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# Beyond the Deadlock: How Europe Can Contribute to UN Reform

Ulrich Roos, Ulrich Franke and Gunther Hellmann

A reform of the United Nations Security Council (UNSC) has been overdue for years. Its proponents argue that a thorough renovation of both its foundations and its interior decoration is essential if the United Nations (UN) is to fulfil its tasks. Unfortunately, realising this noble goal has turned out to be rather difficult. The interests of the membership's large majority, including the five permanent members (P5), have to be met. That a reform is possible in principle has been proven once, in 1963, when the number of non-permanent seats was raised from four to ten.<sup>1</sup> Since then, however, the structure of the UNSC has remained unchanged.

After the superpower confrontation came to an end, both the political weight of the Council and the exigency of its adaptation to the "new realities" increased rapidly. For this reason, an Open Ended Working Group (OEWG) was set up in 1993. Only four years later – astonishingly fast given UN habits – the working group's efforts resulted in a draft resolution known as the "Razali plan".<sup>2</sup> But just like the reform proposals presented in 2004 by the so-called High-level Panel on Threats, Challenges and Change specially appointed by then Secretary General Kofi Annan to make proposals on UN reform,<sup>3</sup> the Razali plan eventually failed. The High-level Panel's proposals concerning UNSC reform were presented in the form of two

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<sup>1</sup> General Assembly Resolution 1991 (VXIII). *Question of Equitable Representation on the Security Council and the Economic and Social Council* (19 November 2007), <http://www.un.org/documents/ga/res/18/ares18.htm>

<sup>2</sup> The Razali plan not only suggested a UNSC enlargement of nine seats – five permanent and four non-permanent ones – but also an innovative procedure for its implementation. Although the United States and a coalition of African states inspired by Italy finally prevented a vote on it, the plan became the reference for all further reform proposals. See also Hellmann and Roos, "Das deutsche Streben", 9.

<sup>3</sup> Report of the High-level Panel, "A more secure world: Our shared responsibility".

concurrent models. Model A called for the creation of six additional permanent, as well as three classic non-renewable and non-permanent seats. It was backed mainly by the so-called G4 (Brazil, Germany, India and Japan) and their supporters. Model B called for eight additional and renewable seats, as well as one classic non-renewable and non-permanent seat. This model was strongly supported by the "Uniting for Consensus" group which included, among others, Italy and Pakistan. Hence, the proposals – by and large – did nothing to solve the underlying problem. Rather, they merely reflected and duplicated an already existing divide.<sup>4</sup>

Disenchanted with the OEWG's poor record, the G4, the Uniting for Consensus group and a group of African countries submitted competing draft resolutions to the General Assembly (GA) in July 2005. The G4 draft resolution envisaged six additional permanent seats, one seat for each member of the group and two permanent seats for African states. Furthermore, it asked for four additional classical non-permanent and non-renewable seats. However, the proposal did not put forward a final solution for the veto question but instead inserted a review clause. The draft resolution by the African Union (AU) differed from the G4 proposal by calling for two rather than one additional non-permanent seat for Africa and by claiming immediate equal veto rights for the Council's new permanent members. The Uniting for Consensus group's draft resolution recommended raising the number of non-permanent non-renewable seats from 10 to 20 and firmly rejected the notion of additional permanent seats. The discussion of the drafts only led to more disenchantment. None of the factions showed any sign of flexibility. Swaying between incorrigible optimism and unspoil sarcasm some voices emphasised that after twelve years of debate, the time for decision was overdue.

Yet one crucial divide concerning the question of UNSC reform had become rather self-evident: the chasm running through the European Union (EU). Stemming from both Germany's stubborn crusade for a permanent national seat and Italy's likewise insistent opposition, this divide not only created a problem for the deepening of the EU's Common Foreign and Security Policy (CFSP) but also – due to the Union's strong bearing on the GA's decision-making structure – for the UN reform process itself. Even worse, Germany and Italy took on important leadership roles in the two opposing camps. Since this schism among the members of the EU was re-enacted when Chancellor Merkel and Prime Minister Prodi addressed the opening session of the UN General Assembly (UNGA) in September 2007, it represents one of the most important factors in thwarting UNSC reform.

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<sup>4</sup> Drieskens *et al.*, "In Search of a European Dimension", 421.

The following analysis will examine the reform debate prior to the 2007-08 62nd session of the UNGA. It will be argued that the European Union in general and Italy and Germany in particular hold key positions in either moving the reform process forward or continuing to stall it. The next section will outline key features of the EU's position in and *vis-à-vis* the United Nations. Subsequently, the key elements of the current status of UNSC reform will be summarised. In the concluding section, an argument will be put forward on how Germany and Italy (and thereby the EU) can contribute to making the UNSC reform a success.

### A divided European Union in a dis-United Nations

The United Nations is currently facing one of its deepest institutional crises. Given the surge in demand for resources to implement and sustain peacekeeping and peace-building operations, close coordination with regional organisations such as the EU and the AU has become more and more important. From 2002 to 2006, the UN budget doubled from US\$ 2.5 bn to US\$ 5.0 bn, while the number of military contingents deployed rose from 36,000 to 70,960.<sup>5</sup> The European Union is a crucial player here. If one totals the contributions of all of its member states, they make up nearly 40 percent of the regular UN budget and its peacekeeping operations, as well as approximately 50 percent of the contributions to its other funds and programmes.

Yet when it comes to the EU's participation in UN institutions, things look quite different. Formally, only international legal personalities can be members of an international organization.<sup>6</sup> According to Article 46 A of the Lisbon Treaty, "[t]he Union shall have legal personality".<sup>7</sup> Thus, the EU will be ready for a collective membership in the UN system – at least in principle – as soon as the Lisbon Treaty enters into force. Since only nation states can be members of the United Nations, however, neither regional organisations like the Organization for Security and Cooperation in Europe (OSCE) nor confederations like the AU or supranational entities such as the EU have any formal standing. Each EU member is therefore represented at the UN with an independent diplomatic mission.

Since the inception of its CFSP, however, the EU has at least started to coordinate its position in most UN fora through efforts by the Council Presidencies and the EU Heads of Mission at the main UN sites. In the General Assembly, all EU partners together have 27 votes and in more than 95 percent of cases they make use of these votes according to a previously jointly defined choice.<sup>8</sup> Given both its

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<sup>5</sup> UN Report of the Secretary-General, *Overview of the financing*.

<sup>6</sup> Ipsen, *Völkerrecht*, 450.

<sup>7</sup> "Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community" (11 December 2007), 49. <http://consilium.europa.eu/uedocs/cmsUpload/cg00014.en07.pdf>

<sup>8</sup> European Commission, *Communication*, 16.

influence on the remaining Eastern European states that are not yet members of the Union and its remarkable weight as an important development assistance donor, the combined voting power of the EU and those countries usually supporting a unified EU line sums up to 50-55 votes, that is about one quarter of all UN members.<sup>9</sup>

Against this background, it is all the more striking that the EU has utterly failed to formulate a joint position on UNSC reform. In 2007, Chancellor Angela Merkel reiterated Germany's claim for a third permanent seat for an EU member state<sup>10</sup>, a demand first raised by Germany in the early 1990s. At that time, the US government fuelled the reform discussion by supporting the proposal to give permanent seats to Japan and Germany as one way to reduce its own budgetary contributions. In 1992, Germany's then Foreign Minister Klaus Kinkel seized upon the opportunity to claim a permanent seat.<sup>11</sup> The German government argued that Germany's "political, material, financial and human resources" contributions to the UN made the country a "natural candidate".<sup>12</sup> Since Article 23 of the UN Charter explicitly mentions "the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization" besides the criterion of "equitable geographical distribution", Germany's third rank certainly pushed it into the top league of candidates for a permanent seat.

On the other hand, it has become increasingly difficult to present the German claim as legitimate. In percentage terms, Germany currently contributes 8.58 percent of the regular UN budget. As other states such as China, India and Brazil are scheduled to increase their contributions, however, this share will decrease progressively in the years to come.<sup>13</sup> Moreover, Germany's voluntary donations to the UN have decreased continuously since 1974.<sup>14</sup> Even the forces Germany provides for UN operations are less impressive than it appears at first sight. Given the differentiation between UN-mandated and UN-led operations, it is striking that Germany, with 277 experts deployed in UN-led missions, ranked only thirty-seventh in the official UN listing in 2005 (the year in which G4 members wanted to reach their ambitious goal of a permanent UNSC seat for each of them). As far as Official Development Assistance (ODA) is concerned, Germany is one of the countries that was singled out by the High Level-Group for noteworthy deficits: "Among developed countries, achieving or making substantial progress towards the internationally agreed level of 0.7 per cent of GNP for ODA

<sup>9</sup> Chevallard, "UN Reform", 20.

<sup>10</sup> A. Merkel, "Speech by Chancellor Angela Merkel at the United Nations General Assembly" (27 September 2007), <http://www.germany.info/relaunch/politics/speeches/092507.html>

<sup>11</sup> Kinkel, "Rede".

<sup>12</sup> Bundesregierung, *Stellungnahme*, D385.

<sup>13</sup> United Nations, "Beitragsschlüssel 2007 bis 2009".

<sup>14</sup> Fröhlich *et al.*, *Reform des Sicherheitsrats*.

should be considered an important criterion of contribution.”<sup>15</sup> While German ODA still amounted to 0.42 percent of GNP in 1992, it dropped to a mere 0.36 percent in 2005 and 2006, even though this included debt relief.<sup>16</sup>

### Germany splits the EU into three factions

These facts notwithstanding, in defending its claim, the government in Berlin usually argues that the international community would expect Germany to “take on more responsibility”. According to German diplomats, the country’s multilateralist reputation is supposedly the main reason for the worldwide support for the German candidacy.<sup>17</sup> Yet it is precisely this reputation that has been damaged over the last years, firstly by Germany’s involvement in NATO’s air campaign against the Federal Republic of Yugoslavia in 1999 without a clear UN mandate; secondly, by the refusal of the Schröder government to participate in any UN measures against Iraq, even if unanimously adopted by the Security Council.<sup>18</sup> Since the latter was accompanied by a deep split within the EU (due to a significant extent to Germany’s partisanship in organising an anti-American coalition within the UN), German diplomats have a hard time substantiating the claim that Berlin would act as the EU’s “trustee” if granted a permanent seat.<sup>19</sup>

It is precisely this fixation on status as well as the maximisation of power and prestige that both Germany and the EU more broadly often pretend to transcend.<sup>20</sup> The consequences are predictable. At present, the German claim for a permanent seat divides the EU into three factions.<sup>21</sup> The Czech Republic, Finland, France, Greece, Portugal and Slovakia belong to the supporters of Germany and the G4 proposal.

In the opposing camp, six EU member states (Cyprus, Italy, Malta, The Netherlands, Spain and Sweden) firmly reject the idea of additional permanent seats. Among them, especially Italy and Spain seem determined to thwart Germany’s ambition. Both countries reject any UNSC enlargement with new permanent seats, primarily because they believe that permanency amounts to discrimination *vis-à-vis* the majority of UN members, promotes elitism, and

<sup>15</sup> Report of the High-level Panel, “A more secure world”, §249.

<sup>16</sup> OECD, “Net Official Development Assistance in 2006” (30 August 2007), <http://www.oecd.org/dataoecd/14/5/38354517.pdf>

<sup>17</sup> Mützelburg, “Großmannssucht”, 38.

<sup>18</sup> Hellmann and Roos, “Das deutsche Streben”, 33.

<sup>19</sup> *Ibid.*, 40.

<sup>20</sup> On Germany as a “civilian power” see Maull, “Conclusion”, and Hockenos, “Civilian Power”; on the EU as a “civilian power” see Orbie, “Civilian Power Europe”, and T. A. Börzel, and T. Risse, “Venus Approaching Mars? The EU as an Emerging Civilian World Power” (13 September 2007), [http://www.ataasp.de/downloads/tt\\_EUSA\\_democracy.pdf](http://www.ataasp.de/downloads/tt_EUSA_democracy.pdf)

<sup>21</sup> The following is based on a detailed analysis of the statements by representatives of all UN member states since 2006; for documentation see Hellmann and Roos, “Das deutsche Streben”.

supports the unequal treatment of partners within the EU. Moreover, permanent seats are believed to undermine important reform efforts such as transparency, accountability, participation and effectiveness, since their holders tend towards informal consultation and do not have to stand for re-election. Therefore, rather than adding new permanent seats, Italy and Spain argue that the EU should work towards enhancing the prospects of a common European seat.<sup>22</sup> Although this sounds quite high-minded, the underlying strategy appears to be no less motivated by classic power considerations than that of Germany since the status of both Italy and Spain would deteriorate if Germany were granted a permanent seat. Thus, if a certain number of member states were to take concrete steps to strengthen the EU's coherence as far as UN policy is concerned this would serve as a litmus test for Italy and Spain's putative EU-mindedness.

The third faction within the EU-27 comprises all countries in between. With fourteen members, this group constitutes the clear majority. Among them, the United Kingdom's position still comes closest to that of Germany. In July 2005, London officially sponsored the G4 draft resolution. Since then, it has slowly shifted to promoting an interim approach.<sup>23</sup> As in the case of France, however, British support hardly comes as a surprise since an enlargement of the Council giving Germany a permanent seat would perpetuate both countries' national seats. Yet, in contrast to France, the UK strictly excludes – as do the United States and Russia – any extension of veto power to new permanent members. In 2005, Belgium, Denmark, Latvia and Poland were still among the co-sponsors of the G4 proposal. More recently, however, they have taken a noticeably more distanced position. Finally, nine EU member states have not made any statement on UNSC reform in the last two or three years (Austria, Estonia, Hungary, Ireland, Lithuania and Luxembourg) or have avoided taking a clear stand (Bulgaria, Romania, Slovenia).

### European institutions on UNSC reform

No doubt, European disunity hampers progress. But how is the issue of UNSC reform treated by those European institutions tasked to define a common European position? The European Convention did not fundamentally change the relationship between the EU and the UNSC. Article 19 TEU still perpetuates

<sup>22</sup> Speeches held by the Italian ambassador to the United Nations (M. Spatafora, "Speech at the United Nations", 14 October 2003, UN-Doc. A/58/PV.30, <http://documents.un.org/>) and the Italian Prime Minister (R. Prodi, "For an exchange of views to promote agreement on Security Council Reform. Ideas for ways forward" (4 June 2007), Introductory Remarks by the Prime Minister of Italy at the Dinner Meeting with the President of Pakistan, H.E. General Pervez Musharraf, 20 Sept. 2006, New York. <http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=1768>).

<sup>23</sup> UN-Doc. A/61/PV.75. Moreover, a recent gaffe by Foreign Minister Miliband indicates how shallow British support for Germany is. Penketh, "Miliband".

the privileged status of France and the UK, which have basically pushed through their position that CFSP must not interfere with “their responsibilities under the provisions of the United Nations Charter”.<sup>24</sup> Yet, in their attempt to overcome the stalemate after the failure of the European Constitution, the heads of states and governments agreed to insert a new third subparagraph into Article 19 of the draft of the new EU Reform Treaty. It states: “When the Union has defined a position on a subject which is on the United Nations Security Council agenda, those Member States which sit on the Security Council shall request that the High Representative be asked to present the Union’s position.”<sup>25</sup> Given the experience of deep intra-EU divisions, as in the case of Iraq, this new paragraph has the potential to increase CFSP coherence, if EU member states so wish. In line with this aim, the European Commission has called upon “EU Members States in the Security Council, and notably the Union’s two permanent members” to “explore more systematic ways of fulfilling their commitments under Article 19 of the Treaty on European Union”.<sup>26</sup> Whether or not they will do so is highly doubtful, however.<sup>27</sup>

Nevertheless, Javier Solana, the High Representative for the Common Foreign and Security Policy, and Benita Ferrero-Waldner, the European Commissioner for External Relations and European Neighbourhood Policy, have spoken out publicly for a common seat for the European Union. The European Parliament went even further when it adopted a report with an overwhelming majority that argues that Security Council reform “should better reflect the current situation in the world, including the European Union, as a permanent member, as soon as its legal personality is recognised, as well as a supplementary permanent seat for each of the following regions: Africa, Asia and Latin America”.<sup>28</sup> In April 2007, this was extended for the first time by a call upon “EU Member States which are also members of the UN Security Council to improve their coordination within that framework in order to enhance the effectiveness of the action of the EU on the world stage and decide in the near future on a common European seat”.<sup>29</sup>

<sup>24</sup> Consolidated Version of the Treaty on European Union (19 November 2007). [http://eur-lex.europa.eu/en/treaties/dat/12002M/pdf/12002M\\_EN.pdf](http://eur-lex.europa.eu/en/treaties/dat/12002M/pdf/12002M_EN.pdf)

<sup>25</sup> “Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community” (11 December 2007), 40. <http://consilium.europa.eu/uedocs/cmsUpload/cg00014.en07.pdf>

<sup>26</sup> European Commission, *Communication*, 18.

<sup>27</sup> For an excellent discussion of the revised Art. 19 TEU’s new possibilities, see Drieskens *et al.*, “In Search of a European Dimension”, 424.

<sup>28</sup> Ferrero-Waldner in R. Sylvester, “Europe should have UN seat” *Telegraph* online (15 August 2007), <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2004/11/20/weu20.xml&sheet=/news/2004/11/20/ixnewstop.html>; Solana in H. Mahony, “Solana Considers One EU Seat in UN Solution to Divisions” *Global Policy* online (15 August 2007), <http://www.globalpolicy.org/security/reform/cluster1/2003/0324eu.htm>; Laschet, “Report on the relations”.

<sup>29</sup> European Parliament, *Resolution on the reform of the United Nations* (6 June 2005), <http://www.uno-komitee.de/en/documents/B6-0328-2005-EP-EN.pdf> and EP Committee on Foreign Affairs, *Report on the annual report*.

As a whole, the EU presents itself in a contradictory manner: On the one hand, its most forceful supporters ritualistically reiterate the necessity of a more coherent common European foreign policy – as Chancellor Merkel put it: “For Europe to assert itself in the world, a coherent Foreign Policy and speaking with one voice are becoming increasingly important every day.”<sup>30</sup> On the other hand, narrow national interests dominate when it comes to actually realising these ambitions in one of the most important international institutions. While the EU speaks with one voice on many issues of “low politics”, it often fails to formulate joint positions on topics in the context of the UNSC. What is more, even some of the most outspoken Europeanists jealously guard their national privileges. This focus on national power and prestige stands in stark contrast to both the EU’s highly normative rhetoric and its self-image as a “civilian power”. For outside observers, this looks like pure power politics with the EU member states collectively aiming at perpetuating their institutional over-representation on a global scale.<sup>31</sup> The next section will present recent developments in UNSC reform – before possible avenues for progress are sketched out.

### **UNSC reform efforts: interim approach and non-permanent seats**

During the 2006-07 61st session, reform efforts in the UN General Assembly showed some initial signs of success. Haya Rashed Al Khalifa, the Bahrainian President of the Assembly, proposed rearranging the reform debate along five key issues: the size of an enlarged Security Council, categories of membership, the question of regional representation, the question of the veto, and the working methods. She also instructed five “facilitators” to guide the consultation process and to develop a report on the current attitudes of the member states. Rather than continuing on the assumption that a lasting solution to the question of UNSC reform had to be found, this report emphasised the need for an “interim approach”. This was accompanied by calls to end consultations and move on to negotiations.

Such an approach would indeed offer new possibilities. If no solution is fixed for eternity, all participants will be able to save face – even though some will benefit more than others. As things currently stand, the most likely (and realistic) path towards UNSC reform will include the introduction of a third category of long-term but non-permanent seats, at least for an interim period. Already in 2005, Christopher Hill came to the conclusion that “some kind of deal on the basis of a combination of the two principles of regional/continental representation and revolving membership” seems to be most likely “if the major middle-range (and

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<sup>30</sup> Merkel, “Rede”.

<sup>31</sup> Drezner, “New New World Order” and Mahbubani, “Westen als Nadelöhr”.

potential great powers) on each continent can agree to some principles of rotation which satisfies their respective interests and *amours propres*'.<sup>32</sup>

Germany has signalled that it might accept such a compromise under certain conditions.<sup>33</sup> This policy change is probably due to the fact that the G4 can currently count on – even in the most positive reading – only 18 states for whole-hearted support of its claim for new permanent seats for all four of them.<sup>34</sup> Germany faces the most difficult situation in this regard in that India and Brazil can count on support from the developing world, which is lacking for a third seat for an EU member. Moreover, no current UNSC member is as adamant in preventing a G4 member from being granted a permanent seat as China.

Against this background, it is hardly surprising that the G4 alliance is starting to crumble. Japan already withdrew in 2006, coordinating instead with the United States to come up with a new reform model which eventually resembled a proposal put forth by Panama instead of Japan or the United States themselves, but failed to gain much support in the wider membership.<sup>35</sup> Although Japan has realigned itself with the G4, India and Brazil increasingly refrain from campaigning for the G4 proposal, referring instead to their special status as suitable permanent representatives of developing countries in addition to their geographic location in Asia and Latin America. Even India, which is most adamant in claiming a permanent seat, signalled on 15 March 2007 that it would be ready to negotiate an interim solution as long as the overall process ensured it a permanent seat open in the long run.

### A Europeanist projection

The European Union should actually find itself at the centre of the UNSC reform debate. Given its rhetorical aspirations and its structural power, it could become the key power broker. Yet some of the strongest lines of conflict split the EU right down the middle. Nevertheless, compared to when Gerhard Schröder headed the German government and Silvio Berlusconi served as prime minister of Italy, the overall conditions for a rapprochement between Italy and Germany have improved. Both Chancellor Merkel and Prime Minister Prodi have put the strengthening of the European Union at the centre of their European policy, at least rhetorically. A joint initiative for UN reform led by Italy and Germany therefore appears to be conceivable, especially if Germany's campaign for a permanent seat (or even merely

<sup>32</sup> Hill, "The European Dimension of the Debate", 36.

<sup>33</sup> Matussek, T. "Rede des deutschen UN-Botschafters, Thomas Matussek, vom 19 Juli 2007 vor der OEWG in New York" (19 August 2007), [http://www.centerforunreform.org/system/files/GERMANY\\_STATEMENT\\_19+July+2007.pdf](http://www.centerforunreform.org/system/files/GERMANY_STATEMENT_19+July+2007.pdf)

<sup>34</sup> For a detailed analysis and documentation see Hellmann and Roos, "Das deutsche Streben".

<sup>35</sup> Panama proposal (4 June 2007), <http://www.reformtheun.org/index.php?module=uploads&func=download&fileId=2041>

a semi-permanent seat) via adjustments to the UN Charter fails. Given the standing of the two, such an initiative would surely carry significant weight.

Chancellor Merkel's address to the UNGA has to be understood first and foremost as part of the overall bargaining strategy for pushing ahead as far as possible in securing a privileged status. It is, in fact, clear that the German position will get weaker. Two reasons stand out for this. First, as was hinted above, support within the EU for Germany's bid has been diminishing continuously during the past few years. Given the mood among key member states and within EU institutions (especially the European Parliament and the European Commission), it is difficult to see how this trend can be reversed. This is even more so since the pressure for ever closer EU coordination will also continue to rise in the years to come. Second, the tactical alliance between the G4 is likely to break up once a coalition of Asian, African and Latin American countries – that is, the UN member states which can make the strongest case for being seriously under-represented in the UNSC – stands up effectively for their demands. The increasingly active "India Brazil South Africa Dialogue Forum" (IBSA), an alliance of the three countries formed in 2003, shows the way ahead. What is more, the US, which abandoned its support for Germany's bid in 2003, may eventually join the Asian, African and Latin American countries in pushing for a readjustment in the balance of power within the UN system to the detriment of the EU.<sup>36</sup> But even if the current or a new US administration were to backtrack on its opposition *vis-à-vis* Germany's ambitions, this would by no means facilitate Berlin's task of securing the necessary two-thirds majority in the UNGA.

So what could Italy and Germany do to push ahead with UN reform? To be sure, the first move would have to come from Berlin. Germany has to put aside its bid for a permanent seat in favour of an interim solution that allows for a new category of renewable, possibly long-term but non-permanent seats. Fortunately, there has been some movement in this direction in recent times. In such a design, six new seats of this category could be created instead of new permanent seats. Two of those seats would be reserved for African states, two for Asia, one for a country from Latin America and the Caribbean, and, last but not least, one for a state from the regional group of "Western Europe and others". Such a compromise-formula would allow any EU member claiming an elevated role in the UN, permanently or semi-permanently, to apply for (re-)election to the UNSC as often as it wishes.

The key criterion for winning the necessary support in both the EU and the UN would be the candidate's ability to represent joint European positions rather than narrow national ones. In other words, this formula would bring about additional impetus for CFSP. If one were to create four additional non-permanent seats that would alternate every two years, the formula could also take into account the

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<sup>36</sup> For an argument foreshadowing this reasoning, see Drezner, "New New World Order".

interests of the so-called “small countries”, a demand put forward by the G4. These seats would be reserved for UN members from Africa, Asia and Eastern Europe, as well as from Latin America and the Caribbean. Consequently, the 181 member states that hold neither a permanent nor a semi-permanent seat would share 14 seats in the future. At present, 187 states share only 10 non-permanent seats. In this way, the ratio of representation of these member states would rise from 1:18.7 to 1:12.9. Of course, this kind of arrangement would not increase the number of seats endowed with veto power.

### **From Lisbon to a single EU-seat**

Even if an institutional reform along these lines were to succeed against the many odds that remain, it would clearly apply for only a “transitional” phase. In the long term, therefore, the EU will have to accustom itself to the idea of a single EU seat in the UN Security Council if it intends to take its Common Foreign and Security Policy seriously. Obviously, this would entail a dramatic refurbishment of the key UN institution since France and the UK would have to relinquish their permanent national seats. At this point in time, this is highly unrealistic.<sup>37</sup>

Yet, two additional considerations are equally valid. If the UN were invented today, neither of the two would rank among the great powers. Moreover, there would be strong pressure to create institutional mechanisms that would allow international organisations like the EU to be represented collectively. The “P5 plus Germany” as an informal institutional mechanism to deal with a nuclear Iran illustrates this in two respects. First of all, the grouping draws in all permanent members of the UNSC. Secondly, it includes the three most influential members of the EU. These three, however, increasingly derive their legitimacy from their EU membership rather than what may remain of an earlier great power status. This is clearly documented by the fact that they report back to the EU’s Council of Ministers on a regular basis thereby, at least implicitly, acknowledging that none of them could count on the same global standing individually.

A second consideration why the EU has to prepare for a more important collective role in the United Nations in the long term has to do with more far-reaching changes in the UN’s institutional structures. Given fundamental changes in the global balance of power in the decades ahead, the pressure for more comprehensive institutional adjustments in the UN will increase. Looking back one hundred (or even just fifty) years and then projecting the same time span into the future quickly makes it obvious how unrealistic it would be to expect current power arrangements to endure forever. Almost all the important indicators show that the years for the two permanent seats for EU members are numbered.

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<sup>37</sup> Missiroli, “The UN Security Council”, 45.

To be sure, neither France nor the UK will give up their seats voluntarily. But with current trends, they will almost certainly have to *eventually*.

The UN will have to ponder what power-sharing arrangements may be both equitable and meaningful in terms of the distribution of global power. If the EU continues along the trajectory sketched out in the Lisbon Treaty it will, in all likelihood, be the key addressee of such a readjustment. Certainly, nation states in general are unlikely to disappear during the next century. Nevertheless, it is important to keep in mind that a more collective representation of the EU in the UN Security Council is, first and foremost, a political issue and only secondarily a question of international law. Therefore, the argument often put forth by diplomats<sup>38</sup> that the legal prerequisites do not yet exist for a single seat for the EU simply misses the point that these prerequisites will have to be put into place sooner or later – and that the time to start doing so is now. The amendments to Article 19 TEU mentioned above underline that the heads of states and governments of the EU members have a clear sense as to where current trends are heading. Rather than merely following them they should try to shape them – by living up to the rhetoric of a truly *Common Foreign and Security Policy*.

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<sup>38</sup> Pleuger, "Reform".

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