

“United we stand”- The European Union at the United Nations  
Security Council

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# 1. Introduction

The fundamental framework for international relations is the United Nations Charter. The United Nations Security Council has the primary responsibility for the maintenance of international peace and security. Strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is an European priority (European Council 2003: 9).

The EU supports the UN system and its reform. Italy has suggested an EU seat on the UN Security Council (UNSC). My theoretically oriented study examines this option. I seek, in particular, to answer the research question:

*What are the factors that determine the likelihood that the European Union (EU) would obtain a seat on the United Nations Security Council (UNSC)?*

I derive the factors from Rational Choice theory, Neo-realism and Neo-liberalism. I am able to make predictions of how the factors are likely to develop. I aim to determine the likelihood of various, self-designed EU seat options, and in doing so I use secondary and the most recent primary sources. I merge the discussion on reform of the UNSC with that of the European Union Common Foreign and Security Policy (CFSP) and European Security and Defence Policy (ESDP). Since the UNSC reform has been on the political agenda for a while, this study could provide considerable input to the current reform discussion, both for researchers and the public.

The outcome of my research is that an increased perception of common threats, a more balancing, and/or homogenous preferences might increase the chances of an own EU seat, while a continuous anarchy and/or an existing concern about sovereignty could make it less likely. The disagreement (of the European members) on reform of the UNSC challenges the likelihood of an EU seat. Legal and institutional difficulties are also remarkable in effecting the likelihood negatively. These factors *could* play a role. However, probably none of the factors examined here represent an insuperable obstacle to an EU seat. This implies there might be other, more favourable conditions determining the likelihood. The scenario of a single EU seat might yet be difficult to achieve, but not impossible in the future.

Numerous articles focus on the UNSC reform debates, especially the roles of veto powers and the ways in which other member states can attain a seat on the Council. Accordingly it is

necessary to have a Security Council which offers greater legitimacy, effectiveness and more equitable representation of different regions of today's world (e.g. Imber 2006, Kennedy and Russett 1995, Varwick 2004, Weiss and Young 2005). A great amount of research analyse the EU coordination at the UN by paying attention to voting coherence among European members in the UN General Assembly (UNGA) (e.g. Farrell 2008, Luif 2003, Smith 2006). Several studies discuss how the EU can improve its presence, effectiveness and coherence in the UNSC and can hereby contribute to a reform (Drieskens et al. 2007, Gstöhl 2008, Hill 2005, Missiroli 2005, Rasch 2008, Hellmann and Roos 2008). Marchesi (2008) offers interesting insights by demonstrating that UN and EU reform are mutually reinforcing; EU integration pressures for UN reform and in turn it has an effect on the EU. I want to fill the existing research gap by offering an in-depth research on the likelihood of different EU seat options on the UNSC.

Firstly, I start with the methodology and the theoretical framework. I derive the factors that could determine an EU seat and, secondly, consider their likely development in the future. Moreover, I discuss if there is evidence for an existing EU seat at the UNSC. Thirdly, I present the UNSC reform proposals since the 1990s and the disunity among UN members on reform. The data builds the framework for the following Chapter. Fourthly, I assess different EU seat options, determine their likelihood, and assume why previous attempts have failed and if the situation is likely to change. Finally, I draw a conclusion and provide the possible limitations to my research.

## 2. Theoretical framework and methodology

I start with a brief methodological review. I continue with a general framework in order to describe the behaviour of states in international relations, which is known as Rational Choice theory. Subsequently I contrast two rationalist theories, Neo-liberalism and Structural Realism on the cooperation in security affairs and the role of international organisations. After having introduced the research question, I consider the linked issues: The reasons for pooling and delegating of sovereignty in the EU and institutional design of international organisations. I generate a theory to develop predictions for the case study.

In this theoretically orientated study I derive the assumptions from Rational Choice theory, Neo-realism and Neo-liberalism to avoid a foregone conclusion and to preserve a balanced discussion. I want to fill the research gap by predicting several scenarios that could constitute an EU seat on the UNSC and by determining the factors that make them more or less likely. I determine the likelihood of an EU seat through prediction and estimation, but not empirical measurement. This will have implications for the validity of the results, therefore the findings need to be interpreted with caution, and possibly need to be complemented by a further study that analyses more explicitly causal relationships. In addition, the scenarios of the various EU seat options are self-created and therefore subjective, and are drawn from the official UNSC reform proposals. I distinguish the EU seat options along two dimensions, voting rule and membership category, equivalent to the institutional design of the UN Security Council. I obtain the latest information from primary sources, such as official UN and EU documents, and complement my research with secondary sources. I turn to the theoretical discussion.

I use Rational Choice theory, which is a “meta-theoretical tenet” (Hasenclever et al. 1997: 23), describing social phenomena at a general level. Accordingly individuals are goal-seeking actors that wish to maximize their utility given constraints. These actors (states) are able to perform a cost-benefit analysis. They can weigh their preferences, calculate the benefits of alternatives and choose the outcome that is most feasible under the circumstances, taking for instance third-actor preferences and institutional obstacles into account (Goldstein and Pevehouse 2009: 37, Hasenclever et al. 1997: 23-25, Snidal 2007: 79).

However, more substantive assumptions about states’ behaviour, specifically their willingness to cooperate in foreign affairs and the role of institutions with this regard are needed. As such

there are two variants of rationalist theories; Neo-liberalism and -realism. They draw different conclusions, but share the underlying understanding that the structure affects the behaviour of states. States are supposed to be rational unitary actors with given and consistent preferences, defined as utility functions. Both theories agree that international anarchy creates uncertainty, but where do they depart? (Snidal 2007, Hasenclever et al. 2004: 23, 212).

International institutions are “explicit arrangements, negotiated among international actors, that prescribe, proscribe and/or authorize behaviour” (Koremenos et al. 2001: 762), according to Keohane “created by states as instruments to achieve certain (selfish) goals” (Hasenclever et al. 2004: 37). Neo-liberalism, particularly the functional approach, argues that international institutions are vital, since they provide valuable functions to states and facilitate cooperation. They reduce uncertainty - a major obstacle to international cooperation -, and help to realise common interests and advance absolute gains. However, creating a regime is difficult and costly, meaning it can be more beneficial for states to maintain a suboptimal regime, than risking its downfall, returning to an unfettered self-help system (Ibid. p. 39).

Regime forms can be explained on the basis of the strategic nature of a situation. For instance, whereas prisoner’s dilemma situations require intense collaboration, meaning that regimes need to be more explicitly formalised and centralised to bind actors, coordination situations are self-enforcing. They therefore do not need compliance mechanisms. As an illustration, based on the assumption that the EU’s CFSP can be compared to a quick coordination game, it is likely to remain intergovernmental. EU member states should have an interest in pooling their sovereignty to make crisis management more effective, but without delegating this sovereignty (Wagner 2003). I illustrate how the CFSP/ESDP is likely to develop in the next Chapter.

Neo-realism, conversely, argues anarchy diminishes states’ willingness to cooperate, even if states share common interests (Grieco 1993: 116, Hasenclever et al. 2004, Mesquita 2006: 154-55). To Waltz (1978) anarchy means the absence of an overarching sovereignty, or a world government (p. 102). By implication states are the dominant actors operating in a self-help system, whose primary goal is survival. From the view of defensive realism, states will primarily seek to preserve their sovereignty and security, rather than maximize their power. This is why relative and not absolute gains are important. The structure of anarchy, the distribution of power and polarity create foreign policy choices (Mesquita 2006: 130).

Neo-realists claim that cooperation under anarchy is extremely difficult and is comparable to a prisoner's dilemma; the main strategy is defection, which creates concerns about cheating. Another worry is the distribution of relative power; after all, others could gain more power and so emerge as greater enemies (Collard-Wexler 2006: 400, Grieco 1993: 118, Waltz 1978: 105). Constant security competition circumvents cooperation. Nonetheless even realists recognise it is not impossible, either the balance of power logic drives states to built alliances against common enemies or threats (Collard-Wexler 2006: 401). However, for realists international institutions play a limited role; on its own they are unable to promote international peace and stability, being just "arenas for acting out power relationships" (Mearsheimer 1994/95: 13). Powerful states, based on self-interested calculations, create and shape international institutions accordingly to maintain or increase their share of world power (Ibid. p. 13).

There are alternative theories that criticise that rationalist theories oversimplify the political reality, namely the single actor approach and that the assumption that structure alone affects the distribution of power. In addition, strategic approaches emphasise the importance of domestic politics. It is not the unitary state with its security objectives, but national leaders that take decisions that maximize their own individual welfare. International institutions are therefore the product of strategic choices by decision-makers with the goal to constrain future leaders (Mesquita 2006, Lake and Powell 1999). Constructivism even adopts a stronger 'institutionalism'. Accordingly preferences are formed through a socialisation process, in which international institutions and norms take the role of an independent force, able to frame identities (Fearon and Wendt 2007: 52-72, Mesquita 2006: 501, Snidal 2007: 82). However, I do not employ strategic approaches or constructivism, as this is beyond the capacity of this thesis. Therefore I use their arguments in the conclusion to illustrate the limitations of the study.

At this stage, I make a sub-conclusion applying the previous theoretical considerations to the case. Following Rational Choice theory, I suppose that particularly European states would need to have an interest in and benefit from having an EU seat, if they are to agree to a pooled representation in the UNSC. States pushing for an EU seat are likely to face constraints in terms of preferences of other EU and UN member states along with legal and institutional obstacles. They will therefore probably not achieve their most desired option.

Drawing on Neo-realism I assume that international politics are organised anarchic, which may decrease the likelihood of an EU seat at the UNSC since states will be reluctant to cooperate. However, they might collaborate in the presence of a common threat. States are concerned about preserving their sovereignty. Therefore it should be unlikely that European member states will pool sovereignty in CFSP/ESDP for a single EU seat. As states are regarded as single entities, domestic politics along with variations in preferences of national leaders are irrelevant.

Everything that is important for the study takes place at the international level. As such I suppose that the powerful members France and the United Kingdom will use the UNSC to shape this institution to their liking and to maintain or even increase their power. Their privileged position of having a permanent membership status with the corresponding veto-power, alongside the ambition of other EU members to gain a seat, could affect the likelihood of a pooled European representation on the UNSC. I expect the UNSC to perform valuable functions for its members, so that they would have an interest in a reform. Consequently a number of factors should constitute obstacles and possibilities for an EU seat. The research question is:

*What are the factors that determine the likelihood that the EU would obtain a seat on the UNSC?*

While Neo-functionalists argue that spill-over effects and supranational entrepreneurship drive EC integration, Liberal Intergovernmentalism is sceptical towards that self-reinforcing notion. Moravcsik (1999) contends EC integration is a result of governments' purposive choices, determined by economic interests, relative power considerations and credible commitments. International agreements were possible, where the interests of domestic political groups converged; governments decided to pool (agree to qualified majority voting) and delegate sovereignty (create supranational institutions with binding authority) to constrain and control one another (Moravcsik 1999: 9/486-7). Ultimately, Moravcsik regards states as being more than unitary actors or 'black boxes', when he stresses the relative relevance of domestic politics, a part of a two-level game. And unlike Neo-realists, he is able to account for the importance, albeit limited, of international institutions in European integration (Wiener and Diez 2005: 80).



For Mesquita (2006) and Koremenos et al. (2001) international institutions do not simply matter, but also relate to the specific problems states want to address - distributional questions, enforcement problems, large numbers and uncertainty. Hence institutions are the product of rational choice. As states seek to advance their goals, they will spend considerable time to design them accordingly. Institutions are sticky, once created, difficult and costly to modify (Mesquita 2006: 495). Neo-realists are wrong in assuming away institutions' relevance, being little more than arenas for acting out power relationships. Depending on the problems to be solved, international organisations differ in membership rules, scope, degree of centralisation and flexibility, and voting arrangements. For instance the higher the uncertainty about preferences, the more restrictive the membership (Koremenos et al. 2001: 797).

I consider the institutional design of the UN, in particular, voting rules and membership. Membership of the UN General Assembly (UNGA) is inclusive; all members have an equal say. The UN Security Council's membership is restrictive; only the permanent members can veto resolutions. Decision-rules of the UNSC could be a product of the organisation's scope; in contrast to the UNGA, the UNSC is responsible for the maintenance of international peace and security (Article 24.1 UN Charter), it therefore takes much more consequential decisions involving a stringent voting rule (Mesquita 2006: 513). Since a veto of a minority carries special weight (Koremenos et al. 2001: 772), the UNSC has similarities with an autocracy (Mesquita 2006: 514). Any decision in the UNSC has to meet the interests of its permanent members. Since the permanent members contribute significantly to the UN -which is essential for the enforcement of resolutions - they demand and are offered significant control over the institution to ensure their participation. Membership and voting rules have formalised control, therewith their privileged veto-position, compared to the rest of the UN members (Koremenos et al. 2001: 792).

Since the UNSC membership is restrictive, the EU will have difficulties to join. Considering an EU seat means redesigning the membership composition and voting rule in the UNSC. A pooled European representation at the UNSC will require unanimous approval (or abstention) from the EU member states, which makes it difficult to agree on. Also it would need to be preferred by the permanent members, given that a UNSC reform requires no veto among them and a two-thirds majority vote of all the UN members (Article 108 UN Charter, Mesquita

2006: 488). Therefore, even if member states should have a gain from pooled representation, institutional and legal constraints, either from the EU or UN, may be an obstacle to a UNSC reform (Gstöhl 2008: 10).

As pointed out, member states will make a cost-benefit analysis. Namely Frieden (2004) says that member states have to weigh the benefits of having an increased international role for the EU against the costs of compromising heterogeneous preferences. Those that are preference outliers, as compared to their EU partners, are more likely to be less supportive of a pooled representation. If it promises to have a greater impact on international policy outcomes, then it is more likely to be agreed on. Member states are likely to adopt a common foreign policy, if they would have a greater benefit from it that outweighs the costs of pooling sovereignty or “if their interests converge to the point that little loss of sovereignty is entailed” (Gordon 1997: 81). The more similar the preferences are, the more likely the EU is interested in a common foreign and security policy.

However, not all member states share an equal concern to preserve their national sovereignty as König-Archibugi (2004) identifies. Member states’ preferences differ due to variations in their power recourses, European identities and constitutional arrangements regarding regional governance. I do not employ all factors in my analysis since I exclude the domestic sphere and reasons for variations in preferences. However, I acknowledge that not all EU states have the same concern for sovereignty.

There is another factor that could offer explanations for pooling and delegating of sovereignty in the specific case of CFSP/ESDP linked to the neo-realist discussion. Posen (2004) argues that the ESDP is a result of a weak form of balance of power behavior, aiming to create a greater security and military capability for the EU in response to US hegemony. In this case, then a unipolar world dominated by US power could turn into a more stable bipolarity, if governments pool and delegate sovereignty in the ESDP. The factor balancing against US power plays a role in my analysis.

Ultimately I am not able to examine all mentioned factors, since this would go beyond the capacity of the Bachelor thesis. However, I concentrate on a few relevant factors that form my theory: *Anarchy* may decrease the likelihood of a pooled European representation on the UNSC. Since some EU members will be concerned about preserving their *sovereignty*, it

decreases the likelihood. In addition legal provisions in the UN/EU might impede an EU seat. Against it, *homogenous preferences* for an EU seat will enhance the likelihood. If those, occupying a veto position in the UNSC, are likely to prefer an EU seat, it increases the likelihood. If UN members in exchange for supporting an EU seat will receive greater privileges in the UNSC - in form of an improved regional representation - they are more likely to favour it. EU member states could prove to *balance* against US power in the UNSC, which increases the chances for an EU seat. Similarly member states are more likely to pool in case of a *perception of a common threat* challenging their security.

### 3. EU at the UN

First, I attempt to determine the likely development of the factors – perception of a common threat, balancing against US hegemony, homogenous preferences, anarchy and concern about sovereignty – and their implications for an EU seat, using theoretical and empirical research. Secondly, I analyse the EU role at the UN if in particular, there is evidence for an existing EU seat.

#### 3.1 Likely development of the factors

##### 3.1.1 Perception of common threat

Since the end of the Cold War, the world has changed very fast. Europe faces strong economic competition and new threats to its security. (...) Terrorism, the proliferation of weapons of mass destruction (WMD), regional conflicts, failed states and organised crime remain as pressing as ever (Commission 2006: 2).

The Commission encourages the EU to be more coherent, effective and visible on the world stage in the context of globalisation and common threats. The European Security Strategy too illustrates those goals (European Council 2003: 11). No single state is able to fight the cited global threats alone. The EU is expected to be stronger when its member states act together (Ibid. p. 10-13). With this background, the EU should build a truly *common* foreign and security policy that goes beyond the limits of “narrow defence of national interests” (Commission 2003: 3). In contrast in relation with Iran, member states act independently of the CFSP. In 2003 Germany, France and the UK formed the so-called “EU-3” sub-group to find solutions to the conflict over Iran’s nuclear programme on behalf of the EU as a whole.

Indeed the EU has formulated common principles concerning Iran and EU institutions have been involved into the EU-3 format (Overhaus 2007). However, in this example the EU foreign policy action is led by the three core member states.

Since the perception of a common threat is expected to prevail or may even rise - following Neo-realist logic - an EU seat could become more likely in the near future. Nonetheless, a perception of a common threat might not turn into a united response of all the 27 EU member states. It might not be a sufficient condition for the likelihood of a single EU seat.

### 3.1.2 Balancing against US power

In a later article, Posen (2006) predicts the EU to continue with the balance of power behaviour against US hegemony. The most powerful member states thereby have different motives: the UK and Italy for the sake of their own influence and to prove independence from the US, France for a greater influence of Europe in the world, and “Germany’s motives seem to lie somewhere in between” (p. 184). Though Cottey (2007) agrees that the US hegemony could provoke an emergence of a countervailing coalition, states are far from being united in order to form an anti-USA coalition (p. 53). In fact, even Posen’s argumentation demonstrates that the EU is divided on its relations with the United States, as some see the EU as an alliance of US hegemony (Euro-atlanticism) and others as a counterweight with the aim of an autonomous force (Euro-Gaullism) (see Cottey 2007: 86). As rationalist theories argue that states’ preferences are stable over time (see Chapter 2), it is unlikely that the EU is able to perform this balancing behaviour in the next decades unless it improves its capabilities and unity on foreign policy objectives in the European Security Strategy cited above. Indeed balancing could make an EU seat more possible, but I doubt it to be a strong factor taken preference division.

### 3.1.3 Homogenous preferences

The previous section has shown the “logic of diversity” (Smith 2008: 10) between European member states’ interests. I want to extend this argument. Though Hill (2004) asserts the Iraq crisis of 2002-03 has split the EU dramatically into two blocks, the Franco-German and Anglo-Spanish-Italian, he is optimistic that such divided preferences are only a temporary

occurrence, if not an exception; there continues to be a political will and capacity for common actions; also divisions have neither been institutionalised nor has the CFSP been destroyed. It may be true that the Iraq crisis has not hindered member states to adopt the European Security Strategy, signalling their political will for solidarity, but the latter reflects an ambiguity between the political ambition on policy paper and persistent national interests in practise. In the literature, the common sense is that divided interests are one of the fundamental problems of the EU's CFSP, circumventing its role as a global unified actor in the foreseeable future (e.g. Peterson 1998: 3, Smith 2008). The historical record is that since the 1990s with the conflicts in former Yugoslavia, Bosnia, Kosovo, lately Afghanistan and Iraq the EU has failed to produce common positions (Krotz 2009: 565).

How is the EU position affected by the institutional design in the UNSC? The UNSC creates a division between the powerful permanent members France and the UK (the only capable of the projection of serious military force) and the 'rest' of the EU members (Marchesi 2008: 24). Consequently "the influential and prestige-giving role of the UNSC (...) prevents formalised policy-harmonisation and cooperation among the EU member states in the Council" (Rasch 2008: 5). Given that France and the UK are locked in their special status, it could hinder a further integration of the CFSP/ESDP and in fact a pooled European representation. France and the UK are unlikely to relinquish their single seats for the EU (Hill 2004: 160). Similarly to the UNGA, Europe is spread over three regional groups, namely the Western European and Others, Asian Group, and Eastern Europe Group. Regardless of EU integration and enlargements, the regional group composition in the UNGA reflects the historical Cold War divide (Fassbender 2004: 877). Though, parallel to the development of EU's CFSP/ESDP voting coherence has increased, there are still split votes on issues related to international security, disarmament and decolonisation (Luif 2003, Farrell 2006).

Hence heterogeneous interests are likely to persist in the future. The institutional setting of the UN reinforces divisions. However, if member states are willing to implement their perceived need for solidarity, it could make homogenous preferences more likely. The political unity between the member states is not strong enough yet to make an EU seat possible. What if a similar 'Iraq crisis' reoccurs, will member states renationalize their foreign policy actions? Since cooperation at the EU level still seems to offer member states benefits - for instance the pooling of resources - they are unlikely to fall back to separate strategies or opt out, however, also unlikely to integrate further (see Chapter 3.1.5).

### 3.1.4 Anarchy

Persistent anarchy could decrease the likelihood of an EU seat. Hurd (2009) provides important insights to the likely development of anarchy taking the example of the UNSC. Accordingly, sovereignty - “understood as the exercise of legitimate authority in international relations” (p. 185) is multilayered, because it “exists wherever processes of legitimation create powerful institutions of authority in world politics” (p. 185). It is present in the UNSC, which exercises authority over states, even over those, who do not recognise it as a legitimate force, since they act in the same world (Ibid. p. 187). This would mean there is no anarchy anymore, or at least, the definition I provided in the theoretical part is not satisfactory. Since EU member states are pursuing an “effective multilateralism”, which aims at strengthening the UN to make it more effective in tackling global threats (European Commission, 2003, European Council 2003: 10), they prove an interest in stronger, probably more legitimate institutions. Now, if anarchy is likely to dissolve, because of an empowerment of international institutions, an EU seat could become more likely. Nonetheless, as I will demonstrate in Chapter four, given that there is a UNSC reform deadlock for decades, persistent anarchy may be the reason to it.

### 3.1.5 Sovereignty

Krotz (2009) argues that the EU will remain a fragile political actor in international affairs, since member states are unlikely to relinquish their sovereignty and final national say (p. 469). The EU has weak institutions in the CFSP, is intergovernmental and governed by unanimity (Peterson 1998: 4, Wallace 2007: 11). Its decisions only represent the lowest common denominator, in other words, what the most reluctant member state could accept (Smith 2008: 10). As such the EU continues to generate a capability-expectation gap (Hill 1993), exacerbating expectations about its capacities of a coherent, effective and united international actor that it is unable to fulfil (Peterson 1998: 5). Though member states should have at least an interest in the pooling of sovereignty to make crisis management more effective (Wagner 2003), there has been no evidence for it in the past. Also, if ratified, the Lisbon treaty will neither change the intergovernmental character of the EU’s CFSP/ESDP nor its consensus decision-making (Lorca 2007: 4). However, there are some countries like Italy, which are more eager to pursue a pooled EU representation on the UNSC (see Chapter

4). Despite the past practise and future institutional limitations, some member states might still be interested to pool sovereignty, which makes an EU seat more likely.

### 3.2 Evidence for an EU seat at the UN

As the EU (its member states and the European Community) is the largest contributor in the UN - paying around 37 percent of the regular budget, 40 percent of peacekeeping operations and half of the budgets of UN funds - it should have an actor capacity (UNRIC, Luif and Radeva 2007: 28). Also, it should play a constructive role in reforming the UNSC taken its “effective multilateralism” strategy (Commission 2003: 5, 21, Rasch 2008: 17). However, the reality is far from that. In this Chapter I discuss the EU presence at the UNSC; the obstacles for an EU seat that could also be seen as opportunities for it.

Many argue that Western European states are overrepresented at the UNSC since up to three EU member states can serve as non-permanent members in the Council. Theoretically Europe can have even six members of the 15 seats in total, and so exert influence for the benefit of the CFSP/ESDP (Hellmann and Roos 2007: 31, Marchesi 2008: 8, Missiroli 2005: 45, Ojanen 2006: 38). However, as has been illustrated, this is difficult to achieve if member states are not in concert.

A problem lies in Article 19 (2) TEU that safeguards the EU members’ France’s and the UK’s position at the UNSC, prioritising their responsibilities toward the UN over their membership of the EU (Marchesi 2008: 13). Even if Article 19 TEU encourages the EU member states that serve on the UNSC to keep the other member states informed, act in concert and defend EU interests, the French and British seats are national and not European.

In case there is a common position, the EU can have a status as an observer at the UNSC. The High Representative (HR), or the EU presidency can speak for the EU according to Article 37 UNSC rules of procedure, or when it is represented through the presidency held by a UNSC member (Hill 2005: 35, Hoffmeister and Kuijper 2006: 17). However, the HR has been rarely invited by the member states and is even excluded from the Council’s closed-door meetings (Drieskens et al. 2007: 424). Consequently the EU has no single seat on the UNSC. It is more or less represented by the member states. As only sovereign member states are allowed to

become member (Article 4 UN Charter), the intergovernmental character of the UN precludes regional seats (Drieskens et al. 2007: 423, Farrell 2006: 45). Though the EU might not be a regional organisation (see in Wallace 2007: 4), it remains an obstacle.

Thus, the EU has a strong relationship with the UN. It should exert influence, and should be effective and coherent. However, its capabilities and authority are limited due to the fact that it has no EU seat on the UNSC (Biscop and Drieskens 2006: 131). It can be assumed that the EU's role at the UN is ambiguous as just like its interests; it aims at effective multilateralism, but legally and politically it is limited in this ambition. If the perception of common threats might increase in the future - it could alter the unity between EU, and even UN members. Nonetheless, this still might not be sufficient because of the legal and institutional obstacles. Thus there are multiple factors that might affect the likelihood of an EU seat.

#### 4. UNSC reform deadlock

In the first section, I give a brief overview of the main UNSC reform proposals since the 1990s and demonstrate that UN (and EU) members are disunited on how to reform the UNSC. I orient the reader of what is actually possible in terms of an EU seat. Subsequently I expand on the principal European member states positions and that of the permanent SC Council members in the UNSC reform debate. These preferences will help to assess the likelihood of an EU seat in Chapter five.

##### 4.1 Overview of the key UNSC reform proposals since 1990s till present

A UNSC reform has been under the discussion specifically since the 1990s, caused by the end of the Cold War and rise of new conflicts. While the number of UN member states has more than tripled, the UNSC still represents the distribution of power in 1945 (Hill 2006: 61). The UNSC membership was expanded only once in 1965, when four non-permanent members joined (Table 1). The veto, originally created to prevent the great powers from opting out therewith to guarantee their interests, has been misused to block resolutions (Kennedy and Russett 1995: 62, Imber 2006: 330).



Table 1: Current membership of the UNSC

Regional Area <sup>1</sup>	Permanent members <sup>2</sup>	Current Non-permanent members <sup>3</sup>	Total
Asia (54)	1	2	3
Africa (53)	0	3	3
GRULAC <sup>4</sup> (33)	0	2	2
WEOG <sup>5</sup> (28+US)	3	2	5
Eastern Europe (23)	1	1	2
Total (192)	5	10	15

(United Nations)

In 1993, the Open Ended Working Group was set up to deal with UNSC reform, resulting in the *Razali Plan* that inspired all further reform proposals (Freiesleben), particularly the High-level Panel report of 2004. It presented two reform options, which would expand the UNSC to 24 members. Model A suggested adding six permanent members without veto power and three non-permanent seats. Model B suggested a more complicate structure, to include a new category of eight seats that are renewable every four years, and one classic non-renewable, non-permanent seat. Critics remarked both models would not eliminate the vetoes, but reinforce the exciting divide between the privileged members and the ‘rest’ (Roos et al. 2008: 44). The consequence was a friction into two competing blocks that still persist; while powerful and large countries hope for permanent seats, their regional rivals prefer to add more non-permanent seats (Freiesleben). This shows that weaker countries will strive for more regional representation as opposed to the more influential countries that seek to preserve or enhance their own capabilities.

Thereafter the G-4 consisting of Germany, Japan, India and Brazil proposed six additional permanent seats for them and the African Countries and to include four non-permanent seats. The African group (Ezulwini Consensus) called for two permanent seats with veto, plus five additional non-permanent seats for themselves. While the Uniting for Consensus (UfC) group<sup>6</sup>, lead by Italy and Pakistan, constituting a numerical minority in the UNGA (Center for

<sup>1</sup> Israel is excluded.

<sup>2</sup> China, France, Russian Federation, United Kingdom, United States.

<sup>3</sup> Austria, Burkina Faso, Costa Rica, Croatia, Japan, Libyan Arab Republic, Mexico, Turkey, Uganda, Vietnam.

The UNSC Resolution 1991 (1963) listed the regional formula according to which the seats for non-permanent members in the enlarged UNSC would be allocated: Five to Africa and Asia, two to Latin America, two to WEOG and one to Eastern Europe (Missiroli 2005: 46).

<sup>4</sup> Group of Latin American and Caribbean Countries

<sup>5</sup> Western European and Others Group

<sup>6</sup> Argentina, Canada, Mexico, Malta, Turkey, Spain, South Korea as its core members.

UN Reform Education), backed Model B and later modified it as the Blue Model. Also it drafted a Green model as a fall back option for those not wanting to increase the amount of permanent members, upholding the UN principle of sovereign equality (Freiesleben). Currently it put forward a compromise paper involving longer-term seats that Germany could support, which albeit could lead to a new class of privileged membership.

Overall there are various UNSC reform proposals on the discussion table that want to expand the current membership, modify the structure, but will not be a dramatic revision of the voting rule and composition. All members want to take part in the reform process, constituting a race for power, offering a bunch of suggestions, but not a united proposal. In fact, the UNSC appears to be an arena for acting out power relationships. Continuous anarchy maintains a security competition, hindering cooperation for reform. Anarchy would need to dissolve, but it remains unclear if it would make a reform much more likely.

Table 2: Overview of the key models for UNSC reform

Name	Permanent members to add	Non-permanent members to add	New category of membership	Total seats incl. expansion
Model A	+ 6 (without veto)	+ 3	0	24
Model B (Blue Model)	0	+ 1	8	24
G-4	+ 6 (without veto)	+ 4	0	25
Ezulwini Consensus	+6 (veto)	+5	0	26
Green Model		+ 10	0	25
Compromise Paper <sup>7</sup>		X	X	

<sup>7</sup> The number of seats is not specified yet. Longer-term seats to be allocated to regional groups: Africa, Asia, Asia/Africa (rotational principle), GRULAC, WEOG/EEG (rotational principle), either for a 3-5 years period without renewal or for 2 years with a possibility of up to two re-elections. The regular non-permanent seats for 2 years without immediate re-election to be allocated to small states, medium size states, Africa, Asia, GRULAC, EEG. Center for UN Reform Education: [www.centerforunreform.org/system/files/Colombia\\_StatementSCR\\_20Apr09.pdf](http://www.centerforunreform.org/system/files/Colombia_StatementSCR_20Apr09.pdf), visited at 30 August 2009.

## 4.2 Heterogeneous interests on UNSC reform

Germany's ambition for a seat splits Europe. Italy wants to prevent Germany from becoming too powerful through a permanent membership, which would enforce a "directoire" of France, the UK and Germany in the EU, which would weaken further integration of CFSP/ESDP (Hill 2005: 32, Marchesi 2008, Salleo and Pirozzi 2008: 106). Instead, Italy called for a single European seat; after all, a German seat could undermine the likelihood of a united EU seat on the UNSC in the long-term (Hellmann and Roos 2007: 18, Salleo and Pirozzi 2008: 109). Although Germany has suggested in the past to represent the EU for an interim solution (Hellmann and Roos 2007: 56), once it has taken seat in the UNSC, it is unlikely that it will due to the intergovernmental character of the UN that encourages national interests (Drieskens et al. 2007: 423).

The United States supports UNSC expansion that does not hamper its effectiveness. China wants to enhance the representation of the developing countries, and therefore backs the proposal to add new permanent members from the African continent. However, the Russian Federation would only include non-permanent seats (Center for UN Reform Education 2008). France and the United Kingdom issued a Joint Declaration in March 2008, in which they share the will to strengthen the effectiveness of international institutions to safeguard global security. Both support the G-4 draft reform. They would also accept the longer-term seats that could be subject to renewal and turned into permanent seats at a later stage (France at the United Nations). Among the UN members, there is a larger support for adding new permanent seats without veto that involves the G-4 proposal more than any other reform option (Center for UN Reform Education 2008).

To conclude, Germany's rhetoric divides the EU. Italy wants to hinder the leadership of three powerful member states. Nonetheless "there are some obvious interests behind the strive for equality among sovereign nations" (Marchesi 2008: 24); Italy's objective to further European integration may hide the fact that it is unable to get a permanent seat itself. France and the UK are unlikely to relinquish their seats including veto rights (Farrell 2006: 20, Roos et al. 2008: 53), which is also the case for the rest of the UNSC permanent members. Some see their power position threatened if the permanent membership is being expanded. Others regard it as an option to legitimate their own seats (Roos et al. 2008: 48). A need exists for a coherent reform proposal that has the required support of UN members. UNSC members seem to face

external stimuli that make compromises – expanding (permanent) membership – more likely. New powers are emerging which demand an equal share of world power and common threats a united response. However, heterogeneous preferences might be a reason why reform attempts have failed. These heterogeneous preferences are unlikely to be resolved in the short-term.

## 5. Scenarios for an EU seat

It is essential that all EU members acknowledge two key points: That a more representative UNSC need not be larger, and that “more Europe” in the Security Council need not entail more European members, either permanent or re-eligible (Missiroli 2005: 45).

In this article Missiroli highlights that with regard to an EU seat, the EU does not need to have many voices in the UNSC; less or even one could be sufficient. I concentrate on four options for an EU seat and assess their likelihood. I point out how the future development of the factors (see Chapter 3.1) is likely to affect each scenario, conclude why previous reform attempts have failed and if the situation is going to change. I recognise there could be more EU seat options; one extreme case would be a complete revision of the membership composition and voting rule of the UNSC, and the other that nothing is happening so that single EU nations are continuing to constitute the EU. I present intermediate options of what is more or less possible in the framework of the UNSC reform proposals (see Chapter 4).

### 5.1 Scenario A: Permanent seat for the EU

Some integrationist voices in the European Parliament (EurActiv) like those of External Relations Commissioner Benita Ferrero-Waldner (European Union @ United Nations) and Javier Solana (in Verbeke 2006: 52), have called for a permanent seat for the EU as soon as political and legal conditions are met “in order to enhance Europe’s influence in the world through a coherent and efficient CFSP” (European Parliament 2005: 5). An EU permanent seat is the first scenario this paper will assess. Two types of this scenario are possible.

The *first* option would lead to a de facto pooling of sovereignty in the EU’s CFSP/ESDP. If preferences within the EU for such a model would increase, then pooling is more likely to

occur. In this case, France and the UK would have to relinquish their seats for a common European representation (Roos et al. 2008: 53, Farrell 2006: 20) and the rest of the EU members would have to let go of their ambitions for separate ‘national’ seats. The UN members, permanent ones in particular, would need to see a benefit in such a model since their consent is needed to a UN Charter amendment (Article 108 UN Charter). The *second* possible option of scenario A would be to add a permanent EU seat alongside the British and French ones to avoid the conflict with member states wishing to preserve their special status and sovereignty (European Parliament 2005: 5, The Secretariat 2002: 20).

The *first* option is considered by many academics as an idealistic solution. France and the UK are unlikely to give up their seats for the EU due to the privileges and power they enjoy under the current set-up (e.g. Farrell 2006: 20, Roos et al. 2008: 03). Especially the UK as a preference outlier is not willing to pool sovereignty (Frieden 2004: 273, Merrick 2007), which can be illustrated with the negotiations of the Lisbon treaty. The British ensured that the provisions would not affect their ability to conduct their own independent foreign and defense policy, which led to the abolition of the title “EU foreign minister” for the new High Representative (Lorca 2007: 7).

As has been shown in the previous Chapter, France and the UK wish to legitimise their own seats by backing Germany’s G-4 proposal, which is followed by a bunch of EU countries including Austria, the Czech Republic, Greece, Latvia and Portugal (Center for UN Reform Education 2008). After all, supporting a powerful country that aspires permanent membership could offer diplomatic or even financial gains in the future without costs incurring (Marchesi 2008: 22). Nevertheless, Italy and Spain would favour an EU seat (Ministry of Foreign Affairs Italy, see Chapter 4) since it would thwart Germany’s ambition for a seat (Roos et al. 2008: 47) and give influence to the entire EU instead of just to the larger and middle range powers that currently rotate more often than the rest (Hill 2005: 37). A permanent seat for the EU is unlikely to be supported by the other permanent members because it would put their own seats at risk and open a “Pandora’s box for regional organisations” (Missiroli 2005: 45).

Furthermore, there are institutional design questions to consider. What would happen to the three non-permanent seats that the WEOG/EEG currently possesses? Is the EU seat compatible with the current regional groupings in the UNGA? Who will lead the EU? Will the EU get a collective veto? One permanent seat would become available and would be

assigned to the African group, which currently has the largest candidate support (80/192) in the UNGA (Center for UN Reform 2008). The three non-permanent seats that come from the WEOG/EEG could each go to the European (non-EU) members and Africa, Asia or Latin America. Whether this will bring a much fairer geographical distribution of seats and effectiveness in the UNSC (Missiroli 2005: 46) could be assessed by a further study. At least these regions would receive seats in exchange so that they could support a permanent seat for the EU. Such a constellation would probably require the WEOG/EEG to find some sort of an internal mechanism so that the EU members would not be elected as non-permanent members in the Council to avoid conflict in representation. Plus a merging of the WEOG/EEG group to one group might be meaningful by a revision of Resolution 1991 (1963) (Missiroli 2005: 45).

The new High Representative for Foreign Affairs and Security Policy could take the permanent seat (European Parliament 2005: 5) once the Lisbon treaty is ratified, which also provides the EU with the essential legal personality (Marchesi 2008: 15). The extension of the veto to new members and therefore to the EU is unlikely to be favoured by the U.S. and Russian Federation (Roos et al. 2008: 48). Since an EU single seat reduces the proportional representation of Europe in UNSC (Hill 2005: 37), it stimulates interesting questions for research, for instance whether it would affect the EU's influence against common threats or ability to balance against US hegemony, and whether if it would alter effectiveness in the EU.

In case a permanent seat for the EU could be agreed on at the cost of compromise in heterogeneous preferences (Frieden 2004), this might not suffice. Either the EU would need to become a federation, or the UN Charter would need to be amended to accommodate supranational and/or regional organisations (Graham 2006: 299). Continuous anarchy could be one of the reasons why this option has failed so far. If the benefits of pooled European representation would outweigh the loss of sovereignty, it could become more likely. Suppose if Italy sees its chance to increase power or improve its security position through a single EU seat, other members could follow. However, since it did not happen so far, not all EU members might see such a benefit.

The *second* option is an additional permanent EU seat beside the British and French ones (The Secretariat 2002: 20). It would maintain European overrepresentation, making it unlikely to be favoured by other regions, like Africa, unless it can get equivalent privileges. Even if France and the UK might agree to such an option, the rest of Europe may not. This option will

reinforce their privileged positions (Marchesi 2008: 26). The second option is likely to be challenged - again - by legal provisions.

### 5.2 Alternative Scenario B: Germany representing the EU as an interim solution

As the G-4 proposal is favoured by a majority of the UN members, Germany could take the permanent seat (without veto) and stand for EU interests. Thus the EU would be represented through a country, circumventing legal obstacles, along with French and British resistance. It should coordinate its tasks with the other EU member states, the new High Representative, the Commission and European Parliament (European Parliament 2005: 5). Germany has voiced its interest in representing EU interests until institutional, legal and political conditions are met (Hellmann and Roos: 2007, Chapter 4). Thus the idea of a single EU seat will be put on ice till at least 2020 assuming another review then might take place (United Nations 2004).

However, this would enforce a leadership of the three big member states in the EU (Marchesi 2008: 25-26) and reduce the number of non-permanent seats allocated to Europe, and therefore also reduce the chance of weaker countries to get a seat (Hill 2005: 37), making it less beneficial for them to agree. The proponents of enlarging the permanent seats would support it, specifically if the proposed extra seats would be distributed to the previous underrepresented regions, involving Asia and Africa. Italy and Spain are unlikely to see it as the most favourable solution, unless all EU members could all agree to some kind of rotation (Hill 2005: 37). Though it might not be accomplished in the permanent membership category, the longer-term seats as listed in the compromise paper might be an option (Chapter 4).

### 5.3 Alternative scenario C: The new High Representative (HR) representing the EU in a longer-term seat

The longer-term seats as suggested by the Uniting for Consensus group in the compromise paper could be supported by Germany and probably several other states or regions, allocated a seat, based on current geo-political realities (see Chapter 4). However, I doubt Germany will support the representation of the EU through a HR; it is rather likely to be interested in its own seat with a possible, but unlikely defence of European interests. Furthermore, like in the

previous scenarios, it is not a truly pooling of sovereignty and therewith, single EU seat. France and the UK would remain in the picture with their permanent seats.

Ultimately, anarchy and/or concern about sovereignty, specifically by the UK, might explain why previous reform attempts - including a permanent EU seat - have failed. By virtue of divergent preferences, legal and institutional obstacles, a single EU seat remains difficult, but not impossible. If EU member states aim at a global role for the EU that is able to combat common threats, they might also wish to increase their representation on the UNSC, regardless of whether this implies having several voices or just one for Europe. The EU and UN should consider that there could be a window of opportunity, allowing both the EU to further integrate CFSP/ESDP and the UN to adjust its membership to the current geo-political realities (Marchesi 2008). Indeed, the UK and France will not give up their seats voluntarily, but they might do in the future if an EU seat would offer a greater influence in world politics. I conclude that for the time being, scenario B in form of an EU representation through member states in accordance with the UN intergovernmental setting with a pre-agreed rotational principle in the EU is the most likely.



## 6. Conclusion

The theoretically oriented paper has asked; *what are the factors that determine the likelihood that the EU would obtain a seat on the UNSC?*

A continuous perception of a common threat, more balancing against US hegemony and/or more homogenous preferences might increase the likelihood of an EU seat. In contrast, continuous anarchy and/or concern about sovereignty might decrease this likelihood. However, there could be other, more favourable conditions determining the EU's chances for obtaining an own seat. I can neither say whether these factors are necessary, nor sufficient for that purpose. They might only play a role.

Depending on the actual development of the factors, all EU seat options might become more or less possible. At present a great majority of UN members appears to prefer the extension of permanent seats or alternatively the creation of seats with longer terms. In the latter category, a rotational principle for the EU might be an option. Still, a permanent seat for the EU could be more beneficial for the Union if it aspires to a new global player living up the rhetoric of a truly common foreign and security policy.

The study encourages conducting further research that could concentrate on the effects of the various EU seat options on effectiveness and representation of the UNSC. Besides, it would be valuable to analyse the effects of an EU seat on European decision-making efficiency and European ability to exert influence in the world. It further stimulates research ambitions that could examine the impact of domestic public opinion, identities and different national leaders' preferences to the likelihood of an EU seat and may allow for empirical measurements.

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