

# **The United Nations Security Council: Options for Small States**

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Mr President, Madame Foreign Minister,

It is a great honour to be with you today at this important conference to discuss the role and opportunities for small states.

I also want to thank the Government of Iceland and the University of Iceland for the kind invitation to participate and for the excellent arrangements and hospitality.

Since the United Nations was founded 63 years ago, there have been many changes in the way that the UN operates – but perhaps none is more significant than the growth in its membership. In 1945 there were 51 members. Today the number has reached 192.

Small states have always played an important role in the organisation. Some small states, like New Zealand, were there in 1945 at the very outset. Others, like Iceland, joined a year later in 1946. But in the early days the United Nations was very much a club of large and powerful states. And nowhere was this more obvious than in the Security Council – initially comprising only ten members five of whom were the super powerful who became “permanent members”. This left only five places for the rest of the world.

It is particularly significant that of the 141 additional members that have joined the United Nations since 1945 the large majority are small states. Small states now make up the majority of the UN membership – 100 in total.

Looking back from 2008 we can now see several distinct phases in the growth of the organisation. First, there was the process of decolonisation, which brought into existence a large number of new states. Then, in the 1990s, there was the end of the cold war. This brought a new surge of membership. And, finally, we witnessed a remarkable phase in the past decade or so. During this period both the General Assembly and the Security

Council have recognised the value, as member states, of some truly very small countries. These include states such as Andorra, Liechtenstein, Monaco, Nauru, San Marino, Timor Leste and Tuvalu.

Of the 192 member states 100 countries are members of the special grouping in the UN called the Forum of Small States. FOSS is a loose non-ideological and non-geographical coalition of small states. It is coordinated by Singapore and is based on common interests. Members meet regularly to exchange views and coordinate positions.

The growth in the membership of the organisation inevitably led to pressure to expand its various organs so as to accommodate the aspirations of newer states to have opportunities to serve on them. In the context of the Security Council this led to an expansion decision in 1963, which came into effect in 1965. The number of seats on the Security Council for elected members was doubled. It went from five to ten. There is of course current political pressure from some states to further expand the Council. But that is mired in controversy. In the context of today's conference I would simply stress that since 1965 small states have been elected to the Council relatively frequently from all of the regional groups.

It is equally noteworthy, in my opinion, that very many small states have served with signal distinction on the Council. From my own observation in 1993/94, when I was representing New Zealand on the Security Council, I saw countries like Cape Verde and Djibouti make very valuable contributions. Subsequently Slovenia, Singapore and Norway were examples of countries which demonstrated that small states can make a real difference. And currently Panama and Costa Rica are living up to this challenge as well.

From time to time theorists (the so called "realists") and sometimes the "pragmatists" among the busy diplomats of large countries are dismissive of the role and capacity of small states on the Security Council. But in my experience the facts prove otherwise. I recall, not long after New Zealand had completed its two year term on the Council in the 1990s, the then US Permanent Representative to the UN, Madeleine Albright, expressing admiration at what had been achieved by New Zealand on the Council. She remarked that it was all the more admirable that this had come from a country whose total population was less than the number of people who resided within the Washington DC Beltway.

For a country like Iceland, the challenge of serving on the Security Council is not so much whether small countries have a legitimate and useful role, but rather how it will use the options that Security Council membership presents.

As always in life options usually come with risks. Two years is a very short time. The Council agenda is very heavy. Issues proceed with breakneck speed. Events, both those scheduled into the forward agenda and unexpected developments tend to collide. These circumstances can heighten the risks for those who are unprepared or for the unconfident. They often lead elected Council members, both large and small, to adopt cautious risk averse postures and inflexible internal control mechanisms.

Elected members that choose this conservative option often find themselves at an impossible disadvantage. They tend to find – usually too late – that micromanagement from the capital does not work and that a risk averse posture really limits their ability to effectively participate in ongoing debate and their capacity for leading on an issue. Such countries find all too often that their officials in the capital are still debating what to say when, in New York, it is either all over or the debate has moved on.

In my experience this curse afflicts larger elected Council members as much as the small. However, at times it can paralyse small countries that have not well thought through their options .

I believe that small countries have one very significant comparative advantage – if they choose to use it. Their small size usually means much greater ease of internal consultation, and much greater openness and flexibility. Knowledge and judgement are less often locked up in competitive bureaucratic silos. And, most importantly, it often also means that the relationships between the political leadership and the diplomats in the field are much more direct and trusting. If these assets can be brought to play a small country has real options to operate in the Security Council professionally and credibly and with nimbleness and flexibility.

Diplomats and others often ask me about the knowledge deficit for small countries – particularly now that the Council is devoting so much time and energy to situations in far away places where few countries have embassies and where few if any of their diplomats or advisers have had the opportunity to visit or study. Certainly, for most of the past 60 years, this would have

been a real problem for any small state contemplating serving on the Security Council.

However in recent years the situation has changed. The advent of the global media organisations, the large NGOs and the appearance of new issue focused organisations has really changed the paradigm. Now a small state can probably learn more about the situation in say DRC or Darfur or Afghanistan by building links with organisations such as Amnesty International, CARE, Human Rights Watch, World Vision and Oxfam than it could from opening an embassy in Kabul, Khartoum or Kinshasa. And if you add to that the “on line” resources of CNN, BBC, Al Jazeera, Xinhua, Voice of Russia, Reuters and UN Relief Net, a small state will not be short of raw information. The problem becomes one of analysis. But, here again there are other important new tools. These include organisations like International Crisis Group in Brussels and my own organisation in New York, Security Council Report.

Countries coming onto the Council almost always ask me also about the veto. Most discussions about the Security Council, and especially when the subject of the P5 comes up, usually turn to the veto. It is no secret that countries like mine vigorously opposed the veto at San Francisco in 1945. But we have been appalled that, in the discussions about Security Council reform over the last 17 years, some have called for even more vetoes. In the end in 1945 we lost the battle over the veto because Josef Stalin needed a carrot and the UK and the US gave him the veto. But what was intended as a backstop of last resort to protect actual vital national security requirements has become a tool now used all the time for minor political or even financial matters. It is even used where the interests of the P5 member in question are at best only minimally involved. And the most pernicious development is what I call the “closet veto” - the positions adopted in private consultations by P5 members in which one of them may intimate that if their position is not accommodated a veto is possible. We have even seen this at work in situations where the issue on the table was protection of civilians against genocide.

When people talk about the veto they rightly focus on these issues. However this sort of focus tends to obscure the fact that there are actually six vetoes in the Security Council. There are the five unilateral vetoes held by the P5. But there is also the democratic veto. No resolution and no paragraph of a resolution can be adopted unless it has nine affirmative votes. There are ten

elected members of the Council and, accordingly, a real option exists for elected members to use the Provisional Rules of Procedure of the Council. The P5 members do not shrink from using their procedural rights, but rarely are elected members sufficiently well prepared and sufficiently confident about their positions to take advantage of their collective power. One classic example of the effectiveness of this democratic veto was demonstrated in the Council's handling of the draft resolution proposed by the US and the UK in 2003 to authorise the invasion of Iraq. In the end the resolution was unable to attract the necessary 9 votes, so the cosponsors withdrew it.

I would now like to turn to what I think is the critical option that confronts every Security Council member almost every day. That is whether to be passive or active, whether to live with the status quo or whether to try to find better newer and more principled solutions. To some extent this is also an important moral dilemma. The Security Council agenda often involves situations where soldiers and civilians are being killed, children are being enslaved as fighters and women and girls are being raped and killed. At times it involves huge catastrophes for millions of civilians and even genocide.

Sometimes elected members may sometimes be tempted to sit back and wait for one of the P5 to make a move – and then to react to that. But I suggest the real issue is how will the public at home and history view a two year term marked mostly by inaction. “Wait and see” can be a very seductive option. It is also the easy low risk option. But the reality is that so often the P5 members themselves often don't have any very good ideas or they find themselves checkmated within their own domestic bureaucracies or as between each other. And sometimes their own policies are in fact contributing to the very problem under discussion.

A very important option for elected Council members, therefore, is whether to act on the basis of the principle that all Council members, permanent or elected, large or small are in fact equal in their rights, duties and responsibilities as Council members. This option means that elected members and even small elected members have the right and even sometimes the duty to speak up on issues on the Council agenda – especially where there are important points of principle at stake.

The first implication of exercising the active rather than the passive option is what it may mean in terms of impact on long term bilateral interests – especially if taking an active as opposed to a passive role may lead a country into potential disagreement with an important partner or ally. Some small states are so politically engaged with, or economically dependant on, large partners or allies that in practice the risks of active positions on Council issues may be too high to contemplate. Fortunately, however, in the post cold war, era this is a rare situation.

But politicians inevitably worry about this problem and it needs to be addressed. It is clear, from the experience in the Council in 2003 over Iraq, that taking an independent and principled position – as many elected Council members did in refusing to support the invasion - can have real adverse implications for some important bilateral relationships. That was a clear and very dramatic case. But with hindsight, I am sure that now, all of the governments who opted for an independent position on the Iraq resolution in 2003, are all the more convinced that it was absolutely the right choice.

Such graphic and highly public options only arise relatively rarely. But they do happen. However, in my experience, even such highly charged cases can be managed to avoid bilateral problems. Let me give an example. In 1994, in the midst of the Rwanda genocide, France proposed a national military intervention which it called Operation Turquoise. New Zealand, like most Council members strongly supported a neutral UN force with a mandate to protect the genocide victims. We had presented a draft resolution to that effect. By contrast it seemed that the French operation – whatever the public rationale – would simply give cover to the perpetrators of the genocide. Events on the ground quickly showed that the New Zealand decision to oppose the French proposal was the right one. But for various, mainly bilateral, reasons ten Council members voted in favour. However the New Zealand side managed the issue professionally and avoided any negative impact on bilateral relations.

These highly public cases are rare. Today the problems mostly arise behind closed doors. With the Council operating mostly in private meetings, elected members now face the need to decide on hard options every week. It's just that because they are not public we tend not to know about them. The fact that the issues are not public and may not be quite so high profile as say Iraq and Rwanda does not mean that they are easy. But some Council members are tempted to sit on the sidelines rather than express a position. Because

most Council discussions tend to be secret, the passive “wait and see” option can be all the more seductive.

The regional desk officers in the Ministry will of course have twenty reasons on every issue why it is better not to rock the boat. And it is true that rocking the boat simply for its own sake is dangerous. And grandstanding is foolish. But this does not resolve the dilemma. My experience is that a small state, which does its homework, which is professional and focused, which is balanced and fair minded and transparently applies the same standards to each of the P5 and all of the regional groups, which absolutely shuns grandstanding but is always unafraid to speak the truth as it sees it, will get much more respect from the P5, from friends and allies and from wider constituencies such as the NGOs, than a Council member which chooses the passive option.

I suggest that it is entirely reasonable to expect of larger friends and allies that they judge the quality of the role that you play on the Council not by whether you slavishly agree on every issue every day but rather on a broader balance sheet across the net value of a whole two year term. Again my own experience supports this conclusion. We found that on one day we might strongly support one major power and the next day we would disagree with them just as strongly on a different issue. The real choice is whether to be passive or whether to be active and constructive. And those who choose the latter are in the end going to be more respected and more valued as serious partners.

Being constructive as well as active also involves avoiding lonely crusades. An option which is critically important, if an active role in the Council is to be successful, is to quickly build a small set of like minded Council colleagues who will support each other. New Zealand and Argentina, for instance, forged a very close working relationship. We had a lot in common in terms of approach and underlying principles. We strategised together. We reached out to other small states like the Czech Republic and Djibouti and built a network within the Council of elected members who would back up each other and especially if one was opposed by a P5 member. A team approach within the elected members, and especially one which works across the established UN groupings, can be a huge element of leverage for small states in the Council.

Team work with other like minded small or medium size states opens up a number of options. But in order to exercise those options elected Council members must be much better prepared than most currently are to address the procedural aspects of options in the Council. Many in New York are convinced that, in terms of reforming the Council, the issue of reforming its working methods is much more important – and more urgent – than expanding the membership.

Working methods sound obscure and boring – but that is exactly how the P5 like it. Technicality and obscurity have combined, over the years to give them a practical monopoly on how the Council organises its work. But occasionally some members are elected with the determination to shed some light on this area. Costa Rica is currently being very active in this regard. The P5 monopoly is all the more bizarre when one considers that procedural decisions - the cutting edge of the working methods issue - are specifically identified in the Charter as not subject to the veto. It is an area where the majority, the ten elected members, can rightly and reasonably insist that their collective view on what to discuss; the format; the need for new working groups or committees; etc should be respected. Mastering the working methods of the Council is therefore a key to effectively taking up any of the other options that are open.

In summary I want to leave you with the thought that a small state, which is well prepared and well organised for its Council role internally, which has a political commitment to principles and international law, which is active by inclination rather than passive and which is constructive in its initiatives can play an extremely important role in the Council. Choosing this option can deliver significant downstream benefits for a country's diplomacy. Respect and credibility earned in the Security Council is remembered for many years.

This is an age when increasingly every important activity of the state is governed more and more by international standards and international agreements. We find this in the health sector, the justice sector, the environment, in commerce and industry, in communications, transport and fisheries. So many of the driving factors, which govern the prospects for development and growth in all of these sectors, seem to have an international and, inevitably diplomatic, dimension. The small state therefore needs every ounce of leverage that it can get. And a term in the Security Council – at the recognised pinnacle of global prominence - is a rare opportunity to lift the



national game and perform at the global level and achieve an impact which is disproportionate to actual size. Achieving success in this environment allows a small state a unique opportunity to recharge its diplomatic capital which can be of benefit for many years to come.

The options are there for small states. Some take them and some do not. The challenges facing the United Nations are huge. The case for taking up the options is not only one of self interest. In the end it is not only the small countries but also the huge numbers of innocent civilians right across the globe that stand to lose the most if the United Nations fails. We all therefore have a huge interest in the success of the United Nations and its work in support of international peace and security, the rule of law development and good governance. So it is important that countries standing for election to the Security Council weigh up very carefully the way they will pursue these options.