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# STUDY GUIDE

## Security Council

*It's time to be UNique!*



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Prague Model United Nations Conference

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# Welcome Letter

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Welcome to the United Nations Security Council (UNSC) at Prague Model United Nations 2020!

My name is Mohammed Babiker, and I have the honor of being one of your chairs for this committee. I was born and grew up in the United Kingdom, moved to Sudan and then Saudi Arabia where I have recently graduated with bachelor diploma in Software Engineering. This will be my second time chairing. Despite appearing unrelated to my major, I believe MUN is a great experience for students of all academic backgrounds. In my spare time, I like to participate in my local Toastmasters club, read historical novels, get involved with politics and waste time on the Internet. My goal is to become a regional influencer who can help his region advance to and beyond its global competitors.

My name is Lennert Houbrechts, I am a 23-year-old Belgian student in a master program in European Policies and Politics at KU Leuven. More importantly, I am honoured to chair the UN Security Council at PragueMUN 2020. For three year now, Model United Nations has been my passion and most intense occupation outside school, both as a part of the KULMUN association and by attending other conferences. MUN'ing aside, I am quite a history dork, a football fan, I like to listen to everything from metal and post rock over techno to rap and jazz and like most MUN'ers I am crazy about traveling. As a chair I hope to offer you the same challenging environment for debate and cooperation as I experienced as a delegate, one where you are all comfortable to make mistakes and engage in meaningful discussions.

If you have any concerns or questions about the topics, parliamentary procedure, the flow of committee, or anything at all, please contact us. We look forward to seeing you all in the committee.

Sincerely,

Mohammed Babiker and Lennert Houbrechts

# Introduction to the Security Council

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The Security Council's (UNSC or Security Council) primary responsibility is to react to and ideally prevent threats to international peace. It regularly issues resolutions on ongoing conflicts, such as the civil war in Yemen, Afghanistan Somalia and also regularly discusses larger topics, such as "threats to international peace and security caused by terrorist acts". Actions taken by the Security Council can range from investigation and mediation on one end of the scale, to the authorisation of military interventions on the other end of the scale. The Security Council is also tasked with approving and dispatching UN peacekeeping missions. Peacekeeping has become a major aspect of the United Nations', and by extension, the Security Council's work and currently the UN has well over 100.000 peacekeepers, with 14 active missions and a budget of over seven billion USD. Another frequent action taken by the UNSC is the issuing of economic sanctions. However, in order to get a resolution passed in the Security Council, much diplomacy needs to take place and resolutions are often exceedingly vague and open to interpretation in order to avoid being vetoed. This is one of the biggest challenges delegates will face in this committee.

As you may know, the Security Council operates slightly differently to other committees. Aside from its smaller size of only 15 delegates/members, five of these members have permanent seats. These members are: United States of America, United Kingdom, France, Russian Federation and the People's Republic of China. This group of countries owe their permanent membership to their status as the recognised victors of WWII, in the wake of which the United Nations and its Security Council were created, largely with the aim of preventing such large-scale conflicts from ever arising again. The remaining 10 positions on the Security Council are distributed on a regional basis, with membership terms of two years. Non-permanent members are elected by the UN General Assembly. Three non-permanent positions are accorded to the African regional bloc, one position to the Eastern European region, and two to each the Asia-Pacific region, the Latin and Central American region and the Western European region, respectively. Membership of the Security Council is regarded as highly prestigious and countries often expend considerable political and financial capital in order to achieve it. Under the charter of the United Nations, the Security Council is the only UN organ with the power to issue binding decisions, which all member states must agree to heed and to implement

# Topic A: Amidst rising tensions - Strait of Hormuz

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## Introduction to the topic

The Persian Gulf is one of the most important regions in the world when it comes to its energy supply and global shipping routes. Around one third of the global naval transportation of oil goes through the Strait of Hormuz, the narrow strait which connects the Persian Gulf to the Gulf of Oman and with that the rest of the world. Of the ten largest oil producing countries, five are located in the Persian Gulf Region (Spencer, 2019; Tzemprin, Jozić, & Lambaré, 2015). Despite the abundance of one of the world's most valued recourses, the region shows a high level of international tensions and animosity as well as both internal and international violent conflicts. In recent years the so called 'Middle Eastern Cold War' has come into the news numerous times: the two prime parties: Iran and Saudi Arabia. The two regional powers are both historically and contemporarily – Turkey aside – the most important political power houses in the Middle East and the larger Islamic world. Both geopolitically and ideologically there exists a severe rivalry between the two countries, which has led to both being invested in a series of proxy wars in the Persian Gulf region. Furthermore, several Iranian policies such as its nuclear program and its animosity against Israel have brought the United States into the conflict as well. The US did not only ally itself to Saudi Arabia, it also maintains a significant military presence in the region and lives on very bad terms with Iran (Tzemprin et al., 2015).

The aforementioned conflicts have caused the Persian Gulf to be the stage of strong global tensions. Iran often shows it is willing to flex its naval forces to stress its capability to restrict access through the Strait of Hormuz. A naval conflict around the strait could however further destabilise an already unstable region as well as severely harm the global economy. Other global powerhouses such as India, China and Japan all receive a significant part of their oil import from ships which went through the Strait of Hormuz. China especially is eager to find guarantees in stabilising the passage through the strait. This text will provide background on the conflict, sketch an oversight of the actors in play and describe the situation today.

## Background

It is possible to go back a far stretch when discussing the background of the conflict. A long history exists of the Arab-Persian division in the Middle East which has reflected geopolitically, culturally and ideologically on the region. Both historical nations had on multiple occasions a clear political agenda to establish themselves as the leading state in the Islamic world. Even before the Iranian revolution, which will soon be explained as the ultimate game changer, the Iranian Shah regime clearly showed its intention to

behave like a regional leader. In the case of Saudi Arabia this came as a result of its nation building process. The state of Saudi Arabia was formed on the Arab peninsula after the dissolution of the Ottoman Empire under the leadership of the Al Saud dynasty and with British backing, already indicating the regime's ties to the west. A multi-ethnic state, Saudi Arabia requires something else to base their nation building upon. This base became Islam: domestically Wahhabism, a highly conservative and far right interpretation of Islam became the state ideology while on an international scale Saudi Arabia started to showcase itself as the most important representative of Sunnism within the Islamic world. Because of the location of two of the holy cities of Islam within the country, Saudi Arabia also extended its ambitions towards general religious leadership. This indicates the first major divide between the two nations: an ideological divide. Because the Saudi leadership started to relate itself to Islamic doctrines, in a way it also restricted itself in its action. For this reason the Saudi royal family was often criticised by other Muslims whenever their actions did not comply with Islamic religious beliefs. The most prominent critic towards the Saudi royal family became Iran (Abuelghanam & Tahboub, 2018; Marcus, 2019; Tzemprin et al., 2015).

As mentioned before, a key turning point was the Iranian revolution which concluded in 1979. It resulted in a regime change from the pro-Western Shah regime to the Islamist republic under the leadership of a religious: the Ayatollah. It is clear that the legitimation of the new regime in the mainly Shia country would also be religious. Not soon after the Iranian leadership started to question the Saudi leadership in the region, especially concerning its willingness to cooperate with the United States and their 'silent acceptance of Israel'. It is crucial in that regard to keep in mind the prevalence of strong anti-American sentiments within the Iranian revolution, caused by the American support for the Shah and culminating in the Teheran hostage crisis. Furthermore, the Iranian government often argued for the incompatibility of a monarchy with Islamic doctrine, defending its own model. Soon enough an ideological and rhetoric battle developed between the mainly Shia Islamic republic and the mainly Sunni kingdom (Tzemprin et al., 2015).

Geopolitically, this struggle also became quickly evident. When discussing a 'cold war' within the Middle East, this does not only hold an ideological component. Throughout the region, both states have attempted to establish a sphere of influence by supporting lenient regimes. Within this regard, a couple of so-called proxy wars have taken place in which Iran and Saudi Arabia both had a stake within a domestic political, often violent, conflict. The Arab spring was a crucial gamechanger in this aspect, strongly reshuffling the status quo in the Middle East. A first important example is the status of Bahrain, traditionally an ally of Saudi Arabia thanks to its Sunni leadership. Its population is however mostly Shia, which briefly resulted in a conflict of power in the small state. As protests started erupting in Bahrain, the government quickly started to accuse Iran as the instigator of the anti-government protests. As the situation threatened to get dangerous, Saudi Arabian troops intervened to stabilise the situation and Iran opted to not engage (Paul & Jacob, 2013; Tzemprin et al., 2015). Other conflicts unfortunately got a lot more violent. In Syria and Yemen, two of the most violent conflicts of the past decade are taking place between Iran and Saudi Arabia backed parties, often with the two states directly involved. The Syrian civil war finds its roots in the Arab spring protests but has resulted in a bloody civil war between the Iran

backed Shia government and a multitude of opposition groups, the largest of which are backed by Saudi Arabia. In Yemen, another devastating conflict has emerged in the wake of the Arab spring. Started as a dispute for the presidency it eventually led to a violent conflict for the central power between the mainly Shia Houthi rebels backed by Iran which form Supreme Political Council and the mainly Sunni forces behind the Cabinet Yemen, backed by Saudi forces (Marcus, 2019; Paul & Jacob, 2013; Perra, 2016).

These variety of conflicts has already been taken to the oil market and to naval interests. Last year, in 2019, important Saudi oil installations were bombed and completely destroyed by a drone strike claimed by the Houthi rebels from Yemen but attributed to Iran by Saudi Arabia as well as their American allies. The attack resulted in a global increase of oil prices. More relevant even are the tensions that took place above and in the waters of the Persian Gulf and the Strait of Hormuz. In 2019, tensions escalated between Iran and the US heated up in the aftermath of the previously mentioned events as well as the American decision to depart from the Iranian nuclear deal, re-imposing their sanctions. Also, in the summer of 2019, Iran seized a British oil tanker that was passing through the Strait of Hormuz as a response to the British doing the same to them in the Strait of Gibraltar after and American request. These actions have put into question the stability of one of the world most important sea straits (Akbarzadeh, 2018; Marcus, 2019).

### ***Key actors***

The first and foremost actors are **Iran** and **Saudi Arabia**, as mentioned before their relationship is characterised by a long-lasting animosity. Not only they are both politically and militarily the most important and powerful regional actors, they are also two major oil exporting countries. This paragraph will offer an overview of the other relevant actors relative to their position to these two regional powers.

Within the region, Iran's most important allies are **Iraq** and the **Syrian Assad** regime. Both of them have Shia leaderships but are also very unstable countries. They are, however, still crucial political allies to Iran, Iraq especially after the removal of Saddam Hussein and because of their strategic central location as a buffer between the two regional powers. Another regional Iranian ally is the Lebanese Shia military opposition group **Hezbollah**, as well as the **Yemenite Houthi's** (Marcus, 2019; Tzemprin et al., 2015). Iran's most important ally does not come from the Middle East but from the Kremlin: Vladimir Putin's **Russia** has established itself as the core political and military partner of Iran, often defending Iran on the international stage against the other global powers and even more importantly through their military activity in Syria. This also brings in an important global dimension with Russia's global competitor, the US, also having a considerable amount of interests in the region. **China** is also traditionally regarded as a supporter of Iran, although a lot less pronounced than Russia. The Chinese government is careful with military behaviour in the region and is pragmatic in its middle eastern alliances. It similarly wishes to keep the door open to Saudi Arabia for economic reasons (Abuelghanam & Tahboub, 2018; Perra, 2016).

The Saudi's key allies in the region are other Arabic gulf states **Bahrain** and the **United Arab Emirates**. These countries are economically and geopolitically very important players within the region but do not bring in the same military capabilities.

**Egypt** is furthermore also an important supporter of Saudi Arabia. The past decades, it regularly had a strong position of leadership within the region itself, but Egypt lost part of this influence in the aftermath of the Arab Spring (Abuelghanam & Tahboub, 2018; Tzemprin et al., 2015). The **United States** are however without any doubt Saudi Arabia's crucial ally and they have a long history in that regard. In large part, it was the US that has helped Saudi Arabia getting its essential position within the global energy market. The US also has a long history of hostility towards Iran, rooting all the way back to anti-American events that took place during the Iranian revolution. The US installed a large amount of sanctions on Iran, especially relating to the Iranian nuclear program and the Iranian involvement in Syria. There is a large American military presence in the region, with the presence of the 5th American fleet in Bahrain (Marcus, 2019; Perra, 2016; Tzemprin et al., 2015).

These parties aside, the following countries are also crucial in the region but do not have a significant alliance to any of the two main parties. Within the region, two important states with highly capable militaries and large economies come to mind: Turkey and Israel. **Turkey** has a history of being more aligned to Saudi Arabia through their Sunni religion, strong ties with the US and animosity to the Syrian regime. They have recently however moved closer to their Iranian neighbours through their mutual goal of keeping local Kurdish militias down. **Israel**, commonly regarded as a nuclear power, has a well-documented hostile history towards both its Arab neighbours and Iran. Its animosity towards Iran is however particularly strong since the Iranian regime has repeatedly stated the illegitimacy of the Israeli state. Israel is a strong opponent against the Iranian nuclear program. It is through their shared animosity towards Iran and their cooperation with the American army that there was a relative normalisation between Israel and Saudi Arabia (Eilam, 2016; Marcus, 2019). **Qatar** on the other hand, has never strongly aligned itself to neither but had severe tensions with its Arab neighbours and Saudi Arabia especially. **Kuwait** and **Oman**, two other important actors at the Persian Gulf has kept themselves away from the conflict. These last three states do, however, have a certain connection to Saudi Arabia on economic level through their trade cooperation within the Gulf Cooperation Council (Abuelghanam & Tahboub, 2018; Tzemprin et al., 2015).

### ***Involvement of the UNSC and the international community***

The International community has closely followed the situation for the past few years. Both countries have poor human rights records and are regularly discussed at various concerned international bodies. The Security Council, however, had a hard time coping with the issue of the conflicting interests some permanent members have. Although the Security Council generally condemns acts such as unwarranted drone attacks, they generally are hesitant to point responsibilities. The most significant endeavour of the international community of the past years within the region is the joint action plan on the Iranian nuclear deal. Within this deal, the permanent UNSC members, the European Union and Germany agreed with Iran to lift the sanction regime if Iran would significantly cut its nuclear program and allow international inspections. The deal was officially ratified and put into Resolution 2231 (2015) of the Security Council. The deal came effectively to an end when the US left the agreement following accusations towards Iran of breaching its terms, a move which was widely

condemned. Saudi Arabia was not included in the negotiations but it is well known they did not support the deal and favoured a stricter approach (Akbarzadeh, 2018; Pasha, 2016; United Nations Security Council, 2015).

## The Strait of Hormuz

### *Global importance: economics and geopolitics*

The Strait of Hormuz is one of the most important straits in the world for both geopolitical and economic reasons. Economically, the Strait of Hormuz is the passage way to and from the Persian Gulf Area. A significant amount of the world's oil trade passes through the narrow strait. In the past, political instability in the region often resulted in major turmoil or even crises in the global oil and energy markets. Because of its geographic characteristics, namely its narrowness and presence of islands, it is relatively easy to credibly threaten a naval blockade of part of or even the entire strait. Economic aside, it also has some important geopolitical functions. It is the world's entrance to one of the most unstable regions in which large global powers have large stakes at play, for military power projection on this region the strait is of paramount importance. The US especially has a long military history in the region and still has a large fleet within the Persian Gulf. For this fleet to be able to navigate through international waters, the accessibility of the Strait of Hormuz is essential. Furthermore, Iran often uses the strait as an important tool for global political and strategic leverage as it has previously flexed its muscle with naval exercises nearby the strait (Janes & Murtaugh, 2019; Paul & Jacob, 2013; Tzemprin et al., 2015).

### *Status in UNCLOS*

What is the status of the Strait of Hormuz within the international legal framework on the seas and international waters? And how to the actors involved relate towards this legal framework? The strait of Hormuz does not legally hold the status of international waters as it lies within the national waters of Iran, Oman and the United Arab Emirates. At its narrowest point it lies within the waters of Oman and Iran. Although the international community holds United Nations Convention for the Law of the Sea (UNCLOS) as the most important legal framework for the law of the sea, Iran and the UAE did not ratify the agreement. The US are furthermore also not a party of UNCLOS. This makes it particularly hard to examine the status of the strait of Hormuz in the light of UNCLOS. As an international frame of reference it is, however, still useful and important. Since the Strait of Hormuz falls within national waters, this means the respective countries have the right to enforce their sovereignty and law onto those waters. However, states are not allowed to block transit passage through an international strait, regardless whether the strait falls within their national waters. This counts even for military vessels. Military vessels are, however, only allowed to pass through, they are not allowed to use force, not even when under attacked by the strait's states. This right of transit passage does not change the status of national waters in any case (Tzemprin et al., 2015; United Nations, 2001).

In 2019, a coalition of involved states came up with an alternate international construct, the so called International Maritime Security Construct. This coalition included the USA, the UK, Australia, Albania, Saudi Arabia, the UAE and Bahrain. Its implications are still not entirely clear and academic accounts on the new construct are scarce, the majority of the participating states are, however, UNCLOS members. It implies the intention of its members to foster the freedom of navigation within the Persian Gulf region. The US communicated the Construct as a mode to guarantee the crucial international principles of free commerce and navigation within the seas of the Middle East. It could, therefore, be seen as a way for the US to invoke international law of the sea without explicitly naming it. There is, however, still a lot of debate on the constructs implications and possible impact on UNCLOS. It clear that the concept serves as a coalition to safeguard its idea about free shipping in the region (Neuman, 2019).

## Questions to consider

1. How should the international community stabilise the relationship between the regional powers?
2. How should threats or possible violations to the right of passage through the Strait of Hormuz be treated?
3. To which extend should UNCLOS be upheld towards non-party states?

## Further reading

- <https://www.reuters.com/article/us-iran-oil-factbox-idUSKBN1JV24O>
- <https://www.bloomberg.com/news/articles/2019-07-19/how-a-persian-gulf-conflict-could-impact-commodities-markets>
- <https://www.bbc.com/news/world-middle-east-42008809>

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# Topic B: Reforming the Security Council

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## Introduction to the topic

In the aftermath of the two World Wars, the developed nations of the world agreed to form multiple organisations to keep world peace. The first and arguably most important body among these organisations was the United Nations Security Council. Wielding the authority to interfere in global conflicts militarily and with sanctions, in addition to having its resolutions be binding, the UNSC has played a crucial role and responsibility in keeping peace around the globe.

However, the UNSC hasn't always lived up to its expectations. It did little to stop the struggles of the Cold War, and in its aftermath it has failed time and time again to address key conflicts in the 1990s, such as in Haiti, Mozambique and the former Yugoslavia. The Bosnian and Rwandan Genocides were particularly devastating cases of the UNSC's inability to do its job adequately.

Many have called for change and reform to address the UNSC's shortcomings. These include increasing regional representation by increasing the number of permanent and non-permanent countries, changing the nature of the veto vote and reducing its dependency on the General Assembly.

## Historical background

### *Background and creation*

In the century prior to the UN's creation, several international treaty organisations and conferences had been formed to regulate conflicts between nations, such as the International Committee of the Red Cross and the Hague Conventions of 1899 and 1907.[7] Following the catastrophic loss of lives in World War I, the Paris Peace Conference established the League of Nations to maintain harmony between the nations.[8] This organisation successfully resolved some territorial disputes and created international structures for areas such as postal mail, aviation, and opium control, some of which would later be absorbed into the UN.[9] However, the League lacked representation for colonial peoples (then, half the world's population) and significant participation from several major powers, including the US, USSR, Germany, and Japan; it failed to act against the 1931 Japanese invasion of Manchuria, the Second Italo-Ethiopian War in 1935, the 1937 Japanese occupation of China, and Nazi expansions under Adolf Hitler that escalated into World War II (World War II or WWII).[10]

In 1943 during the World War II, the leaders of the US, UK and USSR met in Cairo to officially begin working on a new world organization. A term "Four Policemen" was coined to refer to the four major Allied countries: the United States, the United

Kingdom, the Soviet Union, and China[14] and became the foundation of an executive branch of the United Nations, the Security Council.[15]

In mid-1944, the delegations from the Allied "Big Four", the Soviet Union, the UK, the US and China, met for the Dumbarton Oaks Conference in Washington, D.C. to negotiate the UN's structure,[16] and the composition of the UN Security Council quickly became the dominant issue. France, the Republic of China, the Soviet Union, the UK, and US were selected as permanent members of the Security Council. The US attempted to add Brazil as a sixth member but was opposed by the heads of the Soviet and British delegations.[17] The most contentious issue at Dumbarton and in successive talks proved to be the veto rights of permanent members. The Soviet delegation argued that each nation should have an absolute veto that could block matters from even being discussed, while the British argued that nations should not be able to veto resolutions on disputes to which they were a party. At the Yalta Conference of February 1945, the American, British, and Soviet Union delegations agreed that each of the "Big Five" could veto any action by the council, but not procedural resolutions, meaning that the permanent members could not prevent debate on a resolution.[18]

The UN officially came into existence on 24 October 1945 upon ratification of the Charter by the five then-permanent members of the Security Council and by a majority of the other 46 signatories.[19] On 17 January 1946, the Security Council met for the first time at Church House, Westminster, in London, United Kingdom.

### ***Cold War***

The Security Council was largely paralysed in its early decades by the Cold War between the US and USSR and their allies, and the Council generally was only able to intervene in unrelated conflicts.[23] (A notable exception was the 1950 Security Council resolution authorizing a US-led coalition to repel the North Korean invasion of South Korea, passed in the absence of the USSR.)[19][24] In 1956, the first UN peacekeeping force was established to end the Suez Crisis;[19] however, the UN was unable to intervene against the USSR's simultaneous invasion of Hungary following that country's revolution.[25] Cold War divisions also paralysed the Security Council's Military Staff Committee, which had been formed by Articles 45–47 of the UN Charter to oversee UN forces and create UN military bases. The committee continued to exist on paper but largely abandoned its work in the mid-1950s.[26][27]

On 25 October 1971, over US opposition but with the support of many Third World nations, the mainland, communist People's Republic of China was given the Chinese seat on the Security Council in place of Taiwan; the vote was widely seen as a sign of waning US influence in the organization.[32] With an increasing Third World presence and the failure of UN mediation in conflicts in the Middle East, Vietnam, and Kashmir, the UN increasingly shifted its attention to its ostensibly secondary goals of economic development and cultural exchange. By the 1970s, the UN budget for social and economic development was far greater than its budget for peacekeeping.[33]

### ***Post-Cold War***

After the Cold War, the UN saw a radical expansion in its peacekeeping duties, taking on more missions in ten years' time than it had in its previous four decades.[34]

Between 1988 and 2000, the number of adopted resolutions more than doubled, and the peacekeeping budget increased more than tenfold.[35] The UN negotiated an end to the Salvadoran Civil War, launched a successful peacekeeping mission in Namibia, and oversaw democratic elections in post-apartheid South Africa and post-Khmer Rouge Cambodia.[36] In 1991, the Security Council demonstrated its renewed vigor by condemning the Iraqi invasion of Kuwait on the same day of the attack, and later authorizing a US-led coalition that successfully repulsed the Iraqis.[37] Undersecretary-General Brian Urquhart later described the hopes raised by these successes as a "false renaissance" for the organization, given the more troubled missions that followed.[38]

Though the UN Charter had been written primarily to prevent aggression by one nation against another, in the early 1990s, the UN faced a number of simultaneous, serious crises within nations such as Haiti, Mozambique and the former Yugoslavia.[39] The UN mission to Bosnia faced "worldwide ridicule" for its indecisive and confused mission in the face of ethnic cleansing.[40] In 1994, the United Nations Assistance Mission for Rwanda failed to intervene in the Rwandan Genocide in the face of Security Council indecision.[41]

In the late 1990s, UN-authorized international interventions took a wider variety of forms. The UN mission in the 1991–2002 Sierra Leone Civil War was supplemented by British Royal Marines, and the UN-authorized 2001 invasion of Afghanistan was overseen by NATO.[42] In 2003, the US invaded Iraq despite failing to pass a UN Security Council resolution for authorization, prompting a new round of questioning of the organization's effectiveness.[43] In the same decade, the Security Council intervened with peacekeepers in crises including the War in Darfur in Sudan and the Kivu conflict in the Democratic Republic of Congo. In 2013, an internal review of UN actions in the final battles of the Sri Lankan Civil War in 2009 concluded that the organization had suffered "systemic failure".[44] In November/December 2014, Egypt presented a motion proposing an expansion of the Non-Proliferation Treaty (NPT), to include Israel and Iran; this proposal was due to increasing hostilities and destruction in the Middle-East connected to the Syrian Conflict as well as others. All members of the Security Council are signatories of the NPT, and all permanent members are nuclear weapons states.[45]

## 1. Question of the veto

The UNSC "power of veto" is frequently cited as a major problem within the UN. By wielding their veto power (established by Chapter V of the United Nations Charter), any of the UNSC's five permanent members can prevent the adoption of any (non-"procedural") UNSC draft resolution not to their liking. Even the mere threat of a veto may lead to changes in the text of a resolution, or it being withheld altogether (the so-called "pocket veto"). As a result, the power of veto often prevents the Council from acting to address pressing international issues and affords the "P5" great influence within the UN institution as a whole.

For example, the Security Council passed no resolutions on most major Cold War conflicts, including the Warsaw Pact invasion of Czechoslovakia, the Vietnam War, and the Soviet–Afghan War. Resolutions addressing more current problems, such as the conflict between Israel and Palestine or Iran's suspected development of nuclear weapons, are also heavily influenced by the veto, whether its actual use or the threat of its use. Additionally, the veto applies to the selection of the UN's Secretary-General, as well as any amendments to the UN Charter, giving the P5 great influence over these processes. China has exercised its veto several times on India's resolutions to put Masood Azhar<sup>1</sup> on a list of global terrorists.

Discussions on improving the UN's effectiveness and responsiveness to international security threats often include reform of the UNSC veto. Proposals include: limiting the use of the veto to vital national security issues; requiring agreement from multiple states before exercising the veto; abolishing the veto entirely; and embarking on the transition stipulated in Article 106 of the Charter, which requires the consensus principle to stay in place. Any reform of the veto will be very difficult. Articles 108 and 109 of the United Nations Charter grant the P5 veto over any amendments to the Charter, requiring them to approve of any modifications to the UNSC veto power that they themselves hold.

Pursuant to United Nations General Assembly Resolution 377 (Uniting for Peace), in cases where the Security Council, "because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security."

## 2. Regional Representation

Implementation of population-based UN voting also raises the problems of diversity of interests and governments of the various nations. The nations in the UN contain representative democracies as well as absolute dictatorships and many other types of government. Allowing large powers to vote their population's interests en bloc raises the question of whether they would really represent the interests and desires of their individual citizens and the world community. Anything like direct election would be impossible as well in the many nations where an accurate direct vote would be impossible or where the local government has power to influence the local voters as well as security of the ballot box. Giving the UN any kind of actual governance power raises the question of how these powers could be carried out. What would happen when a vote of the UN General Assembly demands changes in the borders or political

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<sup>1</sup> Azhar is the head of Jaish-e-Mohammed, which has been designated as a terrorist group by the United Nations.

status of a nation, or requires citizens in some nations to tax themselves in favor of other nations, or demands the arrest of the leader of a nation, and is met by refusal?

The subsidiarity principle resolves some of these issues. The term originates from social thought within the Catholic Church and states that no larger organ shall resolve an issue that can be resolved at a more local level. It can be compared to federalist principles where entities of the union retain some aspects of sovereignty. Only when two or more members of the federation are affected by any given act does the federal government have the authority to intervene. Giving a reformed UN more powers but enshrining the subsidiarity principle in its Charter would guarantee that the UN does not evolve into a world autocracy that can arbitrarily dictate policy.

Former UN Secretary-General Kofi Annan asked a team of advisers to come up with recommendations for reforming the United Nations by the end of 2004. One proposed measure is to increase the number of permanent members by five, which, in most proposals, would include Brazil, Germany, India, and Japan (known as the G4 nations), one seat from Africa (most likely between Egypt, Nigeria or South Africa), and/or one seat from the Arab League. On 21 September 2004, the G4 nations issued a joint statement mutually backing each other's claim to permanent status, together with two African countries. Currently the proposal has to be accepted by two-thirds of the General Assembly (128 votes).

### 3. Increasing Size

#### *Permanent Members*

There has been discussion of increasing the number of permanent members. The countries who have made the strongest demands for permanent seats are Brazil, Germany, India, and Japan. Japan and Germany, the main defeated powers in WWII, are now the UN's second- and third-largest funders respectively, while Brazil and India are two of the largest contributors of troops to UN-mandated peace-keeping missions.

Italy, another main defeated power in WWII and now the UN's sixth-largest funder, leads a movement known as the Uniting for Consensus (UfC)<sup>2</sup> in opposition to the possible expansion of permanent seats. Core members of the group include Canada, South Korea, Spain, Indonesia, Mexico, Pakistan, Turkey, Argentina and Colombia. Their proposal is to create a new category of seats, still non-permanent, but elected for an extended duration (semi-permanent seats). As far as traditional categories of seats are concerned, the UfC proposal does not imply any change, but only the introduction of small and medium size states among groups eligible for regular seats. This proposal includes even the question of veto, giving a range of options that go from abolition to limitation of the application of the veto only to Chapter VII matters.

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<sup>2</sup> Uniting for Consensus, a group that developed in the 1990s in opposition to the possible expansion of permanent seats in the United Nations Security Council. It includes Italy, Spain, South Korea, Turkey, Pakistan, Malta, Argentina, Mexico and Canada

### ***Annan Plan***

On 21 March 2005, the then UN Secretary General Kofi Annan called on the UN to reach a consensus on expanding the council to 24 members, in a plan referred to as "In Larger Freedom". He gave two alternatives for implementation but did not specify which proposal he preferred.[17]

The two options mentioned by Annan are referred to as Plan A and Plan B:

- Plan A calls for creating six new permanent members, plus three new nonpermanent members for a total of 24[18] seats in the council.
- Plan B calls for creating eight new seats in a new class of members, who would serve for four years, subject to renewal, plus one nonpermanent seat, also for a total of 24.

In any case, Annan favored making the decision quickly, stating, "This important issue has been discussed for too long. I believe member states should agree to take a decision on it — preferably by consensus, but, in any case, before the summit—making use of one or other of the options presented in the report of the High-Level Panel".[19]

The summit mentioned by Annan is the September 2005 Millennium+5 Summit, a high-level plenary meeting that reviewed Annan's report, the implementation of the 2000 Millennium Declaration, and other UN reform-related issues.[20]

## **4. Relations with the General Assembly**

During the debate on the latest Report on Security Council activity, all the States harshly criticised the report's failure, in its traditional format, to serve the purpose of accountability. These reports are a mere description of what has been done and lack a full political analysis of the work of the Council. As many countries stated, the importance of the SC's report to the GA on its work is demonstrated by the fact that the UN Charter devotes a specific article to it. Consultations between the two organs should be strengthened by scheduling regular and formalized meetings between their Chairpersons with a view to sharing information and improving cooperation.

Once again, while divergences between negotiators have been ironed out, Russia admonished all creeping "attempts to redistribute the powers of the main bodies of the organizations to the advantage of the General Assembly, compromising the prerogatives of the Security Council". A new round of negotiations started on 2 June 2010 on the basis of a document released on 10 May and prepared by Ambassador Tanin according to positions and proposals submitted by member States.

Any reform of the Security Council would require the agreement of at least two-thirds of UN member states in a vote in the General Assembly and must be ratified by two-thirds of the Member States. All of the permanent members of the UNSC must also agree.

## Questions to Consider

1. What changes does the UNSC require to become more effective?
2. Are some functions and powers, such as the Veto, necessary?
3. Which have been the positions of my Country about the reform of the Security Council?
4. What changes would my country support?

## Further reading

- <https://www.centerforunreform.org/>
- <https://www.cfr.org/blog/why-no-one-talking-about-un-security-council-reform-anymore>
- <https://www.un.org/en/sc/documents/resolutions/>
- <https://www.globalpolicy.org/security-council/security-council-reform/49885.html?itemid=1321>
- <https://youtu.be/HPAONq36HKg>

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- 10 - Kennedy 2006, p. 13–24.
- 15 - Gaddis 2000.
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- 17 - Meisler 1995, p. 9.
- 18 - Meisler 1995, pp. 10–13.
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- 29 - Kennedy 2006, pp. 61–62.
- 30 - Meisler 1995, pp. 156–157.
- 31 - Kennedy 2006, p. 59.
- 32 - Meisler 1995, pp. 195–197.
- 33 - Meisler 1995, pp. 167–168, 224–225.
- 34 - Meisler 1995, p. 286.
- 35 - Fasulo 2004, p. 43; Meisler 1995, p. 334.
- 36 - Meisler 1995, pp. 252–256.
- 37 - Meisler 1995, pp. 264–277.
- 38 - Meisler 1995, p. 334.
- 39 - Kennedy 2006, pp. 66–67.
- 40 - For quotation "worldwide ridicule", see Meisler 1995, p. 293; for description of UN missions in Bosnia, see Meisler 1995, pp. 312–329.
- 41 - Kennedy 2006, p. 104.
- 42 - Kennedy 2006, pp. 110–111.
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- 44 - "UN failed during final days of Lankan ethnic war: Ban Ki-moon". FirstPost. Press Trust of India. 25 September 2013. Retrieved 5 November 2013.
- 45 - "UNODA – Non-Proliferation of Nuclear Weapons (NPT)". United Nations.



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