

**REFORM OF THE UNITED NATIONS SECURITY COUNCIL:  
AN ITALIAN PERSPECTIVE**

**Frank P. Le Veness, Ph.D.  
St. John's University, New York**

The Security Council of the United Nations **was** somewhat modeled after the Council of the League of Nations. In that predecessor organization, the Council, created by the Covenant (Art. 2), was comprised of “Representatives of the principal Allied and Associated Powers, together with Representatives of four other Members.....selected by the Assembly from time to time at its discretion.” (Covenant, Art. 4.1). Subsequently, the Council could itself name additional permanent members as well as non-permanent, although, in the latter instance, only with the consent of the Assembly (Art. 4.2). As amended, The Covenant stated that in the case of the non-permanent membership, the Assembly consent as to membership, “term of office and the conditions of re-eligibility” the vote would have to carry by a “two-thirds majority,” which represented a change from the original majority vote (Art. 4.3).

At the Dumbarton Oaks conference, held during the Autumn of 1944, the framework of the United Nations became clear. It is obvious, considering the war which was still being fought, and very significant concerns concentrated on future World Security. Much attention was paid to the creation of an organ to maintain world peace, and this, of course, took the form of the Security Council. It was clear from the start that the Council would be dominated by the major allies of World War II, the five big powers, so to speak: China, France, the Soviet Union, the United Kingdom, and the United States (Bennett and Oliver, 51-52). At the Yalta Conference, early the following year, the major allied powers agreed on the method of voting in the Council, including the issue of veto

power. A few months hence, at the San Francisco conference, the final version was officially adopted, despite some objections to the veto power of the major allies, expressed by a number of the non-veto powers (Bennett and Oliver, 54).

The resulting Security Council, described in Chapter V of the United Nations Charter, was, thus, composed of both permanent and rotating members. The five permanent members, the same as the allies noted above (Art. 23.1), obtained the exclusive right of veto power (Art. 27.3). The additional ten (10) non-permanent members obtained one vote each, but lacked veto ability. An affirmative vote of nine (9) members was required for passage of all matters. However, in all matters except procedural, the nine affirmative votes must include all five of the permanent members. As could well be anticipated, any nation actually “a party to a dispute” is required to “abstain from voting” with regard to that dispute (Art. 27.2-3). Non-permanent members are selected for two year terms (Art 23.2), and in the selection process “due regard” is to 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” (Art .23.1).

It should be noted, however, that the Security Council did not originally consist of fifteen (15) members, but rather in its initial years, was comprised of the five Permanent Members and six non-permanent members, bringing the total to eleven (11). It is interesting to observe that Dr. Joseph Cassar, former Permanent Representative of Malta to the United Nations, has noted that after the Second World War, “Beleaguered by unknowns, the world community could only rely on one unequivocal certainty: *change*.” He added that “This rhythm and pattern of change stands in sharp contrast to any notion

of permanence.” Still, he concludes with reference to the creation of the United Nations, “Yet, change and permanence, two antithetical concepts, were together expected to provide the ideal framework for the maintenance of international peace and security” (Cassar, 1).

Since 1945, change has most certainly been the hallmark of the international scene. From the forty-nine (49) original members, mostly from Europe and the Western Hemisphere, who acceded to the Charter in 1945, numbers rose rapidly, as Afghanistan, Sweden and Thailand were added in 1946, Pakistan and Yemen in 1947, Burma (today Myanmar) in 1948, and Israel in 1949. By 2006 the number has reached one hundred ninety one members (191) with additional numbers of observers. Much of the change was due to the slow erosion of colonialism and the gathering speed of the independence, especially, for example, in the 1960s, during which decade most of Africa became independent. It was determined mid-way through that decade that this great expanse of nations, membership on the Security Council needed to be increased. It might be noted that during the 1960s, forty two (42) new members joined the United Nations, seventeen (17) in 1960 alone. As a result of a Charter amendment of 1965, the following year four additional members joined the Security Council. Of course, one continuing issue is which nations should be chosen?

The current practice is that five of the non-permanent places are filled by African and Asian states, two by Latin American states, one by an Eastern European state and two by Western European and other states (the ‘other states’ being principally the ‘white’ members of the Commonwealth – Canada, Australia and New Zealand) (Malanczuk, 373).

Despite the continuing world changes, the reality concerning the Security Council is that little has changed since 1966. There has been no change in the structure of membership of the Council, either among permanent or non-permanent members, during the following forty years leading to 2006. As retired United Nations official Samir Sanbar noted in 2004, “Since I joined the U.N. 36 years ago, there has been a financial crisis and people talking about reforming the Security Council, but nothing has changed” (Farley, A5). On 13 July 1998, United Nations Secretary-General Kofi Annan stated, “There is consensus that the current make-up of the United Nations Security Council reflects the world of 1945, not today. It must be brought into line with today’s political and economic realities” (cited in Cassar, 3). Still, to date, the emphasis still seems to be on permanence.

And what of Italy’s role and views? Italy joined the United Nations as a regular member on the fourteenth of December 1955. It has played a significant role in that organization and its associated agencies since that date. As a regular member, it is eligible for selection, on a rotational basis, to membership on the Security Council.

During the 1990s, enlargement of the Security Council, including permanent membership, once again came to the fore. In 1993 a committee was created to offer suggestions concerning possible revamping of the SC membership. Italy expressed interest in a change that “enhances its geographic representativeness, democratic nature and operative efficiency.” Since that year, the Italians have “been proposing to rotate seats on the Council more frequently for countries that make greater political, military and financial contributions to UN objectives such as peacekeeping.....”(Ministry). In 1998, Dr. Cassar presented a study which detailed some of the positions of the Italian government at that time with regard to Security Council reform. Specifically, Cassar

noted that the Italian Permanent Representative, Ambassador Francesco Paolo Fulci, had stated in 1995, in an address to the UN General Assembly entitled *Statement on the Question of Equitable Representation on and Increase in the membership of the Security Council and related matter*, that “One of the reasons most frequently cited for creating two new permanent members is that Germany and Japan represent the new reality of the past thirty years in the international community.” He added, “These global powers, along with others, have existed at least since the beginning of the century. The true new reality of the past thirty years is that a hundred or so former colonies have become full-fledged sovereign countries” (Cassar, 12). As Cassar noted, this seemed to indicate that economic strength was to be a strong consideration with regard to the selection of permanent members. Of course, as he also indicated, what would happen if a nation lost significantly with regard to such economic strength. It might well be noted that never, since the inception of the organization has there been serious consideration of removal of a member, since clearly this would be a *substantive* rather than a *procedural* matter, and, thus, the veto power would come to the fore. At that same instance, the Italian Permanent Representative noted that this type of reform, what Ambassador Cassar described as “quick-fix,”

would not be an evolution, but rather an involution of the present system. The five current permanent members are all from the Northern Hemisphere, and almost all of them are industrialized, prosperous nations. Adding two more with the same profile, rather than correcting this imbalance, would clearly aggravate it (Cassar, 13).

A revised proposal was submitted by the Italian government during the later 1990s, which changed an initial suggestion of “a new category of semi-permanent members” to “the less polemical formulation of frequently rotating non-Permanent Members” (Cassar, 18, citing Italy: *Revised Proposal for the enlargement of the Security Council*.) In that proposal, a number of states would be named who were likely to be able to substantially enhance world peace through membership on the Security Council. Seats on the SC would be added for this group which could serve, if selected by the General Assembly, for two years in six. (Cassar, 18).

Ambassador Cassar identified a number of advantages to this type of structure, including the fact that “it....precludes the heavy campaigning and tensions presently encountered” in selection of SG non-permanent members. Other benefits include the avoidance of the need of the amending of the United Nations Charter, the lack of extension of veto power, the ability to alter the membership of this group. the remaining nations would be in an improved position to vie for the remaining ten (10) non-permanent seats, and the fact that it offers improved “financial and political burden sharing in UN peacekeeping” (Cassar 18).

Ambassador Cassar concluded :

The proposal’s major credit is its pragmatism, and hence its anchorage in history. It complements the aspiration of better regional representation with the determination of some larger powers to assume greater responsibility.

This is achieved without suffocating the desire and opportunity of small ad medium sized States to contribute through their presence on the Security Council. More importantly, it safeguards Yalta’s balance

and unusual blend in the Council's Permanent Member category. A factor that is of great relevance since certain current conditions pose similar challenges to those prevailing then (Cassar 18-19)

Basically, talks concerning United Nations Security Council reform have continued from that period to the present time. To date, nothing firm has been accomplished, but Italy continues to bring a strong voice for reform to the forum. In 2002, an article in *The Christian Science Monitor* suggested that major proposals at that time centered around possibly increasing the permanent membership, *with veto power*, from five to ten and total membership to as high as fourteen. Clearly, Germany and Japan, in light of their significant financial contributions to the United Nations as well as to its peacekeeping efforts, consider themselves likely candidates for permanent membership. The *Christian Science Monitor* article indicated that Japan faced stiff opposition from South Korea, due to past experiences the latter nation had with the former, and Germany faced opposition from Italy which, according to that report, some have suggested "doesn't want to suffer the indignity of being the only major industrialized European nation without a permanent seat" (Jordan, 7). A solution to the latter problem would be the additional of permanent members without veto or some other type of what might be described as intermediate membership, including a small group rotating on a regular basis, again, without veto. The Italian Ministry of Foreign Affairs has strongly confirmed its opposition to any new permanent members, noting "Our country has also reiterated its opposition in all circumstances to the creation of new permanent seats" (Ministry).

The *Christian Science Monitor* article went further to note that there are other actors seeking permanent seats, including Brazil, India, and several African nations, including

Egypt, Nigeria, and the Republic of South Africa (Jordan, 7). One can easily see opposition to Brazil from other major Latin American nations, such as Chile and/or Argentina, and a dispute in Africa between the Anglophone and Francophone nations.

In 2004, the *Los Angeles Times* reported, that the United Nations group investigating the possibilities of Security Council membership change appeared to have three major possibilities. The first, known as a “quick-fix,” would increase permanent membership. The second would simply increase non-permanent membership, and the third, “creating a category of seven or eight ‘semi-permanent’ members from each region that would hold their seats for renewable terms of four or five years.” This, the article concluded, is the way preferred by a number of nations, including Italy, though opposed by nations hoping for permanent seats, including Japan, “which gives more money to the United Nations than Britain, France, China and Russia combined.” The article further noted that British Prime Minister Tony Blair had indicated favoring a permanent seat for India (Farley, A5), which did nothing to please Pakistan. Italy has made its position quite clear, in the following Foreign Ministry statement: “

In consideration of the lack of progress to date in the reform debate, as a compromise solution Italy has also expressed a willingness to support for the time being a limited increase in the number of non-permanent seats only, in line with the fall-back position of the Non-Aligned Movement.

This solution, which after ten years of fruitless negotiations might prove to be the only one able to attract a sufficient degree of consensus, would also have the advantage of ensuring the UN broader geographical representativeness and increasing its democratic nature, by raising the number

of elected seats available in the Security Council and therefore the possibility of access to it for all Member States. This would also help to build consensus on the decisions reached by the Council, which would likewise attract greater consensus among UN membership (Ministry).

The Italian government notes that the solution it offers would assist in the “rate of participation” on the Security Council, noting that nearly 75 nations never served on the SC and nearly 50 only served once. They also noted their plan would include a wider “geographic representation,” increase the “democratic character,” enhance “efficiency” by limiting the total membership to a more reasonable number than other possibilities, and of course, lead to “transparency” (Embassy).

During the U.S. German dispute concerning the conflict in Iraq, the U.S. Secretary of State, General Colin Powell, indicated that the U.S. appeared to be favoring an Italian approach to United Nations reform, noting at an Italian-American Foundation dinner that “I can assure (you) that I am watching with great interest the report that will be forthcoming from the panel studying the reorganization of the UN.” The Secretary added, “And when that report comes forward and we see what it recommends and how large there might be in terms of an expansion of the Security Council, if any at all, you can be absolutely sure...that Italy will get every consideration. We don’t forget our friends” (“US Backing.....”). That same report indicated that Germany’s plan was not necessarily one favored by Washington. Of course, in 2006, with a new German Chancellor at the helm, it will be interesting to see to what extent the U.S. may change its attitude toward German hopes with regard to the Security Council.

Italy, clearly, seeks greater European Union coordination and cooperation with the United Nations and its Security Council. On 24<sup>th</sup> September 2003, President of the Security Council Silvio Berlusconi, who was representing the European Union, and Secretary General of the United Nations Kofi Annan signed the European Union -- United Nations Joint Declaration on Crisis Management. The Italian government “sees this as a partial culmination of its efforts to strengthen...the profile of the European Union in the UN, in light also of the intention to give greater substance to the Union’s espousal of effective multilateralism, focused on the United Nations, as a benchmark for the management of international relations” (Ministry).

Foreign Minister Franco Frattini, in an article edited and translated from one which appeared in *Corriere della Sera*, furthered the nation’s commitment to EU commitment to this close working relationship with the UN and its Security Council. He, once again, stated Italy’s opposition to any increase in permanent members with veto, but rather reemphasized Italy’s dedication to the democratization of the Security Council (with no intention of endeavoring to change veto status for the current Permanent Members). He noted:

We should aim, through frequent rotation, for the involvement in the Security Council, of a wider range of countries whose eligibility credentials should be based on their economic resources, their contribution to the UN, their commitment to peacekeeping operations, and so on.

A crucial point of the reform of the Security Council is that of EU re-

presentation. Even though it is idealistic to think that, in the short term, the EU can substitute its members in the Council, realism does not prevent Italy from looking into the distant future. In a process that would cover a number of phases, Italy is aiming first of all at firm application of the regulations that already exist in the EU Treaty and which calls for coordination of the actions of Member States in international organizations. With particular regard to the Security Council, these rules encourage the two permanent European members to ensure that the EU's positions and interests are strongly advocated. We have to make sure that these regulations are really applied, prevailing over previous reservations, so that the European countries in the Security Council express positions discussed and agreed to by all the EU members (italydownunder).

Thus, Italy would increase its opportunity to both be a member of the Security Council on a more regular basis, as well as have influence through what almost seem to become European Union seats on the Security Council. It is interesting to note that Italy will likely be a Security Council member during 2007-2008.

In his statement to the 59<sup>th</sup> General Assembly on 23 September 2004, Foreign Minister Frattini reiterated:

Italy is in favour of a Security Council reform inspired by the principles of greater inclusiveness, effectiveness, democratic participation and geographic representation, starting with the developing countries. We are firmly convinced that the best way to pursue such a reform is to establish new non-permanent seats. Since the States occupying these seats would have to be

periodically elected, they would be accountable to the general membership (Frattini).

He reaffirmed Italy's opposition to additional permanent members and noted that among other reasons, "there would be no seat at the table for the Arab and Islamic world." He posed the question: Can the international community really afford this at a time when we are all trying to broaden the dialogue among the different faiths and cultures?" (Frattini).

In late 2004, the United Nations committee examining Security Council reform issued its report. It offered two options:

The first would give six countries (non is named by probably Germany, Japan, India, Brazil and two African countries) permanent seats without a veto, and create three extra non-permanent seats, bringing the total number of council members to 24. The second, which would expand the council by the same number of seats, creates a new middle tier of members who would serve for four years and could be immediately re-elected, above the current lower tier of two-year members, who cannot be re-elected ("Towards.....").

It has been noted that, "The report attempts to strike a balance in this regard between two major considerations that, in its view, should govern the composition of the Council: contribution to the organization (financial, military, and diplomatic), on the one hand, and overall 'representativeness (*sic.*),' on the other hand" Blum. It should be noted, that following the report, during July 2005, three resolutions were submitted to the General Assembly for its consideration. The first, by the G-4 would have essentially accepted the first model of the United Nations committee "the only departure being the addition of

four nonpermanent members (instead of three, as proposed by the panel), for a total Council membership of twenty-five". The second, proposed by the African Union would have increased the Security Council to 26, "adding six nonpermanent members (with a right of veto) and five nonpermanent members." The third, sponsored by Italy "and other regional rivals of the G-4," proposed an addition of ten non-permanent members with four-year terms and "eligible for immediate reelection" (Blum).

It is clearly not likely that the problem of United Nations Security Council reform or enlargement will be easily solved. There are many reasons for this, among them the requirement that all Charter amendments must pass by a two-thirds membership vote including all five of the Permanent Members of the Security Council. Will an Amendment be possible in the near future? No one can be certain, but "Charter amendment can not happen soon" according to Nguyen Honghai, in a master's dissertation submitted to the Faculty of Law of Lund University (Sweden) in Autumn 2004 (78). Only with time can we assess the accuracy of that prediction.

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