



# SECURITY COUNCIL REPORT

## SPECIAL RESEARCH REPORT



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## SECURITY COUNCIL ELECTIONS 2006

### Introduction

In mid October the General Assembly will hold elections for five seats on the Security Council. The 2006 election has an unusual level of interest because of high profile contested campaigns within two regional groups.

In the Asian Group, Indonesia, the Republic of Korea (ROK) and Nepal are vying for one seat. In the Group of Latin American and Caribbean States, Guatemala and Venezuela are in a very hot contest, also for one seat.

The elections in the African Group and the Western European and Others Group are uncontested. As a result, South Africa, Belgium and Italy are assured of election. However, because these are elections to a “Principal Organ” of the United Nations, formal balloting is still required. (General Assembly Decision 34/401, paragraph 16, which allowed the Assembly to dispense with elections where there was a “clean slate” from a regional group only applies to subsidiary organs and therefore does not apply.)

The dynamics of the two contested elections are quite different. In the Asian Group two powerful members and one small member are in a three way race. All have served on the Council before—Nepal and Indonesia twice and South Korea once. Nepal last served in 1989, whereas both Indonesia and ROK served in the mid-1990’s. The following factors will play an important role in the election:

- Nepal’s very large contribution to UN peacekeeping is an important positive factor for its candidacy. On the other hand, its recent domestic problems and current fragility are likely to count against it.

- The ROK is always a strong candidate in UN elections, but it is handicapped to some extent by the fact that it is also campaigning for the appointment of its Foreign Minister as Secretary-General. (The fact that both decisions could be taken at about the same time will make the problem doubly difficult for Seoul to decide how to prioritise the respective campaigns.)
- Indonesia, as the largest Muslim state in the world, will attract support for that reason. It has also supported peace efforts in regional conflicts in Southern Philippines and Cambodia and has resolved an internal conflict, with assistance from the international community, through the Aceh Peace Agreement. But this may not be sufficient, by itself, to secure the necessary two-thirds majority.

There is a real prospect, therefore, that the election for the Asian seat could go to a number of ballots. But, as explained in detail below, one of the three candidates will be excluded after the first ballot. And the balloting will be complex. For historical reasons explained in this report, the balloting for both the Asian and African Groups is combined.

For the Latin American seat, the contest is between

- a small founding member of the United Nations (Guatemala), which has never served on the Council, and has recently emerged from a long internal conflict (and therefore has experience with complex peace processes which could be valuable to the Council); and
- a large resource rich country (Venezuela), also a founding member, which has served on the Council four times—most recently in the 1990s.

The heated nature of the contest for the Latin American seat is partly because the Venezuelan candidacy came late in the piece, after a long notified Guatemalan candidacy. But the unusual level of interest comes from the fact that Venezuela is strongly opposed by the United States—which has had a polarising effect on the campaign. Venezuela has deployed petro-dollar diplomacy and high level visits by its president with considerable effect. For its part, the US has brought to bear its formidable array of diplomatic measures to encourage UN members to vote against Venezuela.

Both Venezuela and Guatemala seem to have a very strong core of base support, probably ensuring that both command a “blocking third”—meaning that the other will not be able to get the necessary two-thirds majority. Normally in contested elections, commitments begin to waiver, especially once a few rounds of voting begin to establish a trend. However, at this point, it seems that the increasing polarisation of the contest

for the Latin American seat may instead have the effect of reinforcing the base support commitments of each candidate. A protracted stalemate is therefore possible. There are precedents involving over 30 rounds of voting and with no result even by the end of December. And there are also precedents for the emergence of a third candidate, either as a compromise to break the stalemate, or as an opportunist able to take advantage of the situation.

## Background

Ten of the 15 seats on the Council are held by elected members serving two-year terms. The five new members to be elected this year will replace Argentina, Denmark, Greece, Japan and Tanzania, whose terms end 31 December.

As explained in detail below, the regional groups for the purposes of elections to the Security Council are governed by a formula set out in General Assembly resolution A/RES 1991 A (XVIII) (17 December 1963). Under that resolution the seats available to the African and Asian states are combined. However for practical working purposes the African and Asian states now operate separately. In practice, therefore, the number of seats available to the various regions in this election and the declared candidates are as follows:

Region	No. of seats available	Countries running
Latin America	1	Guatemala, Venezuela
Western Europe	2	Belgium, Italy
Asia	1	Indonesia, ROK, Nepal
Africa	1	South Africa

## Charter Provisions on Election of Non-Permanent Members to the Council

The United Nations 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:

*“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. As noted below, there have been some examples of 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 is not 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.

In practice a number of countries have been elected a significant number of times. By contrast, 43% of the members of the United Nations (83 countries) have never served on the Council. Countries with significant years of service include:

Brazil, Japan	18 years
Argentina	16 years
India, Canada, Colombia, Pakistan	12 years
Italy	10 years
Egypt, Poland, Netherlands	9 years
Australia, Belgium, Germany, Norway and Panama, Spain, Venezuela	8 years

Of the current candidates for contested seats:

Venezuela	8 years
Guatemala	has never served
Indonesia	4 years
Nepal	4 years
Republic of Korea	2 years

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 organisation, 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(2) defines the required majority by reference to members “present and voting”. If all members are present and voting, the required majority in 2006 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**

The voting process is also 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 United Nations 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 part of Rule 93 means is that in the race for the Asian seat, if there is 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.

With respect to the Latin American seat, this aspect of the Rule does not apply. Since there are only two candidates, the effect of the Rule is that voting simply continues until one candidate prevails, either by securing the required majority, or the other withdraws.

Rule 93 goes on to deal with the possibility that candidates could get an equal number of votes. If this occurs in the second ballot the president is obliged to suspend the voting and decide the matter by drawing lots.

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. (Or it would allow the candidate excluded during the “restricted” ballots 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. For example in 1955, (in the period when there was no agreement on the allocation of seats on a regional basis) Poland was competing with the Philippines, but as a result of a stalemate in voting, Yugoslavia came into the race. What is more common in practice 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. This is not the case in either of the contested cases so, accordingly, it is not relevant in the 2006 elections. (It 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.)

## Historical Perspective

In 1946, at the outset of the United Nations, the UN 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 non-permanent 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:

Latin America	2
Middle East	1
Eastern Europe	1
Western Europe	1
Commonwealth	1

The interpretation of what equitable geographic distribution should mean in terms of seats was based on an informal understanding among the Council's permanent members sometimes known as the London Agreement. From the start there was a lack of agreement on what had been agreed to. The United States 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 non-permanent members of the Council, split terms started to occur in the late 1950s, as a fall-out from this disagreement over regional rotation and associated cold war politics as well as the aspirations of the newly independent countries, till the Council was enlarged in the mid-1960s. The first example of this was seen in 1955 when the Philippines and Poland were in contest. After four inconclusive ballots, Poland withdrew in favour of Yugoslavia. However, after two months and over 30 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 1960-61 term was shared between Turkey and Poland, the 1962-63 term between Romania and the Philippines and 1964-65 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. On 17 December 1963 the General Assembly adopted Resolution 1991 A (XVIII) which contained amendments to the Charter which addressed the issue by increasing the number of elected members to 10. 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 the Asian Group (two seats) and the African Group (three seats));
- One from Eastern European States;
- Two from Latin American States (included the Caribbean);
- Two from Western European States and Other States (included Australia, Canada and New Zealand).

### **Established Practices**

While the Charter, the Rules of Procedure of the General Assembly and resolution 1991A (XVIII) set out the formal framework for the election of members to the Council, over the years important established practices have developed.

One of the most important developments is the decision, referred to above, by the African and Asian states to split its Group, for working purposes, into two separate Groups. However, for the actual elections, the ballot papers are still prepared in accordance with resolution 1991A (XVIII). Consequently, a single ballot paper, covering the African and Asian seats, is distributed.

In 2006 this will make for a complicated election. If normal practice is followed, there will be a single ballot paper for the African and Asian seats. However, because there is a contest for one of the seats i.e. the Asian one, but not for the African one, the potential for mistakes in voting will correspondingly increase. Delegations will need to pay close attention to the advice which is usually given by the President in introducing the voting process.

Generally, candidacies are managed through processes developed by each of the regional groups. The groups are:

- the Asian Group
- the African Group
- the Latin American and Caribbean Group (GRULAC)
- the Western European and Others Group (WEOG) and
- the Eastern European Group.



The Groups have a rotating monthly chairmanship. The Chair typically receives advice of future candidacies and acts as a clearing house for information regarding the current status of candidacies within the group for all of the UN electoral matters. At times, the list of elections being managed can run into dozens and the number of candidacies in the hundreds. The Group meets at least once a month to share information. This presents an opportunity to review all of the candidacies and can serve to facilitate agreements between the members where there are more candidacies than seats available to the group in a particular election. This is the process which often enables the group to eventually reach a “clean slate”.

The Chair is generally responsible for letting the General Assembly President and members know whether there is agreement within the group—a “clean slate”. If a contested situation exists, that too is usually advised to the President of the General Assembly and the member states.

The regional grouping’s endorsement of a “clean slate” will normally assure candidates of election in the General Assembly of a seat on the Council. Hence the initial effort by most candidate countries to secure a “clean slate” and consequently regional endorsement. However, as explained above, for Security Council elections even if there is a “clean slate”, a ballot is still required.

A practice has evolved for the President of the General Assembly, in the course of the conduct of the election, to advise the Assembly before the voting of any “clean slates” that have been communicated to the President by the Chairs of the respective regional groups. However, members of the Assembly are not in any way bound however to vote according to the clean slates. In addition they may, and often do, “write in” votes for countries not on the slate. An example of this occurred in 2005 when Indonesia received one vote on the relevant ballot paper, even though there was an announced clean slate in favour of Qatar. (See A/60/PV.29)

If there are more candidates determined to run for a seat than there are seats available to the group under the geographical distribution formula, a contested election becomes inevitable and candidates must look outside their group for votes. This involves a process of sustained and often high-level diplomacy, with very active lobbying to get commitments from members of the General Assembly. Bilateral issues, historical relationships, personalities and countries’ positions on key international issues all play a role in this process.

Candidates are well aware that commitments do not always translate into actual votes, as voting is secret and members can be swayed up to the last minute. They also know that, while they might get commitments, at times these only hold good for the first round of voting. Many countries reserve the freedom to shift their vote in second or subsequent ballots. “Second ballot strategies” can therefore become a very important aspect of a candidate’s election campaign and have often helped candidates to “come from behind” in second or third ballots.

Within the regional groupings there are different established practices. In the Western European group, the Nordic subgroup (made up of Denmark, Norway, Finland and Sweden and soon to include Iceland) members have an agreement among themselves to field an agreed Nordic candidate every four years, a practice which has resulted in a regular Nordic presence in the Council. The CANZ subgroup (Canada Australia and New Zealand) have a similar coordination process.

As explained above, in Resolution 1991 A (XVIII), five seats were allocated to what was then called the Africa and Asia group. Subsequently separate Asian and African groups were formed with the understanding that the five seats for Africa and Asia would be shared in such a way that three Council seats would go to Africa and two to Asia.

The African group has worked hard to ensure that its three seats are distributed fairly between the sub-regions of Africa. This is demonstrated in the current distribution of African members on the Council: Tanzania (East Africa), Ghana (West Africa) and Congo (Central Africa). The African group has also been highly disciplined over the years in ensuring rotation within the sub-regions and, as a result, relatively few contested elections have occurred. The Group tries to operate on the basis of the following principle:

- Northern Africa (6 states) and Central Africa (9 states) rotate one seat each every two years
- Western Africa (15 states) has one seat every two years
- Eastern Africa (13 states) and Southern Africa (10 states) rotate one seat each every two years

In the Asian region, contested elections are more common than in the African Group. However, there is an understanding that a country from the Arab members of the Group will be elected every four years.

## UN Documents

### Selected General Assembly Documents

- A/60/PV.29 (10 October 2005) was the plenary record of the most recent elections of non-permanent members.
- 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 1<sup>st</sup> Session, Part 1, 14<sup>th</sup> 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 Amendment 2 are the Rules of Procedure of the General Assembly including amendments and additions.
- Decision 34/401 paragraph 16 is set out in the Repertory of Practice of United Nations Organs Supplement No 6

## Useful Additional Sources

- *The Procedure of the UN Security Council* by Bailey and Daws, Chapter 3.
- *Elected Members of the Security Council: 1946-Present* found on the Global Policy Forum website [www.globalpolicy.org/security/membership](http://www.globalpolicy.org/security/membership)

## **SECURITY COUNCIL REPORT STAFF**

**Colin Keating**, Executive Director

**Joanna Weschler**, Director of Research

**Curtis A. Ward**, Senior Research Consultant

**Anne-Gaëlle Claude**, Research Analyst

**Fernanda Rafaela Fernandes**, Research Analyst

**Shamala Kandiah**, Research Consultant

**Amanda Roberts**, Programme Coordinator

**Anthony Smith Jr.**, Administrative Assistant

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