

# Mediterranean Academy of Diplomatic Studies



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**Amb. Francesco Paolo Fulci**

**The reform of the Security Council of the  
United Nations: Why still an open question?**

# The reform of the Security Council of the United Nations: Why still an open question?

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Former Ambassador of Italy to the United Nations

This paper deals with the most difficult, the toughest challenge that I ever met in my almost 44 years diplomatic career. An issue I grappled with between 1993 and 2000, as Permanent Representative of Italy to the United Nations. I refer to the reform of the UN Security Council. Today, 15 years after its inception, the issue remains still wide open. This is a risky situation. If the wrong type of reform is approved, the UN's democracy deficit will grow even wider, a tombstone will be placed on the dream of a common European seat in the U.N., and Italy, Malta as well as many other countries will be permanently sidelined.

Let's take a look at the most recent debates.

Last year, the body assigned to this issue, the Open-ended Working Group on the Reform of the United Nations Security Council, followed the same script that it has followed for 14 straight years. In November 2007, there was another debate in the General Assembly. In a nearly empty room – the UN was busy those days with the flare-up of new crises in the world – the representatives of about one third of members countries went to the podium, to speak, once more, about the Reform of the Security Council. After which, once again, the Working Group delivered its annual report, inconclusive as ever, on the key issue of the enlargement of the Council. There was no request for a vote, since no side could count on the votes necessary to adopt any resolution.

How right was the British Ambassador, Sir David Hannay who, when this particular working group was first established, christened it as “the open-ended, never-ending working group”!

The sticking point is how big should the Security Council be, and more specifically, what types of new members should there be. Currently the Council has fifteen members: five permanent, holding veto power – China, the United States, Russia, Great Britain, and France (the major winners of World War II) – and ten non-permanent members, elected for two-year terms.

Let me give you a break-down of the three enlargement proposals currently on the table:

- 1) To create six new permanent members, without veto power, and four non-permanent. This is the proposal by the so-called Group of Four (G-4): Germany, Japan, Brazil and India;
- 2) To create six new permanent seats, with the veto, plus five new non-permanent seats.

This is the proposal of the African countries, headed by Algeria and Egypt. It would assign two of the new permanent seats and three of the new non-permanent seats to Africa.

3) To create ten new non-permanent seats. This is the proposal of the Uniting for Consensus (UfC) movement, led by Italy, Pakistan, Mexico, Argentina, Spain, South Korea, Canada, and others.

The failure, so far, of any of these three positions to garner the 128 votes needed for the approval, is the big reason for the stalemate. So is the failure to find any way to reconcile them, year after year. But I would go even further, and lay the blame squarely at the feet of those who doggedly pursue the chimera of new permanent seats.

The idea of becoming permanent members is particularly attractive to six countries: Germany, Japan, India, Brazil, Nigeria and South Africa. The stakes are high: the right to sit on the Council permanently – although in a position inferior to the current permanent five, since it is highly unlikely that they would be granted the veto right. The new permanent members, like the present ones, would never have to stand for democratic elections. They would not be accountable to the general membership for their actions in the Council. That is why at the U.N. they were nicknamed the “great pretenders,” from the famous song by the Platters.

The “great pretenders” still hope to achieve their goal step by step, wearing down their opponents through a war of attrition. But no end is in sight. The debate has been going on, fruitlessly, since the date of the first and last expansion, in 1965. That was the year when my boss, Amintore Fanfani, then Italian Minister of Foreign Affairs, became President of the General Assembly and took me along to New York as a young secretary. Fanfani used to say, “Only a third world war – God forbid! – could make possible a change in the present structure of the five permanent members of the Security Council.” Forty-three years later, Fanfani’s prophecy still holds!

At the UN everyone knows that without the fifty-three African votes, any formula for Security Council enlargement is doomed. This is why the G-4 made the unprecedented offer to Africa of not one, but two permanent seats. South Africa, Nigeria, Ghana and Senegal have failed in their attempts – thanks mainly to Algeria and Egypt’s constant vigilance – to water down the African consensus.

In my opinion, the current stalemate results from a combination of 3 factors. The first is that the situation in Africa mirrors what is happening in other regional groups. In Asia, countries like Pakistan, Indonesia and South Korea are adamantly opposed to a virtual hegemony of India and Japan. In Latin America, Mexico, Argentina and Colombia harbor similar feelings toward Brazil. In Europe, and more broadly in the Western group, countries such as Italy, Spain, Canada, and Turkey strongly reject the idea of being “downgraded” and marginalized not only vis-à-vis France and the U.K, as already happens, but also with respect to Germany.

Let me take a moment to remember the now legendary Coffee Club, which was later reincarnated as Uniting for Consensus (UfC). The Club was an alliance at the U.N., originated by the Ambassadors of Pakistan, Ahmed Khawalid, of Egypt, Nabil El-Arabi, of Mexico, Manuel Tello, and myself. Malta, through that pure gold that is your Ambassador Joseph Cassar, was from the very beginning one of its most active members. We founded the Coffee Club essentially to

counter the activity of the President of the 51<sup>st</sup> General Assembly, Ambassador Rezali from Malaysia. In March 1997, Rezali – despite warnings from his capital, and despite his statutory obligation as GA President to be impartial – blatantly took the side of the “great pretenders.” He devised a formula that would have given the coveted permanent seats to Germany, Japan, and one country each from Africa, Asia and Latin America (3 countries would rotate on each seat, creating a contradiction of “permanent” members which instead would have been rotating). Some of us argued fiercely with Rezali in the General Assembly, publicly accusing him of adopting initiatives without any mandate from the membership. We also took him to task for violating his duty of impartiality by pushing for the adoption of a formula that benefited the few to the detriment of the many. More Colleagues took the floor to join us. In the end Rezali’s reckless initiative back-fired. It was attacked at a NAM Summit in New Delhi. It opened the eyes of many delegates to the real risk of downgrading faced by their countries, and persuaded them to side with the Coffee Club, rather than taking refuge in the limbo of the agnostics.

The Coffee Club quickly became popular, reaching a membership of 50-60 countries from all continents. Its most important achievement was the adoption of a procedural resolution by a unanimous vote of the General Assembly in November 1998 – and I underline the word “unanimous,” because ultimately even our opponents were forced to join us to avoid a resounding defeat. The gist of the resolution was that any decision, at any step of the reform of the Security Council, could only be adopted – on the basis of article 108 of the Charter – by a two-thirds majority of the membership (128 members, according to today’s numbers), and not – as the “great pretenders” wanted – by two-thirds of those present and voting, on the basis of article 18, which would have meant only 90 or 100 votes. The “Coffee Club” met regularly every week at 9 am, rotating among our Missions, to plan and coordinate our side’s positions and statements in the General Assembly. At times, we also had a lot of fun. For instance when we devised a badge, which is now a souvenir of that fierce diplomatic battle: by wearing it, we wanted to show openly how many, and how fearless of the mighty, we were.

In the “Coffee Club” Malta contribution was very important, also for a very special reason: Malta was the only European country to be member of the 118 Non Aligned Movement, the famous NAM. Often it was thanks to your Ambassador, that we could know about feelings prevailing in the powerful mainstream of NAM, powerful because, almost by itself alone, the Non Aligned Movement has the votes necessary to approve any kind of reform at the General Assembly.

**B**ut there are two more reasons, apart from the activity of the Coffee Club, why the enlargement of the Security Council did not and is not likely to happen – unless the “great pretenders” renounce their impossible dream. The second reason is the widespread desire of the vast majority of UN member States – numbering 192 after the admission of Montenegro – not to allow the fundamental principle of equality of all States – irrespective of their size – to be trampled by an increase in permanent members. The ground for their argument is enshrined in article 2 of the Charter: “The Organization is based on the principle of the sovereign equality of all its Members.” Now, it is true that a policy of generous but ephemeral economic incentives by some of the great pretenders, or a natural devotion – a sort of timor reventialis – toward major powers may have induced some small and medium-sized members to speak in favour of the increase of permanent members. But beware. The pretenders would be dead wrong to think that the developing countries

were willing to trade what remains of their equality for Esau's plate of lentils. They care, and how, about their equality and dignity!

The true crux of the matter is not the increase of permanent members. The question of questions is: which countries should become permanent members, and which not. Even if, hypothetically, the threshold of 128 votes were to be reached to create new permanent members, the insurmountable difficulty would then arise as to which countries should benefit from the coveted new status. The "great pretenders" should not take it for granted. How many of the small and medium-sized countries that – still hypothetically – might have voted for the enlargement, would still be willing to inflict on themselves, by their own vote, an additional wound to the principle of their equality? Why making more countries in addition to the existing 15, more equal than others? At that point, it is quite probable that several of them would rather abstain. And, by virtue of the procedural resolution adopted in 1998, any abstention would work against the "pretenders," making it harder for them to reach the 128-vote quorum.

There is a third and arguably greater roadblock to the ambitions of the "great pretenders": the real attitude of the P-5 themselves, the five permanent members of the Security Council. A close look at their positions over the past years reveals that only France and, to a lesser extent, the United Kingdom, have openly and consistently supported the G-4's ambitions. The reason is clear: Paris and London fear that, if Germany stays out of the Security Council, pressure will grow to establish in the Council a common seat for the European Union. France and the United Kingdom would then risk losing the seats they now hold in a national capacity. Apart from this fear, France and the United Kingdom probably prefer, in their heart of hearts, to keep the "status quo," with no increase in membership whatsoever.

So far Russia has held an ambivalent position. In the mid-Nineties, Moscow openly took our side. It even sponsored, together with China, our 1998 procedural draft resolution, while France, the UK and the USA signed the losing proposition of the "great pretenders." But essentially, Moscow has repeatedly declared its support for a solution based on "general consensus", meaning a number even greater than two-thirds of member States.

China has never hidden its deep reservations about the addition of new permanent members. Beijing has even mobilized its public opinion against the candidature of Japan, which it strongly criticized for its troops' atrocities in occupied countries in the Pacific during WW II, and for the honors that Tokyo still pays to individuals that China considers war criminals. China regularly launches counteroffensives, sending special missions to Third World countries, especially in Africa, every time the possibility of a showdown in the General Assembly looms on the horizon. Chinese diplomacy is extremely active and vigilant at every international summit or conference – particularly those of the Non-Aligned Movement, whenever the issue of SC reform is on the agenda.

The United States' attitude is a separate chapter. Initially, the US Mission to the United Nations had declared in the GA its "enthusiastic support" – these were the exact words used – for Germany and Japan becoming permanent members. It was only token backing, although the German-Japanese lobby had a major presence in the State Department in those days. When I think about it, Madeleine

Albright, the American Representative to the UN from 1992 to 1996 before becoming Secretary of State, to my memory never expressed herself on the subject with the same emphasis as her aides did. On the contrary, she often declared that, in her view, the future Council should in no case number more than twenty or twenty-one members, lest it became a mini-Assembly, muddled and unwieldy. On his side, the American President, whenever he came to address the General Assembly, explicitly supported German and Japanese ambitions. In recent times there are indications that Washington is contemplating a different solution, for an increase of one or at most two permanent seats, one to Japan and the other presumably to India. Support to Germany has been dropped by Washington, especially after the position taken by Berlin with regard to the last Iraqi war. Furthermore, American politicians and diplomats have often voiced their opinion that Europe is already over-represented in the Council, given that France, the UK and Russia (i.e. 3 out of 5) are already permanent members, and that Europe, Western and Eastern alike, has an additional three non-permanent seats.

My guess is that, in the final analysis, the current P5 – the *beati possidentes*, as the Romans would have called them – do not wish at all to see their number increase. Let me tell you an anecdote. In mid-1997, a group of professors – from Yale University, if I'm not mistaken – convened a seminar in Chappaqua, inviting a number of U.N. Ambassadors especially involved in the Security Council battle. The Professors came armed with an array of charts describing the results of an informal poll they had conducted on the true feelings of the various Member States about a possible increase in permanent members. Within the P5, China's support was almost nil while Russia's was negligible. On the other hand, it appeared obvious, to the consternation of my German and Japanese colleagues that - in Washington, as well as in London and Paris - there appeared to be a great deal of reluctance toward an increase in permanent members.

**D**espite this hardly rosy background, the “great pretenders” seem to want to pursue their over-ambitious goal. The latest formula devised in a “non paper”, under the auspices of the German diplomats in New York, is the so called “transitional solution”. According to this “fresh approach”, as it is described, members of the Security Council would be increased from 15 to 22, with 2 seats allocated to the African Group, two to the Asian, one to Latin America, one to Western Europe, and one to Eastern Europe. The only difference would be that, instead of being elected for the current term of two years, six of the seven newly elected members (all, except the Eastern European), would remain in office for a ten or five years period. At the end of which, they would automatically become “permanent” members of the Council. Furthermore, according to this latest proposal, the new “transitional” members would be elected by a 2/3 majority of those present and voting, and not 2/3 of the entire membership: which would amount to a blunt violation of the procedural resolution already approved, as I have previously mentioned, by the General Assembly, in November '98.

My forecast about this new, “transitional”, proposal is that, like previous attempts, it will go nowhere!

### **What then?**

There is a time-honoured position, adopted in 1993 by the Non-Aligned Movement – which today numbers 118 members. Their position is that - should an increase in permanent seats prove unattainable - then the NAM should seek an increase only in non-permanent seats. Of course, in order

to do so, some of the leading countries of the NAM themselves - first and foremost India, Nigeria and South Africa – would have to relinquish their goal of a permanent seat. They should at long last realize that “*ad impossibilia nemo tenetur*,” that is to say, “no one is bound to the impossible,” and shift therefore to the NAM “fall-back position.”

What if India, Nigeria, and South Africa were to return to the mainstream of the Non-Aligned Movement? The conditions and the votes would be almost all there for a moderate increase of non-permanent seats, following in the wake of 1965, when 4 non-permanent seats were added to the Council, and allocated to Africa, Asia and Latin America. The expansion should be accompanied by the repeal from the Charter of the existing non-immediate re-election clause. This would allow those members States that make more substantial contributions to the UN to sit more continuously on the Council, but always elected by, and accountable to, the General Assembly.

There is a widely felt need for a more democratic and more representative Council, more in keeping with the reality of the international situation of today. An expanded Security Council should ensure greater representation for developing countries, which now outnumber by far the developed ones. There is also a need to address the balance between the prerogatives of the General Assembly and those of the Security Council. Furthermore, an enhanced regional dimension must also be a goal.



(L to R) Amb. Francesco Paolo Fulci and MEDAC Director Prof. Stephen C. Calleya, during his visit to Mediterranean Academy of Diplomatic Studies (MEDAC).

The European Union, for instance, should be able to speak with one voice also in the informal meetings of the Security Council, as it does already in the General Assembly and in the Economic and Social Council.

In conclusion, the sincere hope is that the “pretenders” will finally see the light and work – they too – for an increase in the number of the non permanent elective members of the Council. If, and when, that ray of enlightenment comes, the UN may finally have a reformed Security Council, one that will be more equitable, more democratic, more transparent, inclusive of all members States, exclusive of none.



### **Acknowledgments.**

I am truly grateful for this invitation to Prof. Guido de Marco, President Emeritus of the Republic of Malta, whose personality is known and highly respected all over the world, especially for his eminent role as President of the 45<sup>th</sup> General Assembly of the United Nations in 1990. President de Marco is a sincere and good friend, of my country, Italy, and of my native island, Sicily, where, like many Maltese, are the origins of his family.

At the same time, I wish to express my gratitude to the Ambassador of Italy to Malta, Paolo Trabalza. He is the son of another very distinguished Italian diplomat, Amb. Folco Trabalza, who was the man behind the radical reform of the Italian Foreign Ministry in the Sixties. A reform which remains, still today, the essential framework and the backbone of the Italian Foreign Service.

Last but not least, my thanks go to each and everyone who attended this lecture at MEDAC.

### **Note.**

Amb. Fulci originally delivered this paper at the “Guest Speakers” lecture at the Mediterranean Academy of Diplomatic Studies on 2<sup>nd</sup> of May, 2008.



(L to R) Prof. Guido de Marco, President Emeritus of Malta, MEDAC Chairman, Amb. Francesco Paolo Fulci and MEDAC Director Prof. Stephen C. Calleya



# About the author

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**Former Ambassador of Italy to the**  
**United Nations**



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## Biography:

- 1931 Born in Messina (Italy), on 19th March  
1953 Law Degree “cum laude” from the Univ. of Messina
- 1955 – 1956 As a Fulbright Scholar, obtained a Master Degree in Comparative Law at Columbia University in New York – Received the Diploma of the Hague Academy of International Law and attended the College of Europe in Bruges on an Italian Government scholarship
- 1956 Entered the Italian Foreign Service, following a competitive examination
- 1956 – 1976 Appointed to the Italian Ministry Foreign Affairs in Roma, then to the Italian Consulate General in New York and later to the Italian Embassies in Moscow, Paris and Tokyo
- 1976 – 1980 Chief of Cabinet of the Speaker of the Italian Senate, Rome
- 1980 – 1985 Ambassador of Italy to Ottawa  
1985 – 1991 Ambassador and Permanent Representative of Italy to the North Atlantic Council in Brussels – From March 1990, Dean of the 15 NATO Ambassadors
- 1991 – 1993 Secretary General of the Executive Committee for Intelligence and Security Services, Rome
- 1993 – 1999 Ambassador and Permanent Representative of Italy to the United Nations
- 1995 – 1996 Head of the Italian Delegation to the Security Council of the United Nations.  
President of the Council (September 1995 and December 1996)
- 1997 – 2001 Elected to the Geneva 10 Members Committee for the Rights of the Child
- 1998 – 2000 Elected Vice-President and then President of the Economic and Social Council of the United Nations
- 1999 President of the Committee for the Literary Prize “Campiello”, Venice
- 2002 – 2005 President of the Committee for the Internationalization of Italian Universities, Ministry of Education, Rome
- 2000 – to date Vice President of “Ferrero International” (20 factories and 19.000 employees all over the world)

## Doctorates in Law “Honoris Causa”:

- 1981 - University of Windsor, Ontario (Canada)

# About the author



**Amb. Francesco Paolo Fulci**  
Former Ambassador of Italy  
to the United Nations

- 1966 - University of "St. Thomas Aquinas" College, New York (USA)
- 1998 - University of "St. John", New York (USA)

## Decorations:

- 1967 - Knight of the Order of Merit of the Federal Republic of Germany
- 1973 - Officer of the "Legion d'Honneur" of the Republic of France
- 1976 - Commander of the Imperial Order of the "Rising Sun" of Japan
- 1990 - Knight of Honour and Devotion of the Sovereign Military Order of Malta
- 1992 - Knight Great Cross of the Order of Merit of the Republic of Italy
- 1994 - Knight Great Cross of the Order of Merit Melitense - Sovereign Military Order of Malta
- 1996 - Knight Great Cross of the Order "Francisco de Miranda" of Venezuela
- 1998 - Knight Great Cross of the Order of Merit of the Republic of Portugal
- 2000 - Knight Great Cross of the Order "Piano" of the Holy See
- 2005 - Commander of the Order of "St. Charles" of the Principality of Monaco

## Honorary Citizenships and Prizes:

- 1981 - Prize Maurolico, Messina
- 1984 - Prize Telamone, Agrigento
- 1985 - Prize Taormina - Lions Club of Taormina (Messina)
- 1987 - International Prize De Aetna, Catania
- 1989 - Silver Shield Antonietta Labisi, Catania
- 1989 - Medal "Paul Harris" - International Rotary Club, Torino
- 1993 - European Prize "Scilla e Cariddi" - University of Messina
- 1995 - Medal of Merit of International Lions, New York (USA)
- 1996 - Citizenship of Trenton, New Jersey (USA)
- 1997 - Prize of Pilgrim for Peace - Papal Hall, Assisi (Perugia)
- 1998 - Citizenship of Santa Lucia del Mela (Messina)
- 1999 - Citizenship of Santa Marina Salina (Messina)
- 1999 - Prize Tindaro Noto - Town of Patti (Messina)
- 1999 - Prize Federichino - Foundation of Federico II of Palermo, Jesi e Gottingen
- 2000 - Citizenship of Leni and Malfa (Messina)
- 2000 - Prize Unicef 2000 "On behalf of Children" - Italian Committee of Unicef - Roma
- 2001 - Silver Prize Polifemo - Zafferana Etnea (Catania)
- 2001 - Prize "Antonello da Messina", Roma
- 2007 - Citizenship of San Filippo del Mela (Messina)

Ambassador Fulci married Claris Glathar Bazan in Lima (Perù). They have three children: Sebastiano (b. 1966), Marie Sol (b. 1968) e William (b. 1971).

# About MEDAC



The Mediterranean Academy of Diplomatic Studies (MEDAC) is an institution of higher learning offering advanced degrees in diplomacy with a focus on Mediterranean issues. The programme consists of courses in International Law, International Economics, International Relations, Diplomatic History and the practice of diplomacy.

MEDAC was established in 1990 pursuant to an agreement between the governments of Malta and Switzerland. The Geneva Graduate Institute of International Studies (HEI) was among its first foreign partners.

With Malta's membership in the European Union and with the financial support of the Arab League MEDAC, more than ever, is emphasizing the Euro-Mediterranean dimension by building bridges between Europe, North Africa and the Middle East. MEDAC is a member of the European Diplomatic Training Initiative (EDTI), a group of EU diplomatic academies training EU personnel. The Academy is also part of the MEAM/MEMA Network which organises a programme of studies leading to a Master degree in Euro-Mediterranean Affairs. MEDAC is also a member of the Advisory Board of the journal Europe's World. MEDAC is also a member of the Euro-Mediterranean Study Commission (EuroMeSCo) and the Euro-Mediterranean Human Rights Network (EMHRN). MEDAC has established close strategic relationships with a large number of prestigious international diplomatic institutions including the Diplomatic Academy of Vienna and the Institute for Diplomatic Studies in Cairo.

## Academy Courses

- Master of Arts in Diplomatic Studies (M.A.)
- Master of Diplomacy (M. Dip.)
- Diploma in Diplomacy (DDS)

The programme of Master of Diplomacy (M.Dip.) course is designed for junior diplomats with some field experience. They are instructed in the same core disciplines as the M.A. students ( Diplomatic History, International Relations, International Economics, International Law as well as selected lectures in diplomacy) but with a special emphasis on diplomatic practice, languages, public speaking and on-line skills.

The course covers two semesters, from October to June, and includes field trips to European and Mediterranean countries. (See details of all courses on our website: [www.MED-ACademy.org](http://www.MED-ACademy.org) )