

# Becoming a Permanent Member of the UN Security Council

Prospects and Requirements for Germany

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With the submission of the report of the “High Level Panel on Threats, Challenges and Change,” the critical phase for the reform of the United Nations has begun. The focus is on changing the composition of the UN Security Council by expanding its membership. The High Level Panel considers this to be imperative in order to put the UN in a better position to address the security challenges identified in the report. The first steps are expected during the forthcoming months: The so-called “G-4” (Germany, Japan, Brazil and India), following the presentation of the report of UN Secretary-General Kofi Annan, expected in March, will most likely submit the question of enlargement to the vote of the General Assembly. The timing and exact details of this move are still open. Against this background, the key questions are: what are the prospects for the German candidacy? What requirements and demands will German foreign policy be confronted with?

The enlargement of the Security Council is, in the logic of the panel report, not an end in itself, rather it follows from the security analysis. In order to manage and solve the most important global security problems, the system of collective security and, thereby, the UN must be strengthened. Various proposals for institutional reform shall serve this purpose: The expansion of the Security Council is just one of them; others include the revitalization of the Economic and Social Council (ECOSOC), the reform of the Human Rights Commission, the establishment of a *Peace Building Commission* and the streamlining of the General Assembly.

## **Why Enlarging the Security Council?**

Simply increasing the membership of the Security Council does not per se constitute a reform of the UN. It concerns, however, the key element of the thus far only partially implemented reform process of the world organization that has been discussed for years. If both the authority and legitimacy of the Security Council are not strengthened then the reform in general will remain unfinished. This point is also clearly made by the panel report. For that reason, for example, the panel rejects any consideration of an extended right of self-defense in the sense of “anticipatory self-

defense.” Ultimately, only the Security Council could decide whether the use of force is appropriate and necessary. The only exceptions are cases of “imminent threats” which, according to Article 51 of the UN Charter, can be responded to with self-defense measures. Unilateral, preventive military empty actions should not be permitted because they would bypass the Security Council and endanger world order. Moreover, the panel report also insists that also regional organizations must have their peacekeeping missions authorized by the Security Council. It alone should have the “monopoly of authorizing the use of force.”

On the other hand, the highest-ranking UN body must be able to act earlier and more decisively than before, especially if there is a combined threat from terrorism, weapons of mass destruction and “irresponsible states.” The fact that, in the past, the Security Council has not always acted with consistency and responsibility should not lead to calling its relevance into question, but rather accelerate its reform.

The message of the report is: if the Security Council is supposed to take on more responsibility and, not least, more strongly intervene in domestic affairs, it must also, in terms of its composition, have more legitimacy. This should be achieved through a permanent representation from every continent and through the involvement of the most important financial contributors and providers of troops.

### **Criteria and Candidates**

The panel report lists, in addition to an appropriate representation of the regions, the following criteria for applicants for a permanent seat:

1. the amount of financial contributions (to the regular UN budget, UN peacekeeping missions as well as voluntary payments into funds and programs),
2. participation in UN-mandated peacekeeping missions, and
3. in the case of industrialized nations, recognizable efforts to increase their

development aid to the internationally agreed upon quota of 0.7% of GDP (Quota of Official Development Assistance, ODA).

According to the authors, the countries that find themselves in the top three within their regions under these criteria should have priority, but the report does not give any information about the weighting of the criteria.

Indeed, in the end it is a political decision as to which countries will be permitted to sit long-term at the table of the Security Council in the case of enlargement. Nevertheless, these criteria will at least play an important role in the arguments of the candidates and their supporters. Basically, none of the applicants (and none of their regional “rivals”) fulfills all of the criteria entirely. What is more important is the amount of achievements in relation to those of the other states, including those of the present permanent members (Permanent Five, the “P 5”).

With regard to members’ contributions to the regular budget (2004), things are relatively straightforward (see UNDOC/A/59/315): Japan as the second largest and Germany as the third largest contributor provide for 19.4% and 8.6%, respectively, of the UN budget, putting both of them at the top within their regions. They give more—with the exception of the U.S. (22%)—than the current permanent members (Great Britain 6.1%, France 6.0%, China 2.0%, Russia 1.1%). Italy, at 4.8%, ranks sixth among the contributors and Spain is eighth at 2.5%. South Korea is, at 1.79%, after Japan and China, the third largest Asian contributor. Brazil, at 1.52%, also belongs to the 15 largest contributors, but it is behind regional rival Mexico (1.88%). Other candidates and contenders fare rather modestly in comparison: Argentina (0.95%), India (0.42%), South Africa (0.29%), Egypt (0.12%) and Nigeria (0.04%). However, not all member states pay their contributions in full or on time. In addition to the U.S., for example, Brazil and Argentina are among the largest debtors.

With regard to the obligatory contributions to UN peacekeeping missions and voluntary contributions (such as the to the United Nations Development Program) the picture is similar: within Europe, the Netherlands and the Scandinavian countries regularly make relatively high voluntary payments, which in some instances exceed the German contributions (about US\$200 million in 2004). However, the clear front-runner among the candidates here is Japan, while others such as India, Egypt and South Africa are clearly less generous.

For the second criterion—participation in peacekeeping missions—one has to distinguish between missions which are UN-led and missions which have only been mandated by the UN such as KFOR (Kosovo), SFOR/Althea (Bosnia) and ISAF (Afghanistan). Germany is clearly more strongly engaged in the second category (about 6,500 soldiers as of November 2004) and provides more troops than the U.S. (about 4,100), France (about 3,500), Great Britain (about 2,600) and Italy (about 4,900).

With respect to the provision of military and police personnel for UN-led missions, Germany currently ranks only number 36. The vast majority of the German personnel are assigned to the UN police mission in Kosovo. Germany is still ahead of Italy and Japan, but behind the “P 5.” In contrast, other aspirants such as Pakistan, India, Nigeria and South Africa have for years consistently been in the top ten of troop suppliers for UN blue helmet missions (see Table 1). Therefore, these countries buttress their claim to a seat in the Security Council by pointing out their role as key contributors. Since 2004, Brazil has also been among the largest providers of troops, due almost exclusively to the UN mission in Haiti. Other regional powers such as Indonesia, Egypt and Mexico are not very prominently represented in this area—neither by international nor by intraregional comparison.

The third criterion primarily applies to industrialized nations. Germany finds itself, with an ODA-Quota of 0.28% (2003), in the lower middle of OECD countries. Japan

**Table 1**  
**Contribution to Peacekeeping Missions**

<i>Country</i>	<i>December 2004</i>	<i>December 2003</i>
Pakistan	1. (8,140)	1. (6,248)
India	3. (3,912)	4. (2,882)
Nigeria	8. (2,890)	3. (3,361)
South Africa	10. (2,331)	10. (1,415)
Brazil	14. (1,367)	51. (82)
Argentina	16. (1,103)	20. (554)
China	17. (1,036)	27. (358)
France	21. (607)	31. (317)
Great Britain	23. (542)	18. (563)
U.S.	28. (429)	22. (518)
Russia	32. (361)	30. (323)
<b>Germany</b>	<b>36. (296)</b>	<b>29. (356)</b>
Indonesia	42. (201)	42. (205)
Italy	45. (187)	46. (162)
Egypt	50. (115)	49. (119)
South Korea	68. (41)	55. (49)
Japan	70. (30)	26. (408)
Mexico	–	–

Source: UN, *Department of Peacekeeping Operations*.

**Table 2**  
**ODA-Quota of the OECD Countries**

<i>Country</i>	<i>2003</i>	<i>2002</i>
Norway	0.92	0.89
Denmark	0.84	0.96
Luxembourg	0.81	0.77
The Netherlands	0.80	0.81
Sweden	0.79	0.84
Belgium	0.60	0.43
France	0.41	0.38
Ireland	0.39	0.40
Switzerland	0.39	0.32
Finland	0.35	0.35
Great Britain	0.34	0.31
<b>Germany</b>	<b>0.28</b>	<b>0.27</b>
Australia	0.25	0.26
Canada	0.24	0.28
Spain	0.23	0.26
Portugal	0.22	0.27
Greece	0.21	0.21
Austria	0.20	0.26
Japan	0.20	0.23
Italy	0.17	0.20
U.S.	0.15	0.13

Source: OECD, *Development Assistance Committee* 2004.

is third from last with 0.20% (2003) and Italy is next to last (see Table 2). In comparison the permanent members France and the UK fare better in this category.

This exercise shows: In comparison to other nations, Germany fulfills the first two criteria and with respect to the third, is no worse than the other aspirants. Japan fulfills above all the criterion for financial contributions; South Africa is at least the largest African contributor and Brazil the second largest Latin American contributor. India, Brazil, South Africa, Nigeria and Pakistan can point to their performance as suppliers of troops.

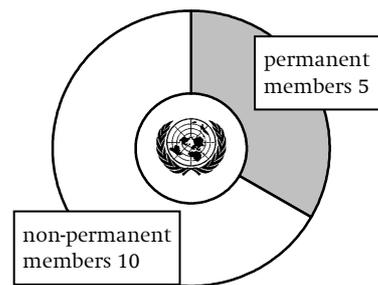
In addition, the size and the number of inhabitants will play a role for the transition and developing countries, conferring an advantage to India (1 billion inhabitants) and Brazil (169 million) in contrast to their regional “rivals” (Pakistan 148 million, Mexico 101 million, Argentina 37 million). Looking to the African continent, this factor favors Nigeria (120 million) over Egypt (70 million) and South Africa (44 million).

### Models and Modalities

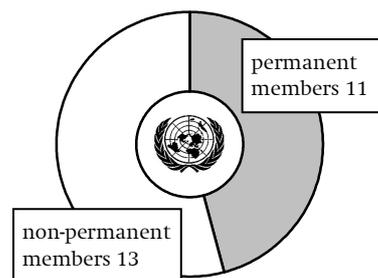
The panel report proposes two models for the enlargement of the Security Council from 15 to 24 members: Following model A, six new permanent members (without a veto right) as well as three additional ones, who are elected every two years, will join the Council as non-permanent members. Among the permanent members, two should come from Asia and Africa and one each from Europe and the Americas. Model B does not envisage any additional permanent members, but rather establishes a new category of semi-permanent members, which are elected every four years and whose re-election is possible. Model B proposes eight semi-permanent seats (two from each world region) as well as an additional non-permanent seat.

For both models, the panel report recommends against using the definition of the regional groups, which dates back to 1966 and is used for determining propor-

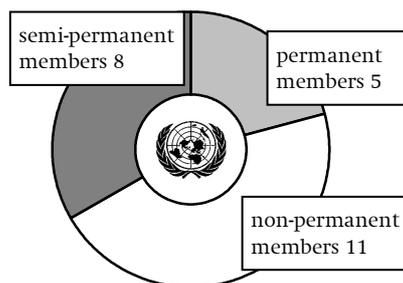
#### UN Security Council: Current Structure



#### UN Security Council: Enlargement Model A



#### UN Security Council: Enlargement Model B



tional representation within the UN, as the basis for enlargement. The report instead clearly proposes dividing the countries into Europe (47 countries), the Americas (35), Asia-Pacific (56) and Africa (53). This suggestion runs into resistance from Eastern European and Latin American countries in particular because they would be grouped together with Western Europe and the U.S., respectively, in regional groups and, in contrast to the status quo, would no longer form groups on their own.

The “G 4” prefers model A. In addition, most of the UN members support an increase in the number of permanent seats. In contrast, Model B seems to have less of a chance in the General Assembly, given that it would further strengthen the position of

the P 5. That model also implies that Latin America and Africa in the future would remain without a permanent seat and instead would depend on the semi-permanent category. Moreover, the semi-permanent members, if they want to be re-elected, are to a great extent dependent on the goodwill of the General Assembly and their regional groups. Apart from the financial costs of an "election campaign," this arrangement might limit not only their independence but also their room for maneuver. Those countries that are especially interested in Model B are those which supposedly have no chance for a permanent seat, but which nonetheless make significant contributions to the UN and want to block permanent seats for their regional "rivals" (e.g. Italy, South Korea, Pakistan and Mexico).

In any event, enlarging the Security Council will require an amendment to the UN Charter, which requires a two-thirds majority (at least 128 countries) in the General Assembly. In addition, two-thirds of all UN members must ratify this amendment, including the Permanent Five. This means that the amendments must be approved, *inter alia*, by the U.S. Congress.

At the time of the last enlargement from 11 to 15 seats in 1963–1965, the ratification process took less than two years. Given the clearly higher number of members, one should assume that it would take several years to ratify an amendment, meaning that it should not be expected to be in force before the end of the decade.

Whether there is enough support to achieve a two-thirds majority in the General Assembly will become apparent in the coming months, as soon as the "G 4" takes the necessary steps in the General Assembly. It is still not clear whether two African countries will join the group of four and thereby make a complete "package" of six candidates possible. In this case, a decision on the new permanent members could be made all at once. The alternative is to initially make a general decision on increasing the number of permanent seats and then allow for separate votes on the

individual candidates.

There is a need for further clarification with regards to the right to vetoes. If the veto is not supposed to be considered for the new permanent members, as proposed by the panel report, both Article 23 of the UN Charter (Composition of the Security Council) and Article 27 (Voting Procedure) must be amended.

A possible, although less realistic option would be, if the "G-4" or "G-6" would declare that they would not exercise their vetoes or would only do so under very limited conditions. Germany should also commit, with respect to the EU member states, to give up its position if there will be an EU seat in the Security Council in the future.

### **Security Council Reform as a Catalyst for Other Changes?**

Supporters of Security Council reform hope that it will have a catalyzing effect for further changes in the UN system—both with regard to institutions and instruments. The expansion of Security Council membership could indeed be an inspiration for the entire organization and, by analogy to other international organizations, which have been radically changing themselves since 1989-90, lead to a "new UN."

However, if the enlargement cannot be carried out in the foreseeable future, there is the danger of other proposed reforms being put off and of certain countries withdrawing their commitment. In this regard, within the next few months, UN member states should make sure that a possible failure of the Security Council reform does not become a setback for the UN as a whole but still allows for reforms which do not require amendments of the Charter. This is particularly applicable to the strengthening of the UN in areas of conflict prevention, crisis management and post-conflict reconstruction. The panel report suggests a number of measures that could be put into action relatively quickly:

- ▶ appointment of a Deputy Secretary-General for Peace and Security;

- ▶ establishment of a Peace-Building Commission under the Security Council which would identify violent conflicts and state failure in advance, and coordinate reconstruction processes;
- ▶ establishment of a Peace-Building Support Office under the Secretary-General to improve the coordination of the UN policies and programs;
- ▶ strengthening of the UN Special Representatives in post-conflict peace-building by, for example, giving them a more central role for donor coordination;
- ▶ creation of a UN-police unit (50–100 people) which would prepare international police actions;
- ▶ establishment of a Fund for Peace-Building (US\$250 million) to finance emergency measures;
- ▶ improvement of the monitoring mechanisms for sanctions regimes, appointment of a Senior Official who advises the Secretary-General with regard to issues related to sanctions;
- ▶ establishment of a Committee on the Social and Economic Aspects of Security Threats at the Economic and Social Council (ECOSOC) to link development and security questions.

### Security-political Analysis

These proposals result from the general security analysis of the report that differs in some aspects from the U.S. National Security Strategy (US NSS) and the EU Security Strategy (EU SS). The report identifies six clusters of threats:

1. economic and social threats,
2. interstate conflicts,
3. intrastate conflicts,
4. proliferation of nuclear, radiological, biological and chemical weapons,
5. terrorism,
6. transnational organized crime.

In contrast to the above-mentioned security strategies, the panel report systematically incorporates economic, social and ecological risks and emphasizes the equal importance of state and human

security. Moreover, the report does not rank the threats and does not consider them in isolation from each other. Instead, it highlights that “threats are interrelated and a threat to one is a threat to all.”

### “Capacity-Building” as a Key Task

In contrast to the security strategies of both the EU and the U.S., “failing” and “failed states” are not singled out as particular threats or listed as risks. On the contrary, the authors introduce the problem of fragile states as a theme that cuts across many subjects: the strengthening of state capacities and structures—state-building in the broader sense—has been therefore declared to be the central challenge and task for the UN and its members. In the end, none of the above-mentioned security problems can be resolved if the problem of weak, ineffective or even failed states is not resolutely tackled.

This connection can be easily illustrated with a few examples: a meaningful fight against AIDS and epidemics or the effective precautions for catastrophes is hardly possible without state structures; the fight against poverty and the fair distribution of resources must be done within the framework of a state; the containment of organized crime, the prevention of non-state proliferation of nuclear material and the fight against transnational terrorist networks require—not only, but also—state mechanisms of control and means of enforcement; and the reconciliation of regional conflicts and civil wars is directly tied to the creation of legitimate state structures.

Given the importance of the role of the state, the report repeatedly calls for the UN, donors and member states to become involved in capacity-building. Recommended initiatives include, for example, those for strengthening state capacities in the health sector, the fight against terrorism, the development and/or reform of the rule of law and of the judicial system, the protection of human rights and the improvement of the capabilities of public adminis-

tration, border guards and police. A special role is reserved for the Security Council and its permanent members who must support, endorse and, if necessary, legitimize such initiatives.

### **What Does Germany Have to Offer?**

Expectations are also placed on Germany—and they become larger the closer Germany moves towards a permanent seat on the Security Council. The demands will increase and Germany should be prepared for them: foreign policy should support the most critical proposals of the panel report and set clear priorities. The initiatives for conflict management and strengthening of state capacities, from stabilization to reconstruction of states, should be the focus. Special attention should also be given to the proposal for a Peace-Building Commission, which could contribute to the early involvement of the most important actors (including donor institutions). In the panel report, the institutional design and the possible tasks of such a Commission are merely mentioned. In this regard, an initiative has to be developed, which more precisely specifies how such a body could sensibly complement and advise the Security Council. An important function of this institution could be to develop more standardized donor structures for crises and post-war areas, in order to avoid the establishment of new, usually extremely non-transparent ad hoc structures—as in every case from Kosovo to Afghanistan.

Such an agenda also requires the readiness to make one's own contributions. German policy-makers should therefore be prepared to increase its engagement in UN peacekeeping missions and to make a larger commitment than before with regard to peace-building and state-building measures. This includes, not least, increasing personnel contributions to UN-led peacekeeping missions. In particular, for international police missions, the demands will increase and Germany is not adequately prepared in this area, not least because of

the necessary, but difficult federal-state cooperation. Additional important fields, not only in post-war areas, include: security sector reform, the fight against corruption, the strengthening of public administration, the promotion of the rule of law, the development of the judicial system as well as reforms of the education and health sectors.

### **Consequences for the Structures and Instruments of Foreign Policy**

In order to be able to manage seriously this growing list of tasks, in particular as a Security Council member-to-be, a better allocation of the resources of German foreign policy is required. This implies not least an increase in development aid. At a minimum, Germany should match the level of France or Great Britain in the next few years. The precondition for that, however, is a shift of focus of German development cooperation in the direction of state- and peace-building, in order to prevent state failure as well as to consolidate post-war societies. Precisely from this perspective, it seems strange that China, at over US\$300 million, is still the second largest recipient of German development aid, although in this case instruments of regular trade and financial relations should be preferred. However, it is crucial that the structures and instruments of foreign, security and development policy be reformed in a way that more closely links the areas spread across different ministries and agencies. German policy has already, with its participation in the civil and military operations in Kosovo, Bosnia and Afghanistan, reached the limits of its administrative capacity. If, however, in the future, these or similar tasks, especially in the context of the UN, become more common, not only a better design but also a fundamental reorganization of this policy field at home is required. Up until now, policy has been driven by events in crisis regions and was characterized by drawn-out decision-making processes and, in part, far-reaching inter-departmental conflicts. The latter are

reinforced by the fact that more and more ministries participate in state- and peace-building activities and, in that regard, the need for coordination in the federal government has increased without there being adequate structures and mechanisms to address that need. However, Germany cannot afford this “luxury” in the long term if in the future it wants to react quickly to international issues and be able to proactively approach the UN or others with proposals.

The objective must be to minimize the losses due to internal rivalries and strife, to achieve more coherence and thereby promote the enhancement of Germany’s profile in the international arena. In order to accomplish this goal, inter-departmental concepts and structures as well as smoother decision-making processes are required (see also Ulrich Schneckener [Hg.], *States at Risk*, SWP-Studie 43/04, November 2004, pp. 188–194). Until now, for example, there federal government does not have a concept for state- and peace-building. The “Action Plan on Civilian Crisis Prevention” adopted by the Federal Cabinet in May 2004 is not a substitute given that it is not specific enough. The plan certainly offers some starting points, not least because it highlights the topic of “the establishment of reliable state structures.” Also in fields such as security sector reform, an integrated concept that would bring together the policies and instruments of individual departments (most significantly the Foreign Office, the Ministry for Economic Cooperation and Development, the Ministry of Defense, the Ministry of the Interior and the Ministry of Justice) is also missing.

In addition, for larger operations, the establishment of cross-departmental task forces is necessary. These task forces ensure the agreement within the government, coordinate German activities locally and, on a working level, serve as the central point of contact for international partners.

Additional possibilities include joint budgets for financing actions and the creation of personnel pools, in order to be able to quickly put together teams

from varying departments in emergency situations. Examples for such arrangements can be found in other countries (above all in Great Britain and the Netherlands). Moreover, a permanent cross-departmental committee is required in order to keep track of the overall policy in this field and to act as the strategic center within the federal government. Whether the newly created all-of-government working group on “Civilian Crisis Prevention” can handle this task remains to be seen, but it is doubtful. Instead, one should consider the creation of a central office in the Foreign Office, in which the most important departments are represented with personnel. A model could be the *Office of the Coordinator for Reconstruction and Stabilization*, which is directly under the Secretary of State, set up within the U.S. State Department in July 2004. The alternatives would be the strengthening of the central function of the Chancellor’s Office and/or a stronger political steering role in international missions for the Federal Security Council, to which the most crucial ministries belong.

## Outlook

The prospects for a German seat on the Security Council are as good as never before. Whether it will happen depends not least on the extent to which the dynamic of the reform process succeeds. This requires, however, that German foreign policy, as outlined here, should be clear with respect to key elements of the reform and at the same time highlights the main areas in which Germany wants to be further, and more intensively, engaged. Simply referring to status quo seems not to be sufficient.

The demands on Germany will increase and the federal government as well as the parliament must be ready. The effort to obtain a permanent seat on the Security Council should therefore be used to review, and if necessary reform, the domestic status, the resources, the institutional setting and the management of foreign, security and development policy.

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