Challenges Facing the UN
Security Council: Past, Present and Future

Sir Mark Lyall Grant
UK Permanent Representative to the UN

Chair: Lord Hannay of Chiswick
UK Permanent Representative to the UN (1990-95)

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Question 1

[off-mike; indiscernible] are unable to solve the problems mainly because of the short-termism of geopolitics. Governments and intergovernmental organizations, including the UN, have not been able to solve problems. A British visionary, Dr James Martin, has been seriously thinking about this. There are solutions by this eminent person, who unfortunately passed away last year. He established the 21st Century School at Oxford University and created a commission called the Commission for Future Generations, with experts from all around the world. There are recommendations. I appeal to all the governments to look at it seriously because they are all unable to solve problems. Thank you.

Question 2

Since the inception of the United Nations, including the Security Council, it seems to be no problems have been solved because of the divisions amongst themselves, the members. Isn’t it time now to reform the United Nations, including the Security Council, and put the votes to the majority and abolish the right to veto?

Question 3

I was wondering if there was ever any chance of the veto, which seems to be the biggest stumbling block to any kind of agreement on really serious matters, being abandoned? The Quaker method of business is quite different. It’s sometimes described as ‘beyond consensus’. But if that could be introduced on a broader scale around the world, I think it would be very good. Is there any possibility of the veto ever being dropped?

Sir Mark Lyall Grant

I haven’t heard of this publication but if you want to give it to me afterwards I’ll have a look at it.

On UN reform and the veto, which goes to both the other two questions, I think one has to recall the origin of the veto. The origin of the veto is in the failure of the League of Nations. The League of Nations was set up after the First World War – everyone said ‘never again’, we set up some international governance organizations and the League of Nations.

The reason the League of Nations failed, and failed to stop the Second World War, was because not all the big powers at the time bought into it. So the lesson was learned, and in 1945 when the United Nations was set up, the way to bind in the big powers was to give them the veto. Therefore, the veto is the guarantee that the United States and the Soviet Union (at the time), the UK, France and later China, were buying into the international order. If you take that away the risk is – and it’s a risk in Washington as much as in Moscow probably – that you will lose the buy-in into the international organization by some of the big powers around the world. That is the risk.

Now the question is, is it worth taking that risk and getting rid of the veto? That is a challenge. Certainly most people would argue that it’s more important to make the Security Council representative by
widening it and bringing in some of the new emerging powers – the Brazils, the Indias, the Japans, Germanys, etc. – rather than trying to take away the veto.

**Question 2**

[off-mike; indiscernible]

**Sir Mark Lyall Grant**

But that comes to the same thing. The Security Council is one of the few UN organs that does vote by majority, but subject obviously to the veto. You only need 9 out of the 15 members to vote in favour, provided you don’t have a veto. In the General Assembly it’s a simple one person, one vote. Most of the other organs work by consensus. Actually, the Human Rights Council also works on a majority system. So it is a mixture. You can argue that you could change that. You could argue that the UN should have a greater legal personality. But let’s not forget that the UN is an organization of member states. It’s not like the European Union, it doesn’t have a commission in the same way that has its own powers. The secretariat is entirely dependent on the member states. So in that sense, it’s an organization that the individual member states do attach a lot of importance to. We found this out after the passage of the Lisbon Treaty. The European Union, as the European Union members, we wanted to give the European Union as an organization greater rights of speaking in the General Assembly. There was a huge pushback against that by the 104 small states of the United Nations because they saw any enhancement of an individual region’s rights in the General Assembly as undermining the fundamental intergovernmental nature of the General Assembly, whereby China (population: 1.4 billion) has the same vote as Tuvalu (population: 11,000). So it was the small states who pushed back against that.

I think one has to respect that. The United Nations is an organization of individual member states.

**Question 4**

How can a ceasefire be held in Syria?

**Question 5**

Will the United Kingdom have its Security Council seat in ten years’ time? If your answer is yes, would that be influenced if we were to lose Trident?
Question 6

The Sri Lankan government, in May 2009, there was a genocide of Tamils that took place. The UN even states that 40,000 to 60,000 people have been killed, innocent people. The Sri Lankan government made a precedence to kill innocent people in the country as they like. That’s been repeated in many other countries. At the same time, lately they have had democratic people, they’ve been made into a list of terrorists. If you are acting and voicing for rights of humans, they are being treated as terrorists. That’s going to be repeated all over the world as well. They are making a precedence for other countries, whereas the UN [indiscernible]. My question is: the UN must make a play. The head of human rights [indiscernible] said it is [indiscernible] pass a resolution to have [indiscernible] human rights. That is being used by the Sri Lankan government. I hope the UN will change that and pass a different resolution to stop that, because that will be used against all the people around the world to destroy human rights.

Sir Mark Lyall Grant

The ceasefire in Syria – we’re a long way from that, frankly, at the moment. Everyone agrees, including the Russians and the Chinese, that there is no military solution, that there has to be a political solution. But as you know, Lakhdar Brahimi announced his resignation from the position of special envoy on Syria. No successor has yet been appointed, although there will be someone appointed for next month. But he tried. Kofi Annan before him tried very hard, drew up some principles. We had a Geneva communiqué agreed by all the P-5 members and the regional players back in June 2012.

But unfortunately it’s proved impossible to implement it, mainly because Assad and his regime are determined to crush the opposition by any means possible. They believe that there is a military solution. So the only ceasefires that they have accepted are those of the ‘starve or surrender’ type that we’ve seen recently in Homs, where they besieged the city, they didn’t allow humanitarian aid in, and they essentially forced a ceasefire for the few remaining civilians and fighters in the city to escape the city and then they’ve now taken over Homs and they’re trying that tactic again in other places. That is not acceptable to us. We have passed a resolution demanding humanitarian access to all those in need in Syria, including in the hard-to-reach areas which are the areas besieged by government forces. We are looking at presenting another resolution in the next ten days precisely to enforce that resolution that has not been complied with by the regime in particular. So that’s one strand.

Secondly, you’ll have seen that we’re likely to vote in the next few days on a resolution of referring the situation in Syria to the International Criminal Court because of the human rights abuses that are being committed, primarily by the regime but also by some of the more extreme parts of the armed opposition. That resolution may well be vetoed by Russia; they are certainly threatening to veto it. But I think the vast mass of members of the United Nations believe that’s what we should do. Indeed, many would argue we should have done it some time ago.

Question 4

[off-mike; indiscernible]
Sir Mark Lyall Grant

Well, all these things are possible, but they require the political will on both sides. We have seen absolutely no political will at all on the part of the Assad regime. In the talks that took place in Geneva – there were two weeks of talks essentially in January and February in Geneva – Lakhdar Brahimi has said publicly in the General Assembly that the regime negotiators did not come with any intention to negotiate. The opposition did. That’s why they were unsuccessful and he’s decided to throw in the towel.

Your point on the UK seat – yes, I think the United Kingdom will have a seat in ten years’ time and I think would fully deserve to have a seat. We are still one of the top five contributors to the UN, top six economies in the world. As I say, we’re the only G20 country to meet the 0.7 per cent target and we’re likely to remain the only one for a very long time because no one else is even close, and many are not even trying to reach that target. So we have a huge number of assets that we bring to the UN as well as our history and our democracy, etc. So I don’t think anyone is contesting the right of the United Kingdom to have a permanent seat. It’s just that others would like to also have a permanent seat.

On Sri Lanka there have been two important developments. One is that the United Nations recognized that errors were made by the UN system at the time of the end of the fighting in 2009. That has led directly to a new concept called Rights Up Front, which is led by the secretary-general and the deputy secretary-general and has instituted new methods of working across the different parts of the UN system to ensure that in the name of humanitarian access, you do not compromise on human rights. That was the particular issue at the time in Sri Lanka, that in order to get the humanitarian access – and the government controlled the humanitarian access – some compromises were made on human rights. A very strong report was written by a member of the UN who’s actually a British national, Charles Petrie, which has changed the way of working in the UN on that.

The second development is that the Human Rights Council in Geneva has adopted a resolution instituting international investigation into human rights abuses in Sri Lanka. That was heavily contested not only by the Sri Lankan government but by many others – Russia, China, Cuba obviously, Venezuela obviously – but indeed some countries that should have known better. But nonetheless it was adopted and there will now be an international investigation into human rights abuses in Sri Lanka.

Question 7

The UN has often been described as an iceberg: we tend to see the political stuff, forgetting underneath what is happening. First, frightfully important to make tribute to that and the wonderful work that is being done. The UN is as powerful as its member states make it to be, I think that’s also worth underlining. So there are some inherent faults. Since we all have, as a global village, an international interest to make it more effective, what would be the three things – if you had a magic wand – that you would recommend that we do in order to make it more effective? Perhaps a legal personality the likes of the Commission, if that can ever be possible, or whatever comes to your mind – I’m sure you must have reflected on it.
Question 8

You said that we all want to have a very strong secretary-general, which is very encouraging because some cynics – I’m not among them – think that the great powers always want to have someone who is more malleable, shall we say. I’m going to ask a question which may seem a little naïve and to which I suspect I know the answer, but I’m wondering if there’s any chance of having some kind of procedure which would ensure that those candidates who are eventually considered do have at least the basic qualifications. This would avoid what has so often happened, that in the end we have the least common denominator. Of course the decision will always be political but at least it would solve that situation or improve the situation if the people who were considered for that political decision were each valid candidates. I’m referring here to the proposal that was made quite some years ago by Brian Urquhart and Erskine Childers, that there should be some kind of representative machinery which would ensure that. The corollary of that was – it would apply not only to the secretary-general but to all the directors-general of specialized agencies – the corollary was that there should only be one term, perhaps a longer term, so you would go down in history by what you’d done and not how many times you’d been re-elected, and thus prone to political pressures.

Question 9

My question is about Israel-Palestine. Given the number of UN resolutions Israel has ignored or broken, and international laws broken, what could possibly be the way forward? Do you think the BDS might or should play a role in a solution? Boycott, disinvestment and sanctions.

Sir Mark Lyall Grant

Three things. Let me give you three things. One is going back slightly to what we were saying before about empowerment of the secretary-general. I think member states have got to be prepared to empower the secretary-general, not try and control him too much. Yes, they should endorse his manifesto. Yes, they should give him an envelope of money. But they should allow him to move resources around within that envelope without trying to micro-manage the process. The reality is that the Fifth Committee, which some of you will know, which deals with administrative and budgetary matters at the UN, has become highly politicized and micro-manages to the nth degree the amount of money. So you cannot move a secretary from one section to another section without getting endorsement of the Fifth Committee now. That sort of silo-ization of resources makes no sense at all in a crisis-ridden era, when you’ve got to be able to move and respond quickly.

Secondly, to pick up your point, I think absolutely the one term is a very good idea. You could lengthen the term if you wanted from five years to seven years, say, but make it a one-term secretary-general so he doesn’t feel that he has to look over his shoulder at re-election, and he’s not therefore afraid of upsetting some of the big powers because he’ll get blocked. It has happened in the past, as we know, that a second term has been vetoed.

The third thing is to try and move away from the sort of bloc-to-bloc mentality at the UN. It’s got worse, frankly, in the four years I’ve been at the UN. It’s always been there, of course, but it’s got worse. You’ve got a greater politicization of even technical committees, like the ACAVQ. You have a situation where
almost all negotiations come down to negotiations between the African Union or the G77 and the European Union plus likeminded. Individual countries are disempowered in that and they feel themselves bound by the sort of group mentality and the group discipline in a rather unhealthy way. Maybe that’s necessary in parliament but I don’t think it’s good for the United Nations. You get much better discussion, quality of exchange, in the sort of friends’ groups that I’ve mentioned, which are by definition sort of cross-cutting groups where you can really talk substance. Most of the negotiations at the UN are sort of sloganizing on one side and the other. I think if one could get away from that, that would be very valuable.

Qualities of the secretary-general. Yes, I think it would be quite difficult to do that. I think given that almost all secretary-general candidates will either have been a head of government or a foreign minister, they would consider themselves to be well qualified by definition.

What I think has improved a lot, and I’ve seen it even in my time at the UN, is the rigour and competition for appointments at undersecretary-general level and assistant secretary-general. I don’t know what it was like in your appointment but now it is actually quite rigorous. There are proper job descriptions, you have to put in a bid and a manifesto and your CV, etc. They are sifted in a professional way. There’s an interview panel that takes time to interview all the people in some detail and then three names at least, including one woman, has to go to the secretary-general, and he chooses the candidates. At that last stage, inevitably, because this is the United Nations and it’s important, some geographical representation, gender balance, comes into play. The secretary-general has done a fantastic job in gender balance in particular: 40 per cent of the USGs and ASGs are female now, which I think is a good thing. But he’s only been able to do that because he’s insisted that the final selection comes from a group that includes a woman. And he does come under huge pressure, everyone’s lobbying like crazy for their own nationals, and he has to make sure that there is a broad, cross-cutting representation from all member states. Otherwise you will lose the member state buy-in to that.

But overall, within those political constraints that are always going to be there, it’s become a much more rigorous and competence-based, if you like, appointment process. That, I think, is good. The secretary-general, as I say, that’s a different thing at the moment.

On Israel-Palestine – look, this is one of those 50-year conflicts. It’s not the only one but it’s certainly one of those 50-year conflicts. The UN has had very little traction on it. It’s mitigating the sort of worst excesses through support for refugees and supporting the process, etc., humanitarian support. But essentially it is down to the two parties and obviously the facilitation of the United States. The current effort has run into the sand for the time being and has been suspended. There’s a lot of talk of Europe filling the space. I’m not sure how realistic that is in practice. It cannot be done without the United States, which has a unique relationship with one of the parties. So it’s difficult to see what the UN could do in its own right to sort of drive that process forward, to be honest.

President Abbas was in London yesterday. What President Abbas has said and what he would like is recognition – not so much BDS but go straight to recognition of Palestine. A hundred and four countries of the United Nations, I think it is, have recognized the independent state of Palestine. He believes that if everyone recognized then the dynamic would change. Our view is that there needs to be a negotiated settlement – that it isn’t about resolutions, you’ve got to have an agreement between the two parties. At the moment, neither side appears to be willing to make the necessary political decisions and compromises in order to reach that agreement.

But we will not give up. Although as I say, the United States’ role is critical, this is a conflict that’s on our doorstep, not on the American doorstep.
Question 10

You have referred to the issue of UN Security Council reform and the difficulties that we are facing. At the same time there is, as you referred to, a majority of UN members supporting the reform. In terms of principles of better representation or legitimacy, efficiency and effectiveness, there could be a good support for Security Council reform. From your viewpoint, how could we overcome these realistic challenges or obstacles? Is there any sense of urgency in terms of possible loss of relevance of the UN Security Council in tackling major international security challenges that we are facing today?

Sir Mark Lyall Grant

I don’t think there’s any loss of relevance. What’s striking about the Security Council is that you can say it’s not representative, but no one is suggesting it’s not legitimate. Legitimacy actually comes more from effectiveness than representation. What risks the credibility, if you like – I wouldn’t say relevance but the credibility – of the Security Council is the fact that it isn’t at the moment able to tackle these big crises in Ukraine and Syria, not the makeup of the Security Council. No one – even the countries that flout Security Council resolutions don’t pretend that those resolutions are not binding and do not have an impact and an effect. So it’s not so much the legitimacy, it’s the representivity.

Japan, of course, is a member of the G4 countries (Japan, Germany, Brazil, India) who are at the forefront of pushing forward the reform process. I think really the tactics of how to move forward depends on the G4. We have said we support the G4 plus African representation, and we will support their efforts in taking it forward and trying to break through this logjam. Obviously we give advice informally but we are fully supportive of the G4 aspirations. They, I think, need to decide what is the best way to go forward.

My own personal view, which I mentioned already, is that they have to break out of the African, so-called Ezulwini Consensus. The Africans have to decide who are their candidates, their two candidates for permanent membership. As long as they duck that question because they find it impossible to choose among the 54 African countries, I think it’s very difficult for the G4 to unblock this.

Another possibility – we floated this informally – is an interim solution that one doesn’t go straight for new permanent members, one goes for a sort of stage of 20-year membership or 10-year membership, so that you could have a stepping-stone, as it were, to permanent membership which might be more acceptable to the wider UN membership. Let’s not forget that there’s 175 or so countries that are not on the Security Council at the moment. You expand it to 25, you’ve still got 165 countries that are not members of the Security Council and even fewer who are not permanent members. So there’s a lot of concern among the wider membership that all you’re doing is expanding the club of privileged countries at their expense.

Lord Hannay

Thank you very much indeed, Mark. I’m afraid we’ve run out of time. We could have gone on for quite a bit longer. I don’t know about you but the audience would certainly have happily gone on for longer,
partly because I think the quality of your answers to the questions was, in my view, quite remarkable. You’ve given us a tremendously in-depth overview of what is going on at the UN now. For that, we are enormously grateful. Thank you very much indeed.