Southeast Asian Nations (ASEAN), made up of the ten Southeast Asian countries, though there is no policy of ASEAN regularly fielding candidates.

#### **The Arab Swing Seat**

There is an established practice that spans the Asian and African Groups. As discussed in Annex 2 below General Assembly resolution 1991 A(XVIII) provided five seats for "Asia and Africa" and in practice the seats have been divided into three seats for Africa and two for Asia. In 1967, after Jordan ended its two-year term in what had been the Middle East seat, there was a year with no Arab state on the Council. It appears that at some point there was an informal agreement, although there seem to be no known records, that one seat would be reserved for an Arab state and that Asia and Africa would take turns every two years to provide a suitable candidate. As a result this seat is often called the "Arab swing seat". Since 1968 the Arab candidate from the African Group has generally come from North Africa except for when Sudan occupied the seat from 1972 to 1973. The Asian Group works on the informal understanding that it will field a suitable Arab

candidate every four years. (Lebanon holds this seat for 2010-2011.) Although this is an informal agreement between the Asian and African Groups, since 1968 a seat has been continuously occupied by an Arab country.

#### ***Eastern European Group***

The Eastern European Group is the smallest group, consisting of 23 states. But it is the group that has increased the most in recent years, with fifteen new members since 1991 due to the dissolution of the Soviet Union and the splitting of other states in the region. Thirteen members have served on the Council (including Czechoslovakia and Yugoslavia prior to their dissolution). The Eastern European seat was one of the original seats included in the permanent members' "gentlemen's agreement" in 1946. But soon, the meaning of that agreement was contested with the Soviet Union and the West for twenty years vying to place their preferred candidates in this seat. It also became a hotly contested seat among new member states that did not have a clear regional grouping (for example the Philippines in 1955, when there was no Asian seat). Although Turkey runs now as a member of WEOG, in 1961 it occupied the Eastern European seat on the Council. As a result of the competition over this seat, until 1960 Poland and the Ukraine (which was in fact part of the Soviet Union but had a separate membership in the UN, as did Belarus, as part of an agreement between the Soviet Union, the UK and the US during the Yalta Conference in 1945) were the only Eastern European countries elected.

The Eastern European Group grew significantly in the aftermath of the Cold

War, with the split of Yugoslavia into six countries (Bosnia and Herzegovina, Croatia, Slovenia, Macedonia, Serbia and Montenegro), the break-up of Czechoslovakia, and the Soviet Union's splitting into 15 states. Montenegro is the newest UN member having been admitted to the UN in 2006.

Bosnia and Herzegovina, one of the new Eastern European Group members, is now serving its first term on the Council in 2010-2011. It follows Croatia (another new member of the Group which served from 2008-2009), Slovakia (which served from 2006-2007) and Slovenia (which served from 1998-1999). The Czech Republic (which until 1992 together with Slovakia comprised Czechoslovakia) served on the Council in 1994-1995.

#### ***Western European and Others Group***

WEOG is the second smallest regional grouping. It is a group whose members share broadly similar levels of economic development and political values but which is the most diverse geographically. The group comprises Western Europe plus the "others". This latter subgroup is made up of three members of what was previously called the British Commonwealth Group. The British Commonwealth Group grew rapidly in the late 1950s as states from Africa and Asia became independent. Most of these newly independent states eventually moved to the Asian and African Groups and to GRULAC. Canada, Australia and New Zealand became "the others" in WEOG. (With France and the UK as members, and the US attending meetings as an observer, WEOG includes three of the five permanent members of the Council.)

WEOG practices what might be called an open market approach to elections which produces a regular pattern of contested candidatures. Eight members of the group—Andorra, Iceland, Israel, Liechtenstein, Luxembourg, Monaco, San Marino and Switzerland—have never served on the Council. Two members, Italy and Canada, have served six times.

There are several loose subgroups within WEOG: the Nordics (Denmark, Finland, Iceland, Norway and Sweden), the Benelux (Belgium, Luxembourg and the Netherlands) and CANZ (Canada, Australia and New Zealand). There are informal understandings within these subgroups which have helped members to campaign for each other—this is particularly the case with the Nordic and CANZ countries. Since the creation of WEOG which took effect in 1965 until 2001, CANZ countries have been on the Council about every four years. However, since 2001 there has been a nine year period with no representation from these three countries.

The Nordic subgroup has a clearly established practice of fielding an agreed Nordic candidate once every four years. Finland is expected to run in 2012, Sweden in 2016 and Norway in 2020. The subgroup also campaigns collectively as seen in the September 2007 joint letter sent by the Nordic foreign ministers asking UN members to support Iceland's candidacy. As a result Nordic candidates have been a regular presence since 1949.

In the past it seems that there were some loose understandings between the subgroups which sometimes enabled them to avoid competition for

the same seat. However, the contested elections of 2008 (with Austria, Iceland and Turkey vying for the two seats) and 2010 (with Canada, Germany and Portugal competing) suggest that WEOG is likely to remain highly competitive in the coming years.

### **Latin American and Caribbean Group**

After the expansion of the Council and the reorganisation of the electoral groups that occurred as a result of General Assembly resolution 1991 A(XVIII)—which was adopted in 1963 and took effect in 1965—the Latin American Group took in the Caribbean states (which included several members of the British Commonwealth) and became GRULAC. Like most of the other groups, GRULAC has no formal rules regarding rotation. For much of the last sixty years non-Caribbean countries have tended to dominate regional representation. Historically, the group was often able to reach consensus on clean slates. There have been only five contested elections over the years. However, the Group has produced two of the most protracted and bitterly contested voting sessions in UN history. In 1979 the contest between Cuba and Colombia went to 155 rounds before Mexico was elected as a compromise candidate. In 2006 there were 48 rounds between Guatemala and Venezuela with Panama finally coming in as the compromise candidate after over two weeks of voting. (Though the process took some time, the 2006 election also highlighted the potential for regional groups to play an important role in resolving such deadlocks, with GRULAC actively involved in finding a compromise candidate and in persuading Venezuela and Guatemala to step down.)

After the difficulties in 2006, the Latin American countries in GRULAC appear to be moving towards favouring a more coordinated system of candidature for the Council in order to avoid having highly contentious competitions in future elections. There is an emerging sense that there should only be one candidate running each year and that Latin American countries are conscious of not competing with each other. Currently for the period between 2011 when Ecuador is planning to run, and 2016 when Bolivia plans to be the candidate, there is only one Latin American candidate on the list for each election. This approach is at some risk, however, because it ignores what will happen if a Caribbean country chooses to compete (as shown by the prospect posed by a possible St. Vincent and the Grenadines candidacy early in 2010). Another pattern that may be emerging is the growing interest by the bigger countries in the Group (such as Brazil and Mexico) to run more regularly.

## **6. Established Practices in Becoming a Candidate**

With the exception of the African Group, which has a more codified process, most candidates follow a fairly standard path in announcing and pursuing their candidacy for the Council. If the country is a member of a subregional group like the Nordic Group within WEOG or ASEAN within the Asian Group it will often first inform members of its subregional group of its intention to run and seek their support. The endorsement of the subregional grouping then becomes an important factor in the second step.

The second step is to write formally to inform the monthly chair of the regional group of the country's intention to stand for election. This is then incorporated by the chair in the group's UN candidacy chart which is maintained by each regional group and reviewed at monthly group meetings. At this point most candidates prepare a circular note to all missions in New York informing them of the candidacy.

As the year for the relevant election approaches, the regional group may decide to give its endorsement, and nearer to the date of the election the chair of the regional group will inform the president of the General Assembly of the clean slate. Although there is nothing in the General Assembly's Rules of Procedure specifying that this should be done, most candidates also send a note to the Secretariat or the president of the General Assembly announcing the country's candidature for a particular year. If the country has been endorsed by its regional group, it is likely to provide that information. This becomes a guide to help the Secretariat prepare the relevant documentation for the election process.

## **7. UN Documents**

### **Selected General Assembly Documents**

- A/65/150 (13 July 2010) was the provisional programme of the plenary for the 65th General Assembly.
- A/64/PV.20 (15 October 2009) was the plenary record of the 2009 elections of non-permanent members.



- A/59/881 (20 July 2005) was a note verbale from Costa Rica containing information on elections from 1946 to 2004.
- A/55/463 (9 October 2000) was the letter from Uganda on Sudan's candidature.
- A/RES 1991 A(XVIII) (17 December 1963) was the resolution adopting amendments to the Charter on the composition of the Council and establishing the allocation of seats to various regions.
- GAOR 1st Session, Part 1, 14th Plenary Session and Part II (12 January 1946) was the first election of non-permanent members.

#### Other

- UN Charter
- A/520/Rev.15 and amendment 1 and 2 are the Rules of Procedure of the General Assembly including amendments and additions.
- Repertoire of Practice of the United Nations Organs, Supplement 6, Volume III on Article 23

## 8. Useful Additional Sources

- *United Nations Handbook 2009-2010* published by the New Zealand Ministry of Foreign Affairs and Trade
- *The Oxford Handbook on the United Nations*, edited by Thomas G. Weiss and Sam Daws, Oxford University Press, 2007
- *Reforming the United Nations: Lessons from a History in Progress*, Edward Luck, International Relations Studies and the United Nations Occasional Papers, 2003, No.1

- *The Charter of the United Nations, A Commentary*, Second Edition, Volume II, Edited by Bruno Simma, et al. Oxford University Press, 2002
- *Eyes on the Prize: The Quest for Non-permanent Seats on the UN Security Council*, David Malone, Global Governance, vol. 6, no.1, January-March 2000
- *What is Equitable Geographic Representation in the Twenty-First Century* edited by Ramesh Thakur, International Peace Academy, Seminar Report, 26 March 1999
- *The Procedure of the UN Security Council*, Sydney Bailey and Sam Daws, Chapter 3, Clarendon Press, Oxford, 1998
- *The Once and Future Security Council*, edited by Bruce Russett, St Martin's Press, 1997
- *A History of the United Nations Charter*, Ruth Russell, The Brookings Institute, 1958
- *Politics and Change in the Security Council*, International Organisation, Vol. 14, No.3, Summer 1960, pp. 381-401
- See <http://www.un.org/Depts/dpa/repertoire/> for analysis of the question of equitable geographical distribution under article 23
- See <http://www.africa-union.org/root/au/Conferences/Summits/summit.htm> for a list of AU summit decisions
- Rules of Procedure of the AU Ministerial Committee on Candidatures within the International System, Doc. EX/CL/213 (VIII)

## Annex 1: Rules and Process for Election to the Council: Relevant Charter Provisions and Rules of Procedure

### Charter Provisions on Election to the Council

The UN Charter, in article 23, specifies the number of non-permanent members to be elected:

*The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council.*

It also stipulates the length of their term:

*The non-permanent members...shall be elected for a term of two years.*

The practical impact of rotation occurring every two years is mitigated by staggering the cycle, so that five members are elected each year by the General Assembly for the stipulated two-year period. This was determined by rule 142 of the Rules of Procedure of the General Assembly.

Despite the specification of a two-year term there have been exceptions of members serving shorter terms. There have been one-year terms, either to break electoral deadlocks or to establish the required rotational cycle.

Article 23 also contains a provision that ensures that no member can become a de facto permanent member by being elected to continuously serve in the Council:

*A retiring member shall not be eligible for immediate re-election.*

This is further reinforced by rule 144 of the Rules of Procedure of the General Assembly, which also states that a retiring member of the Council will not be eligible for immediate re-election.

The Charter also specifies the criteria that the members of the General Assembly should apply when considering who should be elected to serve on the Council. It provides in article 23 that due regard shall be:

*...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.*

Contribution to the maintenance of international peace and security is often interpreted in this context as levels of contribution to peacekeeping or financial contributions for peacekeeping operations and peace processes. Contribution to the other purposes of the organisation, by contrast, is a very wide term.

A key procedural provision of the Charter, which is relevant to Security Council elections, is article 18(2). This requires a two-thirds majority vote in the General Assembly on important questions. Under that article, election to the Council is defined as an important question.

In addition, article 18(3) defines the required majority by reference to members present and voting. This refers to members casting an affirmative or negative vote. Members who abstain from voting are considered not voting. If all members are present and voting, the required majority in 2010 will be 128, unless some members are precluded from voting by virtue of article 19 of the Charter, due to arrears in payment of financial contributions.

### Relevant Rules of Procedure

Closely contested elections to the Security Council can sometimes produce tense and dramatic situations on the floor of the General Assembly. In such circumstances understanding the relevant Rules of Procedure can become very important.

The voting process is governed by rules 92, 93 and 94 of the Rules of Procedure of the General Assembly.

Under rule 92, elections to the Council are held by secret ballot. Nominations are not required. Countries simply declare their intention to run, sometimes many years ahead, either by circular note to all members of the UN or to the chair of their regional grouping, or both.

Rule 93 sets out the procedure which applies when there is only one vacancy to be filled and no candidate obtains the required two-thirds majority in the first ballot. It provides:

*...a second ballot shall be taken, which shall be restricted to the two candidates obtaining the largest number of votes...if a two-thirds majority is required the balloting shall be continued until one candidate secures two-thirds of the votes cast.*

What this first part of rule 93 means is that if there are more than two candidates and no clear winner in the first ballot, the lowest polling candidate drops out and the contest then continues to a second ballot between the top two candidates. This first part of this rule does not apply in the 2010 election as there is no scenario where there is one seat and more than two candidates. The effect of rule 93 is that voting simply continues until one

candidate prevails, either by securing the required majority or because the other withdraws.

If neither candidate receives the required majority in the second and third ballots, rule 93 says that after the third inconclusive ballot, votes may be cast for an eligible member. This allows new candidates to come into the process and the fourth ballot is therefore technically referred to as an unrestricted ballot. (Also it would allow any candidate excluded after the first restricted ballot to come back again.)

If a result is not achieved after three of these unrestricted ballots, rule 93 requires that the pool again be reduced to the top two. This cycle then repeats until a result is achieved.

The emergence of new candidates during the unrestricted stage is rare, but not unprecedented. The most recent example took place in 2006 when Panama came in after 48 rounds of inconclusive voting between Venezuela and Guatemala. The longest period of voting was in 1979 when Cuba and Colombia went to 155 rounds over a period of three months before Mexico was brought in as an alternative candidate.

In practice, what is more common is that after a succession of inconclusive ballots, and if a trend is starting to emerge in one direction, the candidate with fewer votes may withdraw.

Rule 94 is similar to rule 93, but is applied when there are two or more seats to be filled:

*When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining*

*in the first ballot the majority required shall be elected.*

Rule 94 also specifies that if additional rounds of voting are required, the pool is reduced by a formula which says that remaining candidates should not be more than twice the number of places available.

## Annex 2: Historical Background

In 1946, at the outset of the United Nations, the Charter provided for 11 members of the Security Council: five permanent members and six elected members.

Article 23(2) included a provision that in the first election of Council members, three members would be chosen for a period of one year so that in the future three new members could be elected annually. This was decided by drawing lots for the one- and two-year terms.

In the first election on 12 January 1946 the following countries were elected: Brazil, Egypt, Mexico, the Netherlands, Poland and Australia. The pattern of geographical distribution was: two seats for Latin America, one for the Middle East, one for Eastern Europe, one for Western Europe and one for the Commonwealth.

The interpretation of what equitable geographic distribution should mean in terms of seats was based on an informal agreement among the permanent members sometimes known as the London Agreement. From the start there was a lack of agreement on what had been agreed to. The US saw the 1946 formula as only applying to

the first election, but the Soviet Union maintained that there had been a gentlemen's agreement of a more general nature on the future meaning of geographic distribution.

Although the Charter clearly specifies a two-year term for elected members of the Council, in addition to the 1946-1947 period, split terms started to occur in the late 1950s until the Council was enlarged in 1965. This was in part driven by fall-out from the disagreement over regional rotation and associated Cold War politics. But the aspirations of the newly independent countries were also an important factor. The first example of this was seen in 1955 when the Philippines and Poland were in contest. After four inconclusive ballots Poland withdrew and Yugoslavia entered. However, the stalemate continued and after two months and over thirty rounds of voting, it was informally agreed that the Philippines would withdraw but that Yugoslavia would resign after one year, at which point the Philippines would run as the only candidate for that seat. Over the next few years this became an increasingly common feature. For example, the 1960-1961 seat was shared between Poland and Turkey, the 1962-1963 term between Romania and the Philippines and 1964-1965 between Czechoslovakia and Malaysia.

By the early 1960s there was a growing acceptance that the original composition of the Council had become inequitable and unbalanced. Between 1945 and 1965 UN membership rose from 51 to 117 member states, with the proportion of Asian, African and Caribbean states increasing from 25 percent to about 50 percent. On 17 December 1963 the

General Assembly adopted resolution 1991 A(XVIII) which contained amendments to the Charter addressing the issue by increasing the number of elected members to ten. The resolution also dealt with the issue of geographic distribution, which was resolved as follows:

- five from the African and Asian states (subsequently subdivided in practice into two seats for the Asian Group and three seats for the African Group);
- one from Eastern European states;
- two from Latin American states (including the Caribbean); and
- two from Western European states and Other states (included Australia, Canada and New Zealand).

At the same time article 27 was altered so that resolutions of the Council required the vote of nine instead of seven members. This also meant that for the first time the permanent members could be out-voted by non-permanent members, although only on procedural questions.

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