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The role of the Security Council
in an era of major power competition

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1. Overview: What is the Security Council for?

What is the purpose of the Security Council in an era of worsening great power tensions? Divisions among its five permanent members (or P5) have repeatedly undermined the United Nations in recent years. The council has failed to halt the catastrophic wars in Syria and Yemen, had no substantive impact on the conflict in Ukraine, and been silent over the international contest for control of the South China Sea. A cursory survey of geopolitical trends suggests that the council's difficulties are only likely to mount in the years ahead. Three of the five veto-wielding powers – China, Russia and the United States – increasingly frame their antagonisms in Cold War terms. Their animosities are affecting multiple dimensions of international cooperation, from global trade to non-proliferation. If this strategic competition intensifies, there is a high risk that it will further undercut council diplomacy.

Yet it is possible that the council could counter-intuitively *gain* significance against the backdrop of such big power competition. In the last three decades, the body has taken on an enormous range of roles and responsibilities – from promoting human rights and international criminal justice to discussing the security effects of climate change – yet at root it remains a mechanism for its major members to communicate and compromise over security tensions when other channels are unavailable. During some of the most dangerous phases of the Cold War, such as the 1948 Berlin blockade, the UN offered a rare venue where US and Soviet diplomats could exchange messages and ideas on a one-to-one basis. Seven decades later, the UN still offers a safe space for these powers to strike compromises – such as the successive strengthening of sanctions on the Democratic People's Republic of Korea (DPRK) negotiated by China and the US in 2017 – that they might struggle to agree upon in other formats.

Given the overall level of uncertainty about the future of international relations, it is necessary to ask what role the Security Council can play in managing geopolitical tensions in the future. To answer this question, this report starts from a deliberately minimalist expectation of the council's political roles and functions. The majority of sympathetic studies of the UN in the post-Cold War era have tended to take a maximalist perspective, asking how the council can expand global governance or lamenting its failure to do so.¹ Critics of the organization, especially on the American right, also tend to believe that the organization has a maximalist agenda. To frame the problems facing the UN differently, this report aims to identify the *minimum* level of P5 cooperation necessary for the Security Council to play a significant role in managing major power competition, and how to preserve this minimum.

It does so in three main parts. The next section outlines three basic functions – concerning (i) policing the non-proliferation of Weapons of Mass Destruction (WMD); (ii) stopping civil wars from spreading into regional or global conflicts; and (iii) providing a framework for cooperation on counter-terrorism – that the UN plays more or less successfully in the current security system. While the council performs many other important roles, the paper argues these are the organization's fundamental contributions to global stability. Section 3 surveys how the council is performing these functions today. It highlights the negative impact of major power tensions on non-proliferation and civil war management in particular. Section 4 of the paper explores what the breakdown of the Security Council's role in these three areas would mean for the organization. It concludes that while the UN's civil war management and counter-terrorism roles are ultimately "dispensable" (if not without cost) the breakdown of its non-proliferation work could do far more severe damage to P5 cooperation and the UN as a whole.



To frame the problems facing the UN differently, this report aims to identify the minimum level of P5 cooperation necessary for the Security Council to play a significant role in managing major power competition.

¹ For a parallel critique of the "governance" approach see David Bosco, "Assessing the UN Security Council: A Concert Perspective," *Global Governance*, Vol. 20 (2014), pp 545-562

The paper concludes with a call for the P5 – and especially China, Russia and the US – to take steps necessary to avoid such a crash, which is now a very real risk. It does not offer easy policy options for the P5 to follow. While it is nice to say that the major powers should recommit to international law and the UN Charter, avoid using their vetoes, invest in peacekeeping and so forth, it is hardly as if P5 diplomats have not come across these ideas before. The fundamental problem facing the P5 is not to chew over the existing norms and practices of the Security Council, but to see if they can find political and strategic common ground on the council's purpose as a de-confliction mechanism in an era of competition. This paper aims to clarify dangers that will arise if the P5 cannot find such common ground. It aims to inspire further conversation among security experts and officials in Beijing, London, Moscow, Paris and Washington DC about what the Security Council can and cannot do.

2. Three strategic foundations of a functioning Security Council

The Security Council does a lot. In addition to crisis management and formal tasks such as voting, alongside the General Assembly, on members of the International Court of Justice (ICJ), the P5 and elected members now engage in a ceaseless series of thematic discussions of normative matters, human rights issues and humanitarian questions. Even supportive UN analysts caution that the value of such sweeping debates is “questionable.”² They can also be divisive amongst the P5. China and Russia, along with many members of the global south, frequently criticize the council's expansion of its agenda beyond traditional matters of peace and security. It is easy for UN observers to get caught up in the diplomatic noise – positive and negative – around these discussions, which overlap with similar debates in the General Assembly, Human Rights Council and other forums.

It can be worth listening to the noise to discern which ideas and countries are shaping UN policy debates. China has, for example, increasingly been inserting its thinking on economic development into UN texts and discussions, although it is wary of doing so in the Security Council. But, from a strategic point of view, it is necessary to distinguish between ideological contests and the fundamental points of strategic cooperation and tension in the council. Reviewing the post-Cold War UN, we can discern three strategic roles that the P5 have – in the main – agreed to cooperate over:

- ◆ **Policing the international non-proliferation regime:** Although the P5 have not negotiated non-proliferation agreements directly through the council, they have both (i) treated their shared identity as Nuclear Weapons States under the Non-Proliferation Treaty (NPT) as a bond; and (ii) repeatedly turned to the council to address proliferation by other states. Although the P5 consensus on proliferation risks broke down over Iraq in 2002-2003, the Obama administration aimed to restore it through the P5+1 process that led to the 2015 Iranian nuclear agreement.³ While President Trump has reneged on that “horrible” bargain, his administration nonetheless turned to the council to expand its sanctions on DPRK in response to Pyongyang's nuclear and ballistic missile programs in 2017.⁴ In theory at least, the P5 also agree that the council should enforce prohibitions against biological and chemical weapons – as in the 2013 agreement for the destruction of the Syrian chemical arsenal – even if, as we shall note, a series of further crises in Syria have severely tested this assumption.

² Ian Martin, “In Hindsight: What's Wrong with the Security Council?” *Security Council Report*, 29 March 2018: https://www.securitycouncilreport.org/monthly-forecast/2018-04/in_hindsight_whats_wrong_with_the_security_council.php (All URLs confirmed 5 November 2018.)

³ The George W. Bush administration took early steps to restoring the non-proliferation consensus with Security Council resolutions on DPRK and Iran in 2006.

⁴ “Trump on the Iran Deal: ‘Worst, Horrible, Laughable’,” *BBC News*, 26 April 2016: <https://www.bbc.com/news/av/world-us-canada-41587428/trump-on-the-iran-deal-worst-horrible-laughable>

- ◆ **Managing civil wars and regional conflict formations:** As Stephen John Stedman and this author have argued, one of the most striking developments of the post-Cold War security scene was the development of a “standard treatment” for civil wars involving mediation, humanitarian assistance and peacekeeping forces.⁵ The Security Council and UN more generally have been central to developing this treatment, both through deploying blue helmets and mediators and providing international legal cover for other organizations (such as NATO and the African Union) to deploy missions. In the Middle East and large parts of Africa, the UN also has de facto *regional* conflict management duties, with mediators and peacekeepers addressing overlapping conflicts.
- ◆ **Acting as a framework for counter-terrorist efforts:** Over the last quarter century, the council has aimed at tackling terrorist threats both through sanctions regimes and resolutions imposing international legal obligations on all states to deal with non-state armed groups. While nations frequently undertake counter-terrorist missions without direct reference to the council (the American-led campaign against the so-called Islamic State in Iraq and Syria was, for example, justified on self-defence grounds rather than a UN resolution) the P5 still use the council as tool to shape the counter-terrorist policies of other states, and often highlight this as one ongoing area of good cooperation.

These three activities are now arguably the foundations of the council’s relevance to international peace and security. This was not inevitable: the council settled on its current portfolio of responsibilities in the late Cold War and post-Cold War period in a haphazard fashion. While the UN addressed nuclear issues from its inception – and had an important role in paving the way for the 1968 Non-Proliferation Treaty – the council began to engage more energetically in counter-proliferation in Iraq in the 1990s. It similarly started to focus on ending civil wars in the late 1980s and early 1990s, as part of the broader push to end East-West tensions. The council also tackled terrorism in this period of geopolitical rapprochement too but ramped up these efforts considerably after the 9/11 attacks.

The council’s current set of global security roles are thus firmly rooted in the power dynamics and crises of the post-1989 order. Two qualifications are necessary here. The first is that, as Adam Roberts and Dominik Zaum have nicely put it, the UN has always been a “selective security” institution.⁶ The council has made no serious effort to police nuclear proliferation by non-NPT signatories such as Israel, India and Pakistan. It has often taken a hands-off approach to intra-state conflicts and terrorist threats where the P5 members or regional powers have wanted to keep the UN out, sometimes with disastrous results such as the the bloody final months of the Sri Lankan war in 2009.



As part of its overall approach to global crisis management, the council has driven the expansion of the rule of law.

The second qualification is that if the council’s post-Cold War strategic goals have been relatively straightforward, they have provided an infrastructure for an enormous amount of creative operational thinking. This has included legal and normative thinking by UN members and officials alike in addition to the less productive diplomatic noise noted above. The council’s engagement with civil wars has, for example, not only framed the evolution of multi-dimensional peace operations but also conceptual innovations such as the Women, Peace and Security agenda and the Responsibility to Protect (R2P). It has often appeared to be a motor of liberal internationalism. As part of its overall approach to global crisis management,

the council has driven the expansion of the rule of law, mandating international courts, tribunals and investigations, and playing a crucial part in shaping the International Criminal Court (ICC).

⁵ Richard Gowan and Stephen John Stedman, “The International Regime for Treating Civil War, 1988-2017,” *Daedalus*, Vol. 147, No. 1 (2018) pp 171-184

⁶ Adam Roberts and Dominik Zaum, *Selective Security: War and the United Nations Security Council* (Abingdon UK, Routledge & International Institute for Strategic Studies, 2008)

Yet it is worth keeping in mind that – for all their conceptual importance – these liberal innovations continue to rest on big power bargains among the P5. At least two members of the P5, China and Russia, explicitly question the validity of R2P and many other post-1989 norms of the council’s agenda. Their critiques have become bolder and more influential in recent years. The current US administration has adopted an actively hostile approach to the ICC.⁷ While many maximalist studies of the council start from the assumption that its stated liberal goals should be a starting point for its future actions, this agenda will fragment if the P5 cannot agree on the underlying goals of the council.

It is not certain that the P5 will be able to maintain consensus on the council’s agenda as the post-1989 order gives way to an era of competitive multipolarity. The council has gone through periodic breakdowns since 1989, but the long-term damage has typically been less than seemed possible. In the wake of the Bosnian and Rwandan debacles in the mid-1990s, the council and wider UN temporarily retreated from addressing civil conflicts. Yet it returned to overseeing large-scale peacekeeping and mediation efforts in little more than five years.

Before and after the 2003 Iraq War, the George W. Bush administration raised doubts about the UN’s role in policing nuclear issues, floating non-council-based alternatives such as the Proliferation Security Initiative (PSI).⁸ Even so, the Bush administration also convinced the council to place sanctions on DPRK and Iran over their nuclear programs, and crafted Resolution 1540 (2004) on preventing WMD proliferation by non-state actors. The council – and affiliated coalitions such as the P5+1 – have continued to address the most pressing proliferation cases.



The council risks being a platform for major power competition as much as substantive cooperation.

Yet these crises took place in the context of US hegemony. China, Russia, and at times even American allies like France, might attempt to balance Washington through the UN, but they did not want to poison relations completely.⁹ Successive American administrations chafed at the restraints of the UN but recognized that it ultimately offered a useful tool to advance and legitimize their interests. Although the US continues to be the strongest player in the council, this post-Cold War strategic logic no longer applies as clearly as it once did. Both within the UN and beyond, Russia

and China are more willing and able to oppose US positions, while the Trump administration has cast its relations in China in particular in terms of a long-term geopolitical contest. In these circumstances, the council risks being a platform for major power competition as much as substantive cooperation.

Nonetheless, the rise of multipolar competition does not necessarily mean that the major powers will lose all interest in cooperation. During the Cold War, Soviet and American diplomats were able to agree on strategic bargains such as the NPT and specific deals to end crises – such as the deployment of UN peacekeepers to the Middle East after successive Arab-Israeli wars – despite their overall level of mistrust. As Gabriella Blum argues, adversaries are able to form “islands of agreement” in the midst of ongoing competition: “areas of asylum from which the conflict may be excluded and within which the rivals may be able to exchange some mutual commitments and be reminded of their respective interests.”¹⁰ Can the P5 (and especially China, Russia and the US) still retain non-proliferation, civil war management and counter-terrorism coordination as islands of agreement and, in institutional terms, the Security Council as a safe space to address them as relations deteriorate?

⁷ See National Security Adviser John Bolton’s remarks on the ICC to the Federalist Society, *Al Jazeera*, 10 September 2018: <https://www.aljazeera.com/news/2018/09/full-text-john-bolton-speech-federalist-society-180910172828633.html>

⁸ For information on the PSI, see: <https://www.state.gov/t/isn/c10390.htm>

⁹ For a useful recent overview of this “soft balancing” in the Security Council, see T.V. Paul, *Restraining Great Powers: Soft Balancing from Empires to the Global Era* (New Haven CT, Yale University Press, 2018)

¹⁰ Gabriella Blum, *Islands of Agreement: Managing Enduring Armed Conflict* (Cambridge MA, Harvard University Press, 2007), p 19

3. Assessing the Security Council's performance

To assess the risks of major power competition undercutting the Security Council's current security functions, we will now look in turn at non-proliferation, civil war management and counter-terrorism. In each case, we will highlight current and potential future challenges to continued P5 cooperation. There is always a risk of presentism in such an analysis – spotting current trends and assuming that they will extend into the future without variations and surprises. Nevertheless, it is possible to discern some “wisps of the future” in current bout of P5 tensions at the UN, offering at least some hints about how these powers may behave if tensions between them continue to mount.

3.1 POLICING NON-PROLIFERATION

Dealing with intra-state conflicts, especially in Africa, takes up the single greatest part of the Security Council's time. Nonetheless, its non-proliferation role continues to take precedence in the minds of the P5: Russia and the US did not, for example, allow their worsening differences over Syria to derail their cooperation on the Iranian nuclear question from 2011 to 2015. The P5 also remain highly protective of their position as Nuclear Weapons States under the Non-Proliferation Treaty, a source of notable controversy during the push by a majority of UN members to endorse the 2017 Treaty on the Prohibition of Nuclear Weapons.¹¹

Under pressure from other states like this, the P5 can seem as united as they have ever been. The relative rapidity with which China and the US were able to agree on strengthening UN sanctions against DPRK – and the fact that Beijing enforced these quite firmly, badly hurting Pyongyang economically – also suggests that the P5 remained committed to cooperation on non-proliferation. However, there are at least five solid reasons to worry that this consensus is eroding. These are: (i) the erosion of P5 cooperation over chemical weapons in Syria; (ii) the Trump administration's rejection of the Iranian nuclear bargain; (iii) conceptual and diplomatic splits among the P5 over the goals of the DPRK sanctions regime; (iv) risks of a new nuclear arms race among P5 members; and (v) proliferation in other fields such as cyberweapons and artificial intelligence (AI), for which the UN is distinctly ill-prepared.

The Syrian war initially looked like an opportunity for the Security Council to confirm its post-Cold War role as a non-proliferation policeman. It has instead proved disastrous for the council's credibility in handling WMD. After pro-government forces killed many hundred, and possibly over one thousand, civilians in a sarin gas attack in Ghouta in 2013, Russian President Vladimir Putin resolved the ensuing crisis by offering to cooperate with the US through the UN on dismantling the Syrian chemical arsenal. This gesture, which offered a positive contrast to Russia-Western disputes over the political outcome of the war, appeared to underline the P5's common commitment to countering WMD. The operation that followed – involving the UN, Organisation for the Prohibition of Chemical Weapons (OPCW), and Chinese and Russian units alongside US and European naval vessels – was ostensibly a success.

The Syrian military's continued recourse to chlorine gas attacks, often during operations supported by Russian forces, has demonstrated the limits of P5 cooperation. Russia has consistently rejected Western accusations against its Syrian allies and vetoed the ongoing work of a Security Council-mandated panel that implicated Damascus in chlorine and sarin attacks.¹² Council debates over chemical weapons have bordered on farce, with P5 members trying to belittle each other through



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¹¹ For information on the treaty, see: <https://www.un.org/disarmament/wmd/nuclear/tpnw/>

¹² See Edmond Mulet, “How the Security Council failed the Syria Chemical Weapons Investigators and Victims,” *The New York Times*, 29 December 2017: <https://www.nytimes.com/2017/12/29/opinion/syria-chemical-weapons-united-nations-security-council.html>

abstruse literary references. The US launched two rounds of air strikes in 2017 and 2018 against Syrian positions in response to further chemical incidents without requesting council authorization (in the 2018 case, British and French forces were also involved to reinforce a message of Western unity). Both sides have taken some steps to de-escalate the confrontation, with Russia apparently setting some limits on Syrian gas attacks near the Turkish border, but this grim series of events has raised broader questions about the political credibility of the Chemical Weapons Convention.

These tensions have spread from the council into debates at the OPCW, where the UK pushed through a resolution demanding more expansive investigations of chemical incidents this summer after the Salisbury poisoning affair.¹³ Although the British proposal succeeded by a wide margin, China and Russia have responded by complicating talks on the organization's budget and other procedural devices. If this turns into a prolonged battle, it will politicize and weaken what was previously a largely technical diplomatic body.

The crisis over chemical weapons has raised concerns about the credibility of P5 cooperation on other WMD, including nuclear weapons. The US has convened the council to accuse Russia of flouting sanctions against DPRK, which Moscow refuses to acknowledge. Western diplomats lament the near-impossibility of negotiating with the Russians in the face of such denials. Yet America's efforts to accuse Moscow of bad faith have been clouded by the administration's decision to pull out of the Iranian nuclear deal (the Joint Comprehensive Plan of Action, or JCPOA), and the fashion in which it did so. Rather than go through a complex set of arrangements to restore sanctions on Iran envisaged in the JCPOA, which would have involved consultations with the Security Council, Washington chose in May 2018 to quit the agreement unilaterally. Although President Trump spoke in person at the council on Iran during the annual General Assembly meeting, his administration's rejection of more substantive UN diplomacy aroused uncomfortable memories of the run-up to the Iraq war.

If neither Russia nor the US appear fully committed to upholding Security Council-backed agreements and processes on non-proliferation, their differences reflect more fundamental divergences over how to stem the spread of nuclear weapons. While the US insists on a strong enforcement mechanisms, China and Russia continue to argue for a primarily diplomatic approach to proliferators (Britain and France, having invested in the Iranian nuclear negotiations, lie somewhere in between). In the DPRK case, for example, Alexander Gabuev notes that Moscow expects UN sanctions to be ineffective over the long term but has assented to them as a way to keep a "seat at the table" alongside the Americans and Chinese.¹⁴ Nonetheless, Russia insists that the only way out of the crisis is a broader political settlement in North East Asia, which might demand major US concessions. China has made similar arguments, calling for an early relaxation of the sanctions it endorsed last year.¹⁵ If the P5 can still agree on the need for some degree of tactical cooperation over sanctions in proliferation cases, their preferred approaches to the problem remain very far apart.



While such political differences inevitably complicate diplomacy in New York, there is an overarching risk that Chinese, Russian and US concerns about each other's nuclear strategies will create deeper diplomatic tensions over WMD.

¹³ For a useful explanation of the UK initiative and objections to it, see Oliver Meier and Ralf Trapp, "Playing Politics with Chemical Weapons? The UK Initiative on Chemical Weapons Accountability," *Bulletin of the Atomic Scientists*, 20 June 2018: <https://thebulletin.org/2018/06/playing-politics-with-chemical-weapons-the-uks-initiative-on-chemical-weapons-accountability/>

¹⁴ Alexander Gabuev, "A Russian Perspective on the Impact of Sanctions," Korea Economic Institute of America/Carnegie Moscow Center, 3 August 2017: <http://www.keia.org/publication/russian-perspective-impact-sanctions>

¹⁵ Julian Borger, "China and Russia Call on UN to Ease North Korea Sanctions," *The Guardian*, 27 September 2018: <https://www.theguardian.com/world/2018/sep/27/un-security-council-north-korea-sanctions-china-russia-pompeo>

While such political differences inevitably complicate diplomacy in New York, there is an overarching risk that Chinese, Russian and US concerns about each other's nuclear strategies will create deeper diplomatic tensions over WMD. Russian-American nuclear discussions have severely deteriorated, as evidenced by President Trump's October 2018 declaration that he will leave the Intermediate-Range Nuclear Forces Treaty (INF). The US is also increasingly nervous about China's capabilities.

P5 members are very unlikely to bargain over such direct concerns in the council. All sides accuse each other of threatening to overturn the taboo against limited nuclear weapons use. If there is a general collapse of trust around arms control in the coming years, it may become even harder for the P5 to find semi-coherent positions over other powers' proliferation efforts. If, for example, Iran were to move rapidly towards a nuclear capability after the ultimate collapse of the JCPOA – or Saudi Arabia began to develop its own weapons in response to Tehran – it is hard to imagine the P5 maintaining a common front similar to that during the negotiation of the JCPOA.



At present, it seems likely that both P5 and non-P5 states will aim to develop these technological capacities largely out of sight, making serious arms control talks almost impossible.

The dangers of an overall loss of faith in arms control are compounded by new fields for proliferation in which multilateral rules are unclear or non-existent. These include cyberweapons, advanced biotechnology and AI. While the UN has tried to convene discussions on these developing threats – and there has been a modicum of progress on robotic weapons systems this year – there is no consensus among the P5 on how to regulate these new tools of warfare. At present, it seems likely that both P5 and non-P5 states will aim to develop these technological capacities largely out of sight, making serious arms control talks almost impossible. In the absence of clarity over these forms of proliferation, the council will struggle to address incidents involving new technologies, let alone how to prevent their use. The

P5's suspicions concerning each other's behavior in this space is likely to make it even harder for them to police other states' weapons programmes effectively.

3.II MANAGING CIVIL WARS AND REGIONAL CONFLICTS

If the Security Council is struggling to deal with non-proliferation, can it perform more effectively in more conventional forms of conflict management, such as directing mediation and peace operations? Although mitigating and ending civil wars has been a core concern for the UN since the late 1980s, the council has often been ineffective and sometimes – as in the ill-conceived designation of the Bosnian safe areas and hovering over Rwanda in the 1990s – catastrophic. Nonetheless, the council remains central to civil war management, both through mandating UN peace operations and providing political oversight to other organizations' operations. In a period in which intra-state conflicts remain the most common form of violence, the council's ability to stop such violence spreading out of control and morphing into regional or international conflicts is one of its most important security functions.

Reviewing the evidence of recent years, it is clear that this function is under threat. On a day-to-day basis, the Security Council is bogged down in the difficult business of managing large-scale peace operations in cases such as Mali and Darfur. As this author has noted elsewhere, the P5's ability to control what happens on the ground in these missions is often quite limited for a mix of local, political and operational reasons.¹⁶ Although the P5 have frequent substantive differences over how these missions should be run – ranging from the relative importance peacekeepers should give to human rights to cost issues – many of these are run-of-the-mill diplomatic tiffs, rather than strategic rifts.

¹⁶ Richard Gowan, "The Security Council and Peacekeeping," in Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte, *The Security Council in the 21st Century*, (Boulder CO, Rienner, 2016), pp 749-770

Members of the P5 frequently point to peacekeeping as a field in which they would like to see more cooperation. One widely cited Chinese authority proposes, for example, that greater Sino-American collaboration on peacekeeping in Africa “could make the world safer and convince more people that Chinese-US relations, however complicated, are not hostile.”¹⁷ While this may be optimistic, the P5 remain broadly able to agree on mandates for UN operations in Africa and China has shown a real willingness to deploy more troops for them. It is rare for the P5 to fall out fundamentally over a peace operation, as they did over the deployment of observers in Syria in 2012. Similarly, the council often remains supportive – or at least largely benign – towards preventive diplomacy and mediation by UN officials and their regional partners in strategically uncontentious cases like Guinea and Gabon.

The main warning signs for the council’s future in crisis management arise in conflicts where it does *not* have blue helmets. As a recent Brookings Institution report notes, UN peacekeepers “are deployed in countries that suffered only 7 percent of global conflict deaths in the last five years.”¹⁸ Looking beyond blue helmet deployments, evidence of P5 dysfunction include: (i) the council’s inability to settle on effective political frameworks for mediation in conflicts in the Middle East; (ii) a related loss of consensus over the provision of humanitarian assistance to the suffering in such cases; and (iii) a lack of good options for stabilization operations in conflicts in which P5 members are directly involved.

The council’s performance in the Middle East is especially disheartening, not least because it is a region in which the UN has played some sort of stabilizing role for almost all of its existence. The organization has been heavily involved in directing mediation efforts in the conflicts following the revolutions in Libya, Syria and Yemen. The Syrian case in particular has turned into a test-case for how the council can frame an international response to a conflict that inevitably creates major power rivalries.

From the beginning of the Syrian war in 2011, all members of the P5 – and successive UN mediators – have theoretically agreed that the best way to end the violence is for Russia to use its influence over Damascus to secure a peace settlement. Yet the P5 have markedly failed to act on this insight. Early in the war, apparently convinced that the Syrian government would fall, the US and its allies failed to make decisive concessions to Moscow.¹⁹ All sides appeared to be playing for time. As the violence worsened, Russia responded by using the UN mediation process as a cover for its efforts to prop up President Bashar al-Assad. The result has been a simulacrum of political talks amid ongoing violence.

The Syrian case is a disturbing model for future UN peace efforts. So too is Yemen, where two P5 members (Britain and the US) have frequently called for a cessation of hostilities while providing military support to the Saudi-led intervention force. In both conflicts, combatants have increasingly used humanitarian assistance as a political bargaining chip and weapon of war, severely limiting supplies to areas controlled by their enemies. The Security Council has spent considerable periods of time debating the specific details of humanitarian access and in some cases – such as the 2013 agreement of a resolution on facilitating assistance to non-government-controlled areas in Syria – made a positive difference. Nonetheless, diplomats and UN officials fear that such bargains are raising poor precedents for aid deliveries in the future and undermining international humanitarian law.

¹⁷ Bo Zhou, “How China can Improve UN Peacekeeping,” *Foreign Affairs*, 15 November 2017: <https://www.foreignaffairs.com/articles/china/2017-11-15/how-china-can-improve-un-peacekeeping>

¹⁸ Bruce Jones, Charles T. Call, Daniel Touboulets and Jason Fritz, *Managing the New Threat Landscape: Adapting the Tools of International Peace and Security* (Washington DC, The Brookings Institution, September 2017), p 2: https://www.brookings.edu/wp-content/uploads/2018/09/FP_20180919_prevention_agenda1.pdf

¹⁹ For a detailed first-hand account of this process explicitly placing it in terms of competitive multilateralism, see Tom H.J. Hill, “Kofi Annan’s Multilateral Strategy of Mediation and the Syrian Crisis: The Future of Peacemaking and the Multipolar World?” *International Negotiation*, Vol. 20 (2015), pp. 448-478



It appears that, in an era of major power competition, Security Council-led crisis management will increasingly tend towards either major confrontations or a lowest common denominator in the form of holding actions.

The Western members of the council, led by the UK, and China have also settled on humanitarian aid as a point of minimal consensus in talks with China over the Rohingya crisis in Myanmar. In what may be another harbinger of the future of council conflict management, the P5 have skirted a Syria-style diplomatic breakdown over this case. Instead, the British and Chinese have attempted to accommodate each other around proposals for assisting Rohingya refugees in Bangladesh and assisting those members of the minority still on Burmese territory. The P5 have largely shied away from political arguments and invocations of international justice, despite some pressure from both elected council members and human rights advocates for a harder line. It appears that, in an era of major power competition, Security

Council-led crisis management will increasingly tend towards either major confrontations (as over Syria) or a lowest common denominator in the form of holding actions (as over Myanmar).

The Trump administration has also contributed to doubts about the council's conflict management role by aiming to reduce the UN's (already very limited) leverage in the Israeli-Palestinian conflict. Ambassador Nikki Haley has repeatedly criticized the council's focus on Israel, isolating herself from US allies in debates in New York. But with Washington cutting off financial support to the UN Relief and Works Agency (UNRWA), the US appears keen to minimize the UN role over Palestine just as it has over Iran. These decisions accumulate to reduce the council's overall political credibility.

If the council is unable to take more decisive action in future conflicts, it is likely to be increasingly marginalized by other actors. Angered by the council's inability to act on Syria, members of the General Assembly have attempted to set up alternative frameworks to respond to the crisis, such as an "International Impartial and Independent Mechanism" to gather evidence of war crimes there. The Human Rights Council and Peacebuilding Commission have also become more active in addressing conflicts that split the Security Council, although the tools at their disposal remain limited. UN officials dealing with political issues are investing in closer relations with the World Bank and other donors that can support conflict prevention and peacebuilding without the Security Council's blessing.

Outside the UN system, regional organizations such as the African Union and ad hoc coalitions of states have been pressing their cases to lead on resolving conflicts – such as the South Sudanese civil war – that the Security Council has proved unable to quell. For the time being, regional organizations often compromise on hybrid political and operational mechanisms with the UN. But if the council is hamstrung by major power tensions, even these hybrid solutions may become harder to sustain. While the council's role as a crisis manager is not at risk of imminent collapse – at a minimum, it is likely to have residual peacekeeping responsibilities in a number of African cases for the foreseeable future – there is a reasonable chance that it will continue to cede ground in this field to other actors.

There may be a category of conflicts – and potentially a growing one – in which the council will retain a special interest. These are those that involve direct strategic competition between members of the P5, as is currently the case in Ukraine as well as Syria. During the Cold War, the council generally failed to act on conflicts involving significant P5 forces. For example, it did nothing of note over the Soviet interventions in Hungary and Czechoslovakia, nor the US intervention in Vietnam. But at a few key moments it was able to reduce high-level tensions between the superpowers, such as in 1973 when Washington and Moscow compromised on the deployment of UN peacekeepers to the Golan Heights and Sinai to prevent the Yom Kippur War escalating into an all-out confrontation.

As strategic analysts take the possibility of major power war seriously again, it is at least worth asking whether the council could turn to UN mediators and if those forces could play similar roles in future as they did in the Yom Kippur War. If the Syrian example is negative, so too is the Ukrainian case. While UN officials looked for ways to play a political role early in the Crimean and Donbas crises in 2014, Russia refused to cooperate and Western P5 members have also been wary of involving them. Instead, European diplomats and the Organization for Security and Cooperation in Europe (OSCE) have taken on mediation and monitoring duties. Russia and Ukraine both say that they are open to a UN peacekeeping force in the Donbas, but their visions of such a mission are incompatible.²⁰ Equally significantly, it is not clear that the Security Council could persuade a sufficient number of UN members to risk their personnel in such a high-risk zone next to Russia.

In sum, the Security Council's political processes and operational tools appear ill-designed to address a new generation of conflicts complicated by major power competition. Having been a central force in stopping civil wars and regional violence for thirty years, the council is a crisis manager on the wane.



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3.III COUNTER-TERRORISM

The third pillar of P5 cooperation – counter-terrorism – appears to be in more robust health than its non-proliferation and crisis management work. Concerns are frequently raised that the P5 are using the UN system including the General Assembly to push other states into adopting heavy-handed counterterrorist policies and legislation.²¹ The council incurred considerable criticism in the aftermath of the 9/11 attacks by passing a series of so-called “legislative” resolutions rapidly imposing legally binding obligations on all Member States to counter terrorism in the absence of a treaty. By some reckonings, the legal flaws in the council's immediate post-9/11 approach to terrorism fundamentally delegitimized the UN's engagement in this field.²²

Today, the UN debate on terrorism (aka violent extremism) has widened a great deal, with the General Assembly playing a prominent role with a new focus on non-military tools to prevent radicalization. Nevertheless, human rights experts worry that the council has continued to make binding legal demands on states to counter terrorism that infringe on individual rights and freedoms. Security Council resolution 2396 (2017) includes a mandate for states to gather information on foreign fighters crossing their borders, for example, which is effectively an invitation for authorities to compile and share an enormous amount of sensitive data on travelers with little guidance on how to use this properly. Although the council emphasizes the importance of respecting human rights in implementing its resolutions, the UN rapporteur tracking this question concludes that its “exhortations to compliance and the perceived costs of non-compliance may far outweigh (regrettably) the compulsion to human rights protection.”²³

²⁰ See Richard Gowan, *Can the United Nations Unite Ukraine?* (Washington DC, The Hudson Institute, 2018): <https://www.hudson.org/research/14128-can-the-united-nations-unite-ukraine>

²¹ For an overview of the councils engagement in counter-terrorism, see Sebastian von Einsiedel, “Assessing the UN's Efforts to Counter Terrorism,” *The 2016 Global Terrorism Index* (Sydney, The Institute for Economics and Peace, December 2016): <https://cpr.unu.edu/assessing-the-uns-efforts-to-counter-terrorism.html>

²² In a 2009 ruling, the European Court of Justice concluded that UN sanctions listings denied the targets' rights to due process, violating fundamental human rights. See Sebastian von Einsiedel and David M. Malone, “Security Council,” in Thomas G. Weiss and Sam Daws, eds., *The Oxford Handbook of the United Nations*, 2nd edn. (Oxford UK, Oxford University Press, 2018), pp 153-154

²³ UN Document A/73/45453 (“Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism”, 3 September 2018, p 12: https://www.ohchr.org/Documents/Issues/Terrorism/SR/A_73_45453.PDF



There is a chance that while major power tensions will undercut the council's contributions to the global rule of law in the years ahead, a sense of shared self-interest will motivate the P5 to keep expanding their law-making activities around terrorism.

Cold War international legal framework, such as the ICC. There is a chance that while major power tensions will undercut the council's contributions to the global rule of law in the years ahead, a sense of shared self-interest will motivate the P5 to keep expanding their law-making activities around terrorism.

There are, however, some signs of friction among the P5 over the exact scope of the UN's counter-terrorist activities. In 2017, the US and France fell out over French calls for the council to give a strong mandate to a regional counter-jihadist force in the Sahel, although this largely boiled down to debates over who might bear the costs of the mission. While all the P5 supported Secretary-General Guterres's decision to create a new Office of Counter-Terrorism (OCT) in the Secretariat in 2017, the US has raised concerns that Russia has too much influence over the new body (which is led by a former Russian diplomat) and has limited its financial contributions accordingly.

It is possible, therefore, that broader strategic differences among the P5 may infect council cooperation over terrorist issues in the future. A strategic breakdown in council relations is unlikely to result from specific policy issues in this field – if anything, cooperation on this file may act as a brake on a wider decline of P5 ties.

Counter-terrorism is thus a field in which the basic infrastructure of P5 cooperation – and the powers' continuing consensus on the need for common action – is quite removed from the liberal norms that the council talks about in public. The P5 vary in tone over those norms. Russia is openly in favor of a narrow and hardline posture towards terrorist groups. The US, Britain and France pay greater lip-service to human rights concerns but have nonetheless used the UN framework as a cover for pretty ruthless anti-terrorist operations on the ground.²⁴

While the P5 see a common interest in using the council to establish the legal basis for their action and dictate terms to other states, this contrasts with their divisions over the council's role in backstopping other aspects of the post-

²⁴ For a thoughtful dissection of British and French positions, see Anthony Dworkin, *Europe's New Counter-Terror Wars*, (London UK, European Council on Foreign Relations, 2016): https://www.ecfr.eu/publications/summary/europes_new_counter_terror_wars7155

4. Can the Security Council be saved?

What does this brief assessment of current trends in the Security Council suggest about its future? The two most salient trends appear to be (i) a breakdown of trust over non-proliferation issues among the P5 that has gathered pace in the last two to three years; and (ii) a more gradual marginalization of the council as a crisis manager, albeit one that has had appalling humanitarian results in cases such as Syria and Yemen. There are exceptions and qualifications to these findings. The decline in cooperation over proliferation is off-set by the council's ability to function over DPRK, at least to date. The fact that the P5 are able to keep open channels of communication over crises like that in Myanmar, while imperfect, at least implies that no party wants to derail council diplomacy completely.

One possible reading of these trends (popular among many Western diplomats) is that while Russia is now ready to undermine council diplomacy on a regular basis, China is generally keen to preserve at least a minimum of cooperation. While this is a credible summary of recent events, it cannot be guaranteed to last. If, as US officials have indicated, Washington intends to make containing China – both economically and geopolitically – its primary strategic goal in future, Beijing may not remain so cautious in asserting itself in the future. The great unknown in UN diplomacy in the immediate term may not in fact be China or Russia after all, but the US itself. If the Trump administration follows up on its efforts to sideline the Security Council over both Iran and the Israeli-Palestinian question with more actions to curtail multilateral security diplomacy, it could upend inter-state relations at the UN quite drastically. Some European diplomats muse that they may one day have more in common with Chinese positions on the council than US ones. While they are mainly joking now, they could be quite serious in the future.

Given the current US administration's unpredictable foreign policy to date, it is probably fruitless to speculate on exactly how it will treat the council in future. What we can say with a little more certainty is how a breakdown of council cooperation in one of the three main areas of strategic competence identified in this paper – non-proliferation, crisis management and counter-terrorism – could play out.



The great unknown in UN diplomacy in the immediate term may not in fact be China or Russia after all, but the US itself.

4.1 A DECLINING SECURITY COUNCIL?

To take this strategic triad of council activities in reverse order, a serious breakdown of diplomacy over counter-terrorism issues presents the least urgent systemic threat to the UN. The organization has become a significant clearing house for information-sharing, sanctions and law-making around terrorism. While the major powers could continue to work on elements of the practical part of this agenda covertly or an ad hoc basis without a UN channel, a breakdown in their relations would undermine the council's law-making function in this field. Yet, as we have seen, the P5 value the council precisely because it is a mechanism through which they can shape other states' counter-terrorist legislation and practices. They will be loath to give this up. It seems probable that the P5 will continue to cooperate over counter-terrorism even if other areas of cooperation wither away.

A gradual decline of council cooperation over managing civil wars and regional conflicts – one that is already underway – is liable to have considerably greater effects, both on the ground and in terms of UN diplomacy. Without the backing of a unified council, UN mediators are likely to find themselves unable to forge serious political agreements in strategically sensitive cases – as over Syria – and will have to focus on lesser goals, like ensuring humanitarian access, instead. It is possible that the UN could continue to run successful peacemaking processes in more peripheral cases in the absence of P5 cooperation, although previous research by the Centre for Policy Research suggests council unity is a prerequisite for UN preventive action in general.²⁵

²⁵ Laurie Nathan, Adam Day, João Honwana and Rebecca Brubaker, *Capturing UN Preventive Diplomacy Success: How and Why Does it Work?* (Tokyo, United Nations University, 2018), pp 10-11.

Large-scale, multi-dimensional peace operations of the type the council has regularly mandated for two decades, would also grow rarer. At best, the council might still coordinate on mitigating and containing conflicts, as in Myanmar.

Other actors have some potential to step into such a void. As previously noted, regional organizations, international financial institutions and the General Assembly are increasingly involved in crisis management. A mix of these could take on preventive, peacekeeping and peacebuilding tasks dropped by the council. International conflict management would not halt completely. However, without the council to act as a clearing house for major power cooperation, P5 members would also be more likely to treat civil wars and regional conflict formations as spaces for *competition*, as they did during the Cold War. Future international interventions in intra-state wars may typically look like the haphazard and destructive contest that has emerged in Syria, with P5 and non-P5 air forces and commandos competing for small pockets of territory and backing proxy forces. In such circumstances, the best-intentioned multilateral peacemakers and peacebuilders are likely to find themselves unable to help.



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The Security Council could soldier on as a forum for major power diplomacy without playing a major role in civil war management – much as it did for long stretches later in the Cold War. In that era, the council’s main substantive function was to provide a safety valve in a relatively small number of inter-state conflicts, mostly in the Middle East, which council members agreed should be frozen or mitigated. While blue helmets were deployed to flashpoints like southern Lebanon and the Golan, the P5 used the council as a channel for open-ended discussions of inter-state conflicts such as the Iran-Iraq War. The immediate benefits of these discussions were typically limited, but at least the UN offered a framework for competing powers to take some common positions over divisive situations. It is conceivable that the council could return to this sort of diplomatic function again.

In this sense, both its counter-terrorist and crisis management roles may be dispensable. It is less certain that the council could now divest itself of its counter-proliferation duties. If the P5 give up on cooperative approaches to WMD challenges, a series of dangers could quickly arise. At the most basic level, more governments could be tempted to experiment with low-grade WMD attacks – such as chemical weapons use – against their opponents, on the assumption that the council will not punish them. On the nuclear plane, the failure of council efforts to contain DPRK or Iran’s nuclear programmes could open the way to more middle and rising powers developing nuclear weapons, playing P5 members off one another in the process. Lastly, a deeply divided P5 is extremely unlikely to be able to respond to crises involving new technologies and weapon systems in an effective manner.

If the council loses its non-proliferation role, it could presage a series of arms races and potential uses of WMD that would destabilize the international system. The P5, unable to control a patchwork of non-conventional threats, would surely struggle to maintain cooperation on other issues including conventional crisis management and counter-terrorism issues. This, short of an all-out great power war, is the worst-case scenario for the council. Could the institution survive such a scenario? Is there still a pathway for the P5 to avoid this profoundly bleak situation overwhelming UN diplomacy?



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4.II A RESURGENT SECURITY COUNCIL?

If it is easy to predict the prolonged decline of the Security Council, it is also possible to envisage a scenario in which the forum remains diplomatically relevant despite major power competition. In this scenario, relations between China, Russia and the US would still worsen in the years ahead. But rather than marginalize the UN, Beijing, Moscow and Washington could maintain the council as a mechanism to mitigate and manage their competition. All these powers – along with Britain and France – ultimately retain an interest in limiting proliferation and terrorism. While P5 members may increasingly exploit intra-state wars and regional conflicts as opportunities to strengthen their allies and weaken opponents, letting such contests run out of control is a danger for all concerned. While Russia has arguably “won” in Syria, it now faces the dilemma of how reconstruct and fund a broken and divided country, much as the US victory in Iraq placed the Americans under great strain.

If only out of a sense of self-preservation, therefore, the P5 have reason to retain some minimum of cooperation around these recurrent security threats despite competing on multiple other fronts. The P5 also have a basic diplomatic interest in preserving the privileges they wield in an (unreformed) council. Geopolitical and economic tensions are liable to erode many of the other political spaces for compromise that the P5 members have built up over the last thirty years. After the Ukrainian crisis broke in 2014, for example, Western countries disinclined Russia from the Group of Eight and froze cooperation through the North Atlantic Council. The US and China temporarily suspended annual strategic talks in 2018 as their tariff war took off. The P5 still have vastly more channels for top-level and working level communication, such as the G20, than during the Cold War. The decline of alternative frameworks for dialogue highlights the Security Council’s resilience as a diplomatic forum.

It is possible that the council, as one forum where the P5 can continue to bargain despite clashes elsewhere, may gain new geopolitical prominence. It is notable that, despite the fracturing of relations described in this report, P5 members have been careful to maintain close contacts in New York. P5 ambassadors meet monthly with the Secretary-General (separate to broader meetings with the whole council) to discuss security concerns. The council’s long moribund Military Staff Committee, of which the P5 are the only statutory members, has started to hold substantive discussions on peace operations and undertake inspection visits to blue helmet forces.²⁶ After disputes in the council over the Salisbury incident and chemical weapons use in Syria became spectacularly heated, the P5 (encouraged by elected members) appear to have agreed to a cooling off period. For the time being, the P5 powers seem to have a mutual understanding of the need to keep their differences within some limits.

In the future, this could mean using the council more regularly as a “forum of last resort” to strike deals over crises and tensions that divide the P5 that prove impossible elsewhere. In such a scenario, the council would still be unlikely to play the expansive normative and operational role it has adopted over the last three decades. But it might still be able to act as a sort of geopolitical safety net, ensuring that intra-P5 tensions do not spin out of control. This would still leave a lot of geopolitical contests unaddressed: It is unlikely that non-P5 major powers such as India will pay much respect to the council in future crises that affect their national interests. Even so, if the council could help minimize the fall-out of disputes between China, Russia and the US, it would play an extremely important international role.



While P5 members may increasingly exploit intra-state wars and regional conflicts as opportunities to strengthen their allies and weaken opponents, letting such contests run out of control is a danger for all concerned.

²⁶ See Alexandra Novosseloff, *The UN Military Staff Committee: Recreating a Missing Capacity* (Abingdon UK, Routledge, 2018)

This role would arguably rest on the three main pillars of council activity addressed above, involving: (i) an adapting role in policing non-proliferation issues, with some ability to address new fields of proliferation (such as AI) as well as established regimes; (ii) at a least a minimal set of tools to contain, ease and mediate intra-state and regional conflicts; (iii) selective counter-terrorist activities. It is almost certain, and probably beneficial, that other actors such as regional organizations would take on security duties that the council can no longer sustain. The council would probably no longer play a leading role in promoting human rights and liberal norms as it has done in the post-Cold War era. Defenders of these norms will have to use alternative platforms in the future, just as states calling for accountability in Syria have had to prioritize the Human Rights Council and General Assembly in recent years.

This would be a less ambitious Security Council than we have grown used to. But it might also be a key check on international tensions. Can the P5 at least sketch out a compromise on these lines?

5. Starting a new P5 conversation about the council's future

The UN has never suffered from a shortage of proposals for how to improve the Security Council. Experts began tabling ideas to overcome P5 divisions in the early 1950s. History has shown that technical roadmaps for resolving the council's problems normally disappear into diplomatic oblivion. This report has offered a diagnosis of how poorly the council is faring at present, and a warning about where this may lead. There is little political point in outlining overly precise terms of a solution to these problems, given the intensity and complexity of the divisions and the crises currently in play.

Rather than conclude with specific recommendations, therefore, it may be better to end with a challenge. It is clear from this survey of current council dynamics that the forum is drifting towards a situation in which it fails to maintain its basic post-Cold War roles. It is equally evident that this bears significant risks for the P5, even if their behavior does not reflect this. The basic challenge for the P5 is, therefore, to recognize the fragility of their position and to address the need to restore some stability within the council before matters deteriorate much further. It would be useful if P5 members were to initiate – quietly or publicly – some sort of strategic dialogue about how to maintain the basic functions of the council in policing non-proliferation, easing crises and dealing with terrorists. Such a dialogue might be linked to handling specific problems, like the aftermath of the Syrian war, or promoting specific P5-branded initiatives to restore faith in aspects of the non-proliferation regime.



The decline of Security Council diplomacy is real, and the need for some sort of vision of what can be salvaged from the mess is growing ever more urgent.

Exactly what such a process should look like is something for all members of the P5 to discuss. This report is a prompt for them to do so. If P5 governments are not open to a worthwhile formal strategic dialogue at this time – and their actions suggest that they are not – it may be necessary for security institutes from the five to start probing these questions in a preparatory fashion. This may be a long, painful and perhaps quixotic process. The decline of Security Council diplomacy is real, and the need for some sort of vision of what can be salvaged from the mess is growing ever more urgent.

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