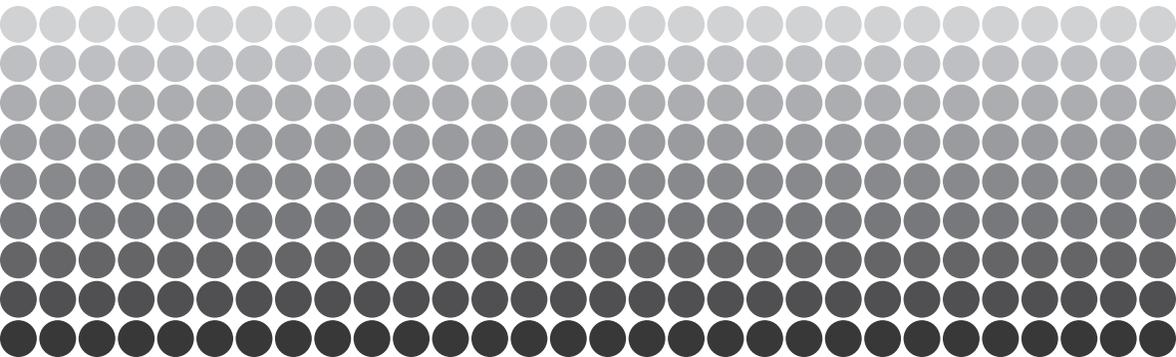


SIPRI YEARBOOK 2014

Armaments, Disarmament and International Security

The United Nations Security Council in
state-based armed conflicts, 2003–12

PETER WALLENSTEEN AND PATRIK JOHANSSON



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II. The United Nations Security Council in state-based armed conflicts, 2003–12

PETER WALLENSTEEN AND PATRIK JOHANSSON

The United Nations Security Council is the prime global body for handling threats to international peace and security. But there is a continuous debate about whether the Council is biased in its attention to state-based conflicts around the world, with some claiming that it is hypocritical in addressing some conflicts but not treating others in an equal manner. This accusation is often directed against the Western members of the Council. There is also a fear that the Council's attention is skewed by the composition of its permanent members: China, France, Russia, the United Kingdom and the United States, all of which were the victors of World War II, which ended almost 70 years ago. It is claimed that additional permanent members would mean more attention being paid to conflicts that are otherwise neglected.¹ An examination of the record of Security Council action will show whether these claims are valid or not.²

This section starts by describing the role of the Council in addressing conflicts. It then looks in turn at which powers the Council applies in resolutions, the intensity of the conflicts that it addresses, the conflicts it devotes most and least attention to, the geographical pattern of attention, and the use of the veto. It ends with conclusions on the balance of the Council's attention. Since this study relies on data on armed conflicts, the most recent year of study is 2012 (see section III).

This study focuses on Security Council resolutions. It defines 'Security Council attention' to mean the adoption of a resolution, which requires the positive vote of at least 9 of the 15 members of the Council and the absence of a veto from any of the 5 permanent members. The Council can also demonstrate its concern for particular situations through presidential statements and press releases, or it may discuss a conflict without taking action. Such a conflict is also likely to be on the agenda of the UN Secretary-General. Although there is no formal, regularly updated documen-

¹ For recent reviews of this debate see Lidén, A., 'United Nations after the cold war: power, regions and groups', and Österdahl, I., 'Collective security in a changing geopolitical landscape', eds P. Wallensteen and A. Björner, *Regional Organizations and Peacemaking: Challengers to the UN?* (Routledge: London, 2014). See also Weiss, T. G. et al., *The United Nations and Changing World Politics*, 7th edn (Westview Press: Boulder, CO, 2013). For an overview of arguments in the wide-ranging debate on the composition of the Security Council see Hurd, I., 'Myths of membership', *Global Governance*, vol. 14, no. 2 (2008).

² The data on conflicts used here comes from the Uppsala Conflict Data Program (UCDP)—see section III. The data on UN Security Council resolutions is an author compilation from the UN Security Council website, <<http://www.un.org/en/sc/>>. For the definition of Chapter VII resolutions see Johansson, P., 'The humdrum use of ultimate authority: defining and analysing Chapter VII resolutions', *Nordic Journal of International Law*, vol. 78, no. 3 (2009).

tation on action by the Secretary-General, other evidence shows that the Secretary-General and his representatives and envoys carry out considerable peacemaking work, both based on and independent of Security Council decisions. Security Council resolutions are thus not a precise measure of attention, but they do convey a rough understanding of Council priorities and, since they are closely connected to action by the UN, they are central to the study of the Council's activity.

The role of the Security Council in armed conflicts

It is often documented that the Security Council became activated after the end of the cold war. With more conflicts and disputes appearing on the agenda of the Council, it has taken the central role that the cold war denied it.³ However, its purview is not universal.

In the period 2003–12 there were 76 state-based armed conflicts in the world (see section III below). However, not all of these conflicts made it on to the Council's agenda and were subject to a decision (i.e. a resolution) by the Council. A first indication of possible bias can be found when studying the extent to which these conflicts resulted in Council action. Only one-third of the state-based conflicts in 2003–12 led to a UN Security Council resolution in that period; 51 of the conflicts attracted no resolution (see table 2.2).⁴

Although, as discussed above, the Security Council or the Secretary-General may address conflicts in other ways than the adoption of a resolution, the clear conclusion is that the Council is not attending to all state-based conflicts equally: some form of selection is taking place. While there are no objective criteria for determining whether a certain situation constitutes a threat to peace and security or whether its continuation is likely to lead to such a threat, the Council is more or less free to decide to act on any situation that can reasonably be described as constituting a current or future threat. The fact that two-thirds of all conflicts, and nearly two-fifths of the most intense ones, did not result in a single UN Security Council resolution is both remarkable and worrying. There are several legitimate reasons to expect variations in Security Council attention to different conflicts. The Council could decide to focus on the most severe conflicts or on

³ Malone, D. M. (ed.), *The UN Security Council: From the Cold War to the 21st Century* (Lynne Rienner: Boulder, CO, 2004).

⁴ According to a separate study by the present authors, of the 25 most intense state-based conflicts (in terms of accumulated battle-related deaths) of the post-cold war era, 18 were active during the period 2003–12. In those years, the Security Council adopted resolutions on only 10, including 8 that were addressed under Chapter VII. Wallenstein, P. and Johansson, P., 'The UN Security Council: trends in decisions and actions', eds S. von Einsiedel, D. M. Malone and B. Stagno Ugarte, *The Security Council during the 21st Century* (Lynne Rienner: Boulder, CO, forthcoming 2015).

Table 2.2. United Nations Security Council resolutions and state-based armed conflicts, 2003–12

Figures are numbers of state-based armed conflicts active in at least one year in this period.

	Minor state-based conflict	War ^a	All state-based conflicts
No resolution	44	7	51
At least one resolution			
none under Chapter VII	2	3	5
at least one under Chapter VII	12	8	20
Total	58	18	76

^a A war is a state-based conflict that results in more than 1000 battle-related deaths in a year. This column includes conflicts that were at the level of war in any of the years in the period 2003–12.

Sources: UCDP Dyadic Dataset v. 1-2013, <<http://www.pcr.uu.se/research/ucdp/datasets/>>; and UN Security Council resolutions, <<http://www.un.org/en/sc/>>.

the most durable conflicts, and to pay little or no attention to short, small-scale disputes. These aspects are explored below.

The powers of the Security Council

The powers of the Security Council are defined by chapters V, VI and VII of the UN Charter.⁵ In Chapter V the UN member states agree to carry out the Council's decisions.⁶ Chapter VI gives the Council the power to take measures to prevent disputes from escalating, and Chapter VII allows it to decide on enforcement measures. The Security Council has a powerful position when it resorts to action under Chapter VII, but it may also use the less demanding measures under Chapter VI.

Chapter VI powers

Under Chapter VI the Security Council can decide to investigate situations 'in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security'.⁷ In such situations, the Council may recommend that the parties seek a solution by means of negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means.⁸

⁵ Charter of the United Nations, signed 26 June 1945, entered into force 24 Oct. 1945, <<http://www.un.org/en/documents/charter/>>.

⁶ Charter of the United Nations (note 5), Article 25.

⁷ Charter of the United Nations (note 5), Article 34.

⁸ Charter of the United Nations (note 5), Article 33.

An example is Resolution 1640 of 2005 on Eritrea and Ethiopia, in which the Security Council, ‘*stressing* that the continuation of the situation would constitute a threat to international peace and security’, ‘*calls upon* both parties to work, without preconditions, to break the current stalemate through diplomatic efforts’.⁹ This means that the Council is not deciding what the parties should do more concretely, only that they should resort to more diplomacy. The Council also ‘*Expresses its determination* to consider further appropriate measures, including under Article 41 [in Chapter VII], if one or both of the parties fail to comply with the demands’.

The parties to a conflict may feel pressure from the UN, while remaining recalcitrant. In the particular case of Ethiopia and Eritrea, it is notable that the same stalemate still prevails, almost a decade after Resolution 1640 was passed.

Chapter VII powers

Under Chapter VII the Security Council can decide on enforcement action to address ‘any threat to the peace, breach of the peace, or act of aggression’.¹⁰ The means at the Council’s disposal under Chapter VII include the power to impose various forms of sanction (Article 41) and the power to authorize the use of force (Article 42).

An example is Resolution 1718 of 2006 on the Democratic People’s Republic of Korea (DPRK, or North Korea), in which the Security Council, ‘*Expressing* profound concern that the test [of a nuclear weapon] claimed by the DPRK has generated increased tension in the region and beyond, and *determining* therefore that there is a clear threat to international peace and security’, introduced, explicitly under Article 41, a series of economic and commercial sanctions against North Korea.¹¹ These measures had a profound effect on the development on the crisis, leading to a series of actions and reactions between the UN, its permanent members and North Korea.¹²

While the impact of the measures adopted under chapters VI and VII can be debated, there is no doubt that, in the examples given above, the violations of UN decisions were seen as more serious in the North Korean case than in the case of Eritrea and Ethiopia.¹³ North Korea has remained under international pressure; Ethiopia has not, while Eritrea may be more isolated, but largely for reasons unrelated to this particular action by the

⁹ UN Security Council Resolution 1640, 23 Nov. 2005.

¹⁰ Charter of the United Nations (note 5), Article 39.

¹¹ UN Security Council Resolution 1718, 14 Oct. 2006.

¹² See e.g. Kile, S. N., ‘Nuclear arms control and non-proliferation’, *SIPRI Yearbook 2007*, pp. 478–83; and chapter 7, section II, in this volume.

¹³ E.g. on effectiveness of UN Security Council sanctions see Fruchart, D. et al., *United Nations Arms Embargoes: Their Impact on Arms Flows and Target Behaviour* (SIPRI/Uppsala University: Stockholm/Uppsala, 2007).

Security Council. In other words, action under Chapter VII means that the international community views an issue as important enough to warrant a strong reaction. Chapter VI also sends a message, but a 'softer' one.

The choice of Chapter VI or Chapter VII powers

When the Security Council decides to involve itself, it often becomes heavily committed to a particular conflict. In such cases there will be a series of resolutions under Chapter VII.

In 20 of the 25 conflicts that the Security Council addressed in the period 2003–12, it used Chapter VII powers in at least one resolution (see table 2.2). However, in one-fifth of the conflicts it addressed, the Council adopted resolutions without resorting to Chapter VII. This could provide food for the critique of double standards since some actor may have preferred that 'their' conflict be treated as a Chapter VII matter, implying a higher degree of attention.

The Security Council adopted several resolutions regarding the broadly defined Arab–Israeli conflict during the period, both under Chapter VI and under Chapter VII, including 20 that extended the mandate of the UN Disengagement Observer Force (UNDOF) in the Golan Heights. The UCDP records two conflicts within this Arab–Israeli cluster that were active during the period. The Israeli–Palestinian conflict proper attracted four resolutions, none of them under Chapter VII. Three of them expressed support for peace initiatives and the work of the Middle East Quartet and one dealt with the escalation of violence in the Gaza Strip.¹⁴ The conflict between Israel and Hezbollah is defined as a separate conflict by UCDP. It was active in one year (2006) and was taken up by the Security Council in four resolutions, the third and fourth being adopted under Chapter VII.¹⁵ Thus, the Council reacted strongly to the conflict between Israel and Hezbollah and, in many ways, more sharply than to the Palestinian situation. The Council was apparently more worried about the escalation potential of the former conflict than about the continuing Palestinian situation, despite the latter's volatility.

¹⁴ The first 3 of these are UN Security Council resolutions 1515, 19 Nov. 2003; 1544, 19 May 2004; and 1850, 16 Dec. 2008. The 4th is UN Security Council Resolution 1860, 8 Jan. 2009. The Quartet consists of the UN, the European Union, Russia and the USA.

¹⁵ UN Security Council resolutions 1655, 31 Jan. 2006; 1697, 31 July 2006; 1701, 11 Aug. 2006; and 1773, 24 Aug. 2007. Several resolutions adopted during the period concerned the internal situation in Lebanon, as well as the role of the UN Interim Force in Lebanon (UNIFIL) in relation to that situation but did not relate to the particular conflict between Israel and Hezbollah in 2006.

State-based conflicts and wars

The UCDP defines a war as a stated-based conflict that results in more than 1000 battle-related deaths in a year; all other stated-based conflicts are classified as minor.

Minor state-based conflicts

Three-quarters of all state-based conflicts in 2003–12 (i.e. 58 of the 76) were minor. This could suggest that they were in a phase where preventive action by the Security Council under Chapter VI could be warranted. Thus, it could be expected that a number of minor conflicts would be dealt with in this softer, but still highly visible way, as a means of preventing their escalation.

Only 14 of the minor state-based conflicts in 2003–12 led to a Security Council resolution (see table 2.2). Among the minor conflicts that did not lead to a resolution were the protracted intrastate conflicts in Algeria, Iran, Nigeria, Peru, the Philippines, Turkey and southern Thailand, and the many local uprisings in India, Myanmar and Pakistan. It goes without saying that many of these conflicts actually do have or could have serious international repercussions. In some other cases there were earlier decisions that authorize some element of Council action, notably on the Nagorno-Karabakh conflict involving Armenia and Azerbaijan.

Wars

The Security Council adopted resolutions concerning 11 of the 18 state-based conflicts that were at the level of war in at least one of the years in the 10-year period—that is, close to two-thirds of conflicts of this intensity drew such action. This seems to be in line with what would be expected of an organization whose purpose is to protect international peace and security. The more violent a conflict, the more likely that it will spread over borders.

Nonetheless, three of the wars—in Nepal, Syria and Yemen—did not draw the highest type of reaction, namely Chapter VII resolutions. In fact, fewer than half of all wars drew Chapter VII resolutions, which is much lower than might be expected.

However, this absence of attention does not testify to the type of bias that is often mentioned in the public discussion. The wars that were not attended to by the Security Council were intrastate conflicts over government in Colombia, Pakistan and Uganda, and the territorial intrastate conflicts in Kashmir (India), Chechnya (Russia) and Sri Lanka. The lack of attention to Chechnya may certainly be attributed to the impact of Security Council bias. In this case all actors knew that Russia would not accept it being brought to the Council. The lack of resolutions on the other conflicts,

Table 2.3. State-based armed conflicts that received most attention from the United Nations Security Council, 2003–12.

The table lists the 10 conflicts with the highest total number of Security Council resolutions in the period 2003–12, ordered by number of resolutions.

Conflict	No. of resolutions in 2003–12	Years active in 2003–12	Resolutions per active year
Côte d'Ivoire	49	3	16.3
Democratic Republic of the Congo	46	4	11.5
Somalia	39	7	5.6
Sudan	39	10	3.9
Liberia	36	1	36.0
USA–al-Qaida	31	9	3.4
Afghanistan	24	10	2.4
Iraq	20	9	2.2
Haiti	16	1	16.0
Burundi	13	5	2.6

Sources: UCDP Dyadic Dataset v. 1-2013, <<http://www.pcr.uu.se/research/ucdp/datasets/>>; and UN Security Council resolutions, <<http://www.un.org/en/sc/>>.

however, cannot be directly attributed to the composition of the Council. Instead, a key consideration is likely to be the attitude of the governments in the respective countries, all of which demonstrated a marked reluctance to 'internationalize' the issues. Conversely, the rebel movements were more likely to favour international action. This, in turn, is likely to have made the respective government even more hesitant to move in that direction. It should be recalled that the UN is an association of governments and states, not peoples or rebel groups, and is thus often concerned about implications of action in one case to situations that may confront governments elsewhere.

This still reveals that all parties pay attention to the Security Council. Whether it acts or not is regarded as an achievement or setback, depending on the perspectives of different actors. Whether the Council discusses a particular matter or not is, in itself, an action. Certainly, once a conflict is on the UN agenda, it will also matter what the UN is actually doing. Those favouring the lowest possible activity will aim for Chapter VI resolutions and, if that is not possible, the weakest form of Chapter VII resolutions. The Security Council is thus a barometer of the prevailing climate in international peacemaking.

Conflicts with the most and least attention

The number of UN Security Council resolutions adopted can be used as a rough—yet valid—indicator to identify the conflicts that have received the

most and the least Council attention. In these terms, the conflict in Côte d'Ivoire received the most attention in 2003–12 (see table 2.3).

With respect to the number of resolutions adopted for each year in which the conflict was active, Liberia received most consideration. However, the conflict in Liberia had been active for several years prior to 2003, which means that the large number of resolutions adopted concerning that country dealt with the aftermath of a protracted conflict, not with a temporary flare-up. The attention paid to Liberia could be also interpreted as a reflection of a new Security Council agenda: peacebuilding. Given its concern about preventing conflicts from recurring, the Council could be expected to take a more long-term perspective in a number of similar cases, such as Haiti. Indeed, as part of this agenda, the Peacebuilding Commission was created in 2005 with exactly this mandate.¹⁶

Six of the conflicts with the most attention in terms of UN Security Council resolutions were located in Africa. Undoubtedly, this is the region that has raised the most concern and draws most UN resources, for instance, in terms of mediation efforts and peace operations.¹⁷ An additional three of the conflicts that received the most attention in 2003–12 were connected to the USA's 'global war on terrorism': the USA–al-Qaeda conflict and the wars in Afghanistan and Iraq. The US position has been that this is a universal struggle and, thus, resorting to the UN is an important element in its policy of gaining international support.

Conflicts in Africa also figure prominently among the situations that received the least Security Council attention (see table 2.4). With a single resolution, the border conflict between Djibouti and Eritrea was the conflict (among those that received any Security Council attention) that attracted the least attention during the period 2003–12. The conflict in South Sudan (which became independent in 2011) also resulted in a single resolution, but one adopted under Chapter VII. Other conflicts in Africa that are among those that received the least attention include the situations in Chad and Mali. In other words, the Council does not react to conflicts in Africa in a uniform way.

It is remarkable that the Israeli–Palestinian conflict—a conflict that has been on the Council's agenda since the late 1940s, and which was active in every year of the period 2003–12—is the one that received the least attention in terms of adopted resolutions per active conflict year.

The priorities of the permanent members of the Security Council may determine which conflicts receive the most attention, and may also help to understand biases in the Council's concerns. In addition to the role of

¹⁶ On the establishment of the Peacebuilding Commission see Wiharta, S., 'Peace-building: the new international focus on Africa', *SIPRI Yearbook 2006*, pp. 140–43.

¹⁷ See e.g. Wiharta, S., 'The United Nations', eds O. Ismail and E. Sköns, *SIPRI, Security Activities of External Actors in Africa* (Oxford University Press: Oxford, 2014).

Table 2.4. State-based armed conflicts that received the least attention from the United Nations Security Council, 2003–12

The table lists the 9 conflicts with the lowest total number of Security Council resolutions in the period 2003–12, excluding conflicts that drew no resolution, ordered by number of resolutions.

Conflict	No. of resolutions in 2003–12	Years active in 2003–12	Resolutions per active year
Djibouti–Eritrea	1	1	1.0
South Sudan	1	2	0.5
Yemen	2	4	0.5
Syria	3	2	1.5
Mali (Azawad)	3	4	0.8
Mali	3	1	3.0
Israel (Palestinian territories)	4	10	0.4
Israel–Hezbollah	4	1	4.0
Chad	6	7	0.9

Sources: UCDP Dyadic Dataset v. 1-2013, <<http://www.pcr.uu.se/research/ucdp/datasets/>>; and UN Security Council resolutions, <<http://www.un.org/en/sc/>>.

Russia in Chechnya and the role of the USA in relation to its ‘global war on terrorism’ and its historical interest in Liberia, the role of France is worth considering. France may have had equivalent interest in gaining support for actions in francophone Africa: in Chad, the Democratic Republic of the Congo (DRC), Côte d’Ivoire and Mali. At the same time, some of these actions also had broad support in Africa, including from the African Union (AU) and the Economic Community of West African States (ECOWAS).¹⁸

Geographical patterns

As suggested above, there is indeed a differentiation in the Security Council’s attention to particular regions, which warrants further scrutiny.

There is a propensity to give considerable attention to Africa and also to treat African conflicts under Chapter VII (see table 2.5). In the period 2003–12, more than half of the conflicts in Africa (15 of 29) were addressed by the Security Council, all but one under Chapter VII. This can be compared to Asia and Oceania, where the Council adopted resolutions on only 2 of 30 conflicts. Even less such attention has been paid to situations in Europe, where none of the conflicts resulted in a Council resolution during the period.

These patterns are perplexing and finding the key explanation may not be simple. Clearly, as discussed below, there are different UN strategies

¹⁸ On France’s security-related policies on Africa see Boulanin, V., ‘France’, eds Ismail and Sköns (note 17).

Table 2.5. State-based armed conflicts and United Nations Security Council attention, by region, 2003–12

Figures are number of state-based armed conflicts active in at least one year in this period.

Region	Africa	Americas	Asia and Oceania	Europe	Middle East
No resolution	14	2	28	6	1
At least one resolution					
none under Chapter VII	1	–	1	–	3
at least one under Chapter VII	14	2	1	–	3
Total	29	4	30	6	7

Sources: UCDP Dyadic Dataset v. 1-2013, <<http://www.pcr.uu.se/research/ucdp/datasets/>>; and UN Security Council resolutions, <<http://www.un.org/en/sc/>>.

among the permanent members regarding the treatment of conflicts in which they are themselves involved. Russia's role in the conflicts in Chechnya and South Ossetia has meant that these conflicts have been kept off the Security Council's agenda. Conversely, the USA has promoted Security Council activity in the conflicts where it is intimately involved—Afghanistan, the 2003 invasion of Iraq and the subsequent intrastate war there, and the USA–al-Qaeda conflict. This difference in attention across regions is underlined by the fact that these four conflicts, together with the situations in Haiti and Lebanon, are the only ones outside Africa that were addressed under Chapter VII during the 10-year period 2003–12.

Veto patterns

The five permanent members of the Security Council each has the power to stop a draft resolution from being accepted by voting 'no'—the veto.¹⁹ In the 10-year period 2003–12, the permanent members used their vetoes 19 times, blocking the adoption of 14 draft resolutions. While the veto has been used less frequently since the end of the cold war, there have been no noteworthy variations in its use during the past quarter of a century: on average there are a couple of vetoes every year. Their use does not seem to affect the working climate of the Council on other issues, as the frequency of passed resolutions remains the same. However, the occasional use of a veto may be an important way for a permanent member to declare its willingness to resort to this measure if proposed decisions are too far removed from what it can accept. This means that the possibility of a veto will have profound implicit effects on the drafting of all resolutions, not just on subjects where a veto was cast.

¹⁹ Since a resolution requires the support of 9 of the 15 members of the Council, 7 members could theoretically apply a 'hidden veto' by voting 'no' or abstaining. This procedure is not elaborated here.

Table 2.6. Vetoes of United Nations Security Council draft resolutions, 2003–12

Date	Permanent member	Issue
16 Sep. 2003	USA	The Middle East situation, including the Palestinian question
14 Oct. 2003	USA	The Middle East situation, including the Palestinian question
25 Mar. 2004	USA	The Middle East situation, including the Palestinian question
21 Apr. 2004	Russia	Cyprus (peace plan) ^a
5 Oct. 2004	USA	The Middle East situation, including the Palestinian question
13 July 2006	USA	The Middle East situation, including the Palestinian question
11 Nov. 2006	USA	The Middle East situation, including the Palestinian question
12 Jan. 2007	China, Russia	Myanmar (human rights)
11 July 2008	China, Russia	Zimbabwe (political dispute) ^a
15 June 2009	Russia	Georgia (extension of UN observer mission)
18 Feb. 2011	USA	The Middle East situation, including the Palestinian question
4 Oct. 2011	China, Russia	Syria (intrastate conflict)
4 Feb. 2012	China, Russia	Syria (intrastate conflict)
19 July 2012	China, Russia	Syria (intrastate conflict) ^a

^a These draft resolutions would have been adopted under Chapter VII of the UN Charter.

Source: United Nations, Dag Hammarskjöld Library, 'Security Council: veto list', <https://www.un.org/depts/dhl/resguide/scact_veto_en.shtml>

Of the 19 vetoes in 2003–12, none were from France or the UK, while 5 were from China and 7 each stemmed from Russia and the USA (see table 2.6). The patterns are clear-cut.

All seven US vetoes were on the Palestinian issue, preventing resolutions criticizing Israel's conduct in this conflict. As noted above, there were four Security Council resolutions on the Israeli–Palestinian conflict in the period, but none under Chapter VII. In some cases, the vetoed draft Security Council resolution was instead pursued in the General Assembly, using the procedures of the Uniting for Peace resolution.²⁰

The vetoes of China and Russia also exhibit a particular pattern: preventing the Security Council from involving itself in the internal affairs of countries that were largely seen as sympathetic to the permanent member. Thus, China and Russia each used a veto on Myanmar, a veto on Zimbabwe and three vetoes on Syria, all with the argument that the conflicts and disputes in these countries were internal affairs.²¹ In addition, Russia also vetoed draft resolutions pressuring Cyprus to accept a peace plan and on the extension of the mandate of the UN Observer Mission in Georgia

²⁰ UN General Assembly Resolution 377, 3 Nov. 1950. This resolution, known as the Uniting for Peace resolution, allows the General Assembly to consider any draft Security Council resolution vetoed by a permanent member.

²¹ According to the UCDP definition, the situation in Zimbabwe was not a state-based armed conflict, but there were severe tensions in the country.

(UNOMIG), which had been established in 1993 in relation to the conflict in Abkhazia.

Some vetoes, such as those on Georgia, Myanmar and Zimbabwe, are clearly aimed at keeping the issue off the Council's agenda. In many such cases, the UN is involved in other ways. For example, the UN is part of the Geneva International Discussions on the consequences of the 2008 conflict in Georgia, via the UN Representative to the Geneva International Discussions (UNRGID), appointed by the UN Secretary-General.²² The Secretary-General has also appointed a special representative for Cyprus (who also heads the UN Peacekeeping Force in Cyprus, UNFICYP), a special advisor for Myanmar and a joint UN–League of Arab States special envoy for Syria, but has not created an equivalent post for Zimbabwe. In fact, the UN Secretariat can be engaged in a number of conflicts without having a formal resolution in the Security Council.²³

Other vetoes are intended to steer the Council's treatment of a conflict in a desired direction, as it might be difficult to entirely remove the conflict from the agenda. Examples include the Israeli–Palestinian and Syrian conflicts, where draft resolutions are equally frequently rejected and then adopted in a weaker form. For instance, having vetoed the first draft resolution on Syria in October 2011, the Russian Ambassador to the UN, Vitaly Churkin, expressed Russia's alarm 'that compliance with Security Council resolutions on Libya [earlier in 2011] in the [North Atlantic Treaty Organization (NATO)] interpretation is a model for the future actions of NATO in implementing the responsibility to protect'.²⁴ However, the issue did not go away, resulting in a second Russian veto in February 2012 and then the adoption of two resolutions under Chapter VI in April 2012. After once more vetoing a draft resolution in July 2012, this time one that would have invoked Chapter VII, Churkin stated that Russia 'cannot accept a document, under Chapter VII . . . , that would open the way for the pressure of sanctions and later for external military involvement in Syrian domestic affairs'.²⁵ A weaker resolution, under Chapter VI, was accepted the following day. The Security Council's approach to the Syrian conflict thus clearly changed in response to Russia's vetoes. There are similar stories for the

²² On the Geneva International Discussions see Organization for Security and Co-operation in Europe, 'Press releases related to the Geneva International Discussions', <<http://www.osce.org/home/104211>>.

²³ Charter of the United Nations (note 5), Article 99. Private communication with the authors indicates that the UN Department of Political Affairs was involved in c. 60 countries in 2013.

²⁴ United Nations, Security Council, 6627th meeting, S/PV.6627, 4 Oct. 2011, p. 4. On the interpretation of the Security Council resolutions on Libya in 2011 and the responsibility to protect see Evans, G., 'Responding to atrocities: the new geopolitics of intervention', *SIPRI Yearbook 2012*, Allansson, M. et al., 'The first year of the Arab Spring', *SIPRI Yearbook 2012*, pp. 48–49, 52–54; Fanchini, C., 'New peace operations in 2011', *SIPRI Yearbook 2012*, pp. 100–102; and Wezeman, P. D. and Kelly, N., 'Multilateral arms embargoes', *SIPRI Yearbook 2012*, pp. 431–34.

²⁵ United Nations, Security Council, 6810th meeting, S/PV.6810, 19 July 2012, p. 8.

Israeli–Palestinian conflict, where the frequent vetoes (by the USA) are interspersed with the acceptance of resolutions (as happened in e.g. 2003 and 2004).

In other cases, a topic does not even make it to a draft resolution because Security Council members know it will be vetoed. For example, no draft resolution was presented to the Council concerning Russia's military incursion into Georgia in 2008, and after the 2009 Russian veto of a proposed extension of UNOMIG, the issue was once more kept off the agenda.²⁶ The predictability of a veto can sometimes be used by countries that support action on an issue in order to make a high-profile statement: by tabling a draft resolution to provoke a public veto by a permanent member that wants to keep the issue off the Council's agenda.

The veto power may explain why a number of conflict situations fall outside the Council's purview. It may reflect a reluctance of a permanent member to have certain conflicts on the agenda, either because of its own involvement or because it affects a close ally. However, the opposite is also the case: permanent members may bring the issue to the Council, in the hope that it will strengthen that member's position in the conflict or offer support for an ally. Either way, this reflects an opportunistic view of the use of the Security Council, rather than a principled stand that all threats to international peace and security should be brought to the attention of the Council.

Conclusions

The 76 state-based armed conflicts that were active in the 10-year period 2003–12 saw varied attention by the United Nations Security Council. As the prime body for the maintenance of international peace and security, the Council could be expected to attend to all these conflicts. But this was not the case: two-thirds of the conflicts did not result in Security Council resolutions. While most of these were classified as minor, many clearly had the potential for escalation. Thus, if a prevention agenda dominated the Council's deliberations, early action in accordance with Chapter VI of the Charter would be expected. This was not the prevalent attitude. There is, however, evidence of a post-conflict peacebuilding agenda, with the Council taking action to prevent the recurrence of a conflict that is no longer active. A typical case in this regard is the conflict in Liberia.

The higher the intensity of a conflict, the more likely it is that the Security Council attends to it: 11 of the 18 conflicts that escalated to war resulted in a Security Council resolution. Furthermore, 8 of the wars were

²⁶ UN News Centre, 'Russia vetoes extension of UN mission in Georgia', 15 June 2009, <<http://www.un.org/apps/news/story.asp?NewsID=31151>>.

the subject of resolutions under Chapter VII of the UN Charter, which means that the Council officially decided that they constituted threats to international peace and security. Remarkably, most of these resolutions concerned conflicts in Africa, although there were highly devastating conflicts elsewhere. At the time of writing, after more than three years, the conflict in Syria still had not been the subject of a Chapter VII resolution. This may strike most observers as highly inconsistent, particularly when considering the volatility of the Middle East region.

The difficulties for the Security Council in acting consistently are noteworthy with respect to the Middle East. Many situations there appear difficult, not least those concerning the Israeli–Palestinian conflict. Nonetheless, the Council took no action on this conflict under Chapter VII in 2003–12. Some other situations have been determined by the Council to constitute threats to international peace and security, notably the conflicts in Afghanistan and Iraq and others that relate to the USA’s ‘global war on terrorism’. In this confrontation the USA could build on the unanimity of international reactions in general, and the support of all the other permanent members of the Council in particular. This unity meant that the Council could be used for action. However, in other cases other permanent members chose a different approach, arguing that certain conflicts (although also seen as ‘terrorism’) fell within the remit of national sovereignty and should not be subjected to UN action. Russia thus prevented action on Chechnya and used sovereignty arguments to do the same for its conflict with Georgia. Similarly, China and Russia jointly blocked action on Myanmar and Zimbabwe.

On the whole, however, the veto has not paralysed the UN. Despite US vetoes on the Israeli–Palestinian conflict, the Security Council was able to pass Chapter VI resolutions, while the General Assembly also took up the issue. On some conflicts where resolutions were vetoed (notably Georgia and Myanmar) the Secretary-General could still appoint representatives or envoys, allowing the UN to pay some attention to the situations.

The fact that five states have the right to veto draft resolutions must be continuously scrutinized, no matter how legal it may be. If the membership of the UN finds the use of the veto to be inconsonant with the spirit of the UN or with the challenges that the UN faces, it may resort to alternative means, such as regional organizations, and increase the demands for a reform of the Council’s composition.