AN ASSESSMENT OF THE USE OF THE VETO POWER IN THE UNITED NATIONS SECURITY COUNCIL (UNSC) ON INTERNATIONAL PEACE AND SECURITY: A CASE STUDY OF LIBYA AND SYRIA

BY

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LEGON JULY 2015
DECLARATION

I hereby declare that this dissertation is the result of original research conducted by me under the supervision of Dr. Linda Darkwa and that no part of it has been submitted anywhere else for any purpose. Additionally, all works that have been quoted from or referred to have been duly acknowledged.

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(STUDENT)                                       (SUPERVISOR)

Date:...........................................        Date:.............................................
DEDICATION

“For everything there is a season and a time for every matter under heaven. He sets a time to plant and a time to pluck up what is planted.” Ecclesiastes 3:1-2

This Project Work would not have been possible without the divine guidance of the Almighty God. I am most grateful and appreciative to my compassionate mother, Evelyn Offei-Addo for all her immense financial and material support. Also, to my dear uncle - Dr. Johnny Koramo, based in the United Kingdom, lovely sister - Lisa and supportive - uncle and aunt - George and Victoria respectively and above all, to all my benefactors for their unflinching love and encouragement.
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<td>AQIM</td>
<td>al-Qaeda in the Islamic Maghreb</td>
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<td>GA</td>
<td>General Assembly</td>
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<td>ICC</td>
<td>International Criminal Court</td>
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<td>ISIL</td>
<td>Islamic State in Iraq and the Levant</td>
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<tr>
<td>MINUGUA</td>
<td>United Nations Verification Mission in Guatemala</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NCLO</td>
<td>National Conference for the Libyan Opposition</td>
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<td>NPM</td>
<td>Non Permanent Members</td>
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<td>P-5</td>
<td>Permanent Five</td>
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<tr>
<td>PRC</td>
<td>People’s Republic of China</td>
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<td>R2P</td>
<td>Responsibility to Protect</td>
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<tr>
<td>ROC</td>
<td>Republic of China</td>
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<td>SNC</td>
<td>Syrian National Council</td>
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<td>UK</td>
<td>United Kingdom</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNEF</td>
<td>United Nations Emergency Force</td>
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<td>UNESCO</td>
<td>United Nations Education, Scientific and Cultural Organization</td>
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<td>UNFICYP</td>
<td>UN Peacekeeping Force in Cyprus</td>
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<tr>
<td>UNPREDEP</td>
<td>United Nations Preventive Deployment Force</td>
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<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
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<tr>
<td>URNG</td>
<td>Guatemalan National Revolutionary Unity (in Spanish: Unidad Revolucionarios Nacional Guatemalteca)</td>
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<tr>
<td>US</td>
<td>United States</td>
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<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
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ABSTRACT

The United Nations Security Council (UNSC) is the foremost organ for the maintenance of world peace and security. The Council is made up of five permanent and ten non-permanent members. The Five Permanent Members are endowed with power known as the veto. Though the Five have the responsibility to promote international peace, security and cooperation in the conduct of international relations and global politics, the notion is that, they employ the veto as a tool for the furtherance of their national interests. But to allow the general interest to prevail (R2P) may plunge the world into total war. The selective and seemingly selfish use of the veto to prevent general/mass action has served to limit wars and prevent a return to another World War. World peace hinges on respect of the critical national interests of the Super 5. Using qualitative means of data collection and analysis, the study interrogates the extent to which the politics of the veto has adversely affected the Council’s ability to effectively perform its mandated role. It focuses particularly on the Council’s response to the Libyan and Syrian crises. Through Expert interviews and literature review of existing works, the study assesses the use of the veto power in the United Nations Security Council on international peace and security – relative to the Libya and Syria crises and establishes that national interest considerations influenced the use of the veto. It concludes that whilst international relations is hinged on the protection of national interests, there is a need to ensure that the permanent five balance their efforts at protecting their national interests even as they work towards guaranteeing peace and security in the world. Following from this, the study recommends that there is a need to reignite the discourse on reforming the Security Council, especially by expanding its membership to make it truly representative. It also recommends that the veto power needs to be suspended in cases where there is large scale, purposeful and conscious killing of civilians and violation of human rights among others. Finally, it recommends that there should always be sincere justification for interventions in countries in order to honour the concept and practice of the norms and values of the Responsibility to Protect (R2P).
CHAPTER ONE

RESEARCH DESIGN

1.1 Background to the Research Problem

The United Nations was formed after the Second World War to protect succeeding generations from the scourge of war.¹ It was to replace the League of Nations, which had failed to promote international peace and security.² In order to avoid the pitfalls that led to the collapse of the League of Nations, the United Nations Security Council (UNSC) was conceived with the veto power wielded by only five members who are permanent instead of the entire members of the Council.³ In addition to the five permanent members, the Council has ten non-permanent members. The permanent members are China, France, the Russian Federation, the United Kingdom and the United States. The ten non-permanent members are elected by the General Assembly for two-year terms.

According to Article 24 of the UN Charter, Member States bestow the principal responsibility of maintenance of international peace and security on the Security Council and agree that the Council, in order to carry out this duty, acts on their behalf. Decisions of the Council are binding on all Member States under Article 25 of the Charter.⁴ Thus, though the other organs of the United Nations can only make recommendations to governments, the UNSC’s resolutions and decisions are legally binding on all Member States under international law.⁵

Since its establishment, the UNSC has used voting as its main medium to decide on issues of international importance. This voting pattern or system indicates members’ stance on issues. In the voting system or pattern, the Charter differentiates between the procedural and non-procedural (substantive) matters. According to Article 27 of the Charter, decisions on procedural matters⁶ will be made by an affirmative vote of at least nine out of the fifteen
current members. On the other hand, decisions on substantive matters will be made by affirmative votes of nine members, “including the concurring votes of the permanent members.” This means none of the five permanent members should vote verses the Resolution. This is what gives the permanent five their veto. The United Nations refer to the rule of the veto as “great power unanimity.”

Determined to avoid the pitfalls of its predecessor organization-the League of Nations, framers of the Charter put in place the unanimity principle, which aimed at fostering unity among the Super Powers as victors of the Second World War. Given that a single veto vote can quash a resolution, there is no gainsaying that harmony among the great powers is essential and therefore emphasizes the need for the prevalence of the “unanimity principle” among the permanent members. Thus within the Security Council is a preserve of the permanent five and not the entire membership of the United Nations. It was believed and envisaged that as long as the great powers remained united in their desire to maintain peace and security and as long as this desire produced a unity of purpose and action, global peace and security would ultimately be achieved. In presenting the UN Charter to the US Senate Foreign Committee in 1945, Edward Stettinius, the then Secretary of State explained that “giving the Great Powers permanent seats in the Security Council was simply recognizing the power facts of life.” He reiterated the belief of the Founders that, the success of the UN was dependent on the unity of the five Great Powers.

However, soon after the founding of the UN, the international system experienced the impacts of the Cold War. In fact, the Cold War split the Super Powers on ideological lines-the United States and its allies on one side and the Soviet Union and its allies on the opposing side. The former was capitalist and the latter was tilted in favour of socialist
tendencies. Divided along the ideological lines, the Cold War became the obsessive preoccupation of members of the Security Council. This affected the exercise of the veto power as members of the Security Council utilized it 240 times between 1946 and 1990. 

In February, 2011, armed violence broke out in Libya due to the actors who were opposed to the regime of the Leader of the Libyan Revolutionary Command Council, Muammar al–Gaddafi that he steps down from power. This violence escalated to a point where it was deemed a threat to international peace and security. One month later, the Syrian crisis erupted after young boys under the age of seventeen wrote on walls calling for the fall of President Bashar al- Assad’s regime. The national security forces of the country responded to what were initially peaceful protests with brutal force, which later escalated into violence.

Deeming the crises in Libya and Syria as threats to international peace and security, the Security Council deliberated on options for the maintenance of peace and security in the two countries and came out with some recommendations. In the case of Libya, the Security Council was to pass a Chapter 7 Resolution that authorized the use of force for the maintenance of peace and stability in the Country. Notwithstanding the efforts of the Security Council, the Libyan crisis is far from over. As indicated earlier, one month after the outbreak of the Libyan crisis, armed violence erupted in Syria. However, despite the reported atrocities being committed in Syria and the threats the ongoing conflicts pose to peace and security of the international community, the Security Council has not been able to issue a resolution to address the Syrian crisis.

A fundamental question that is yet to be answered is why members of the Security Council were able to act in the case of Libya but appear unable to take action in the Syrian case.
Given the general shift towards responsibility as sovereignty and the reference to the normative principle of the Responsibility to Protect (R2P) in the Resolution on Libya, there appears to be inconsistencies in the way the Security Council is handling the Syrian case. The study hypothesizes that the abuse of the veto power and lack of effective cooperation among the permanent five members of the Security Council have negative implications on global peace and security.

1.2 Statement of the Research Problem

Although the permanent members of the Security Council have the opportunity to enhance international peace and security, the perception that has been created is that, the veto power has become a tool for the furtherance of national interests. Over the years, there have been lack of unanimity on a number of issues which have turned to undermine the ability of the Council to achieve its mandate of maintaining international peace and security. Despite the general acceptance of the principle of the Responsibility to Protect (R2P), the politics surrounding the veto has reduced the utility of the principle.

The politics surrounding the use of the veto power due to self-interest of the members of the UNSC or the interests of allies is hampering the effectiveness of the UNSC. The purpose of this study is to investigate how the veto politics in the UNSC has affected the functioning of the Council with respect to peace and security in the Libyan and Syrian crises.

1.3 Research Questions

- What informed the decisions by the permanent five in the Libya and Syria crises?
- How did the national interest of the permanent five affect the safeguard of international peace and security during the Libya and Syria crises?
• What are the implications of the veto power for international peace and security?

1.4 Objectives of the Research

The Security Council is the most powerful organ of the UN system and the most debatable instrument in the Council is the use of the veto power since it has repercussions on international peace and security. Therefore, issues surrounding the existence and the use of the veto are of utmost relevance. Thus, the objectives of this research work proceeds:

• To ascertain the extent to which the veto power is helping to achieve the UNSC’s aim for which it was established
• To establish the extent to which the national interests of states influence the use of the veto and the implications of that on international peace and security.
• To evaluate and analyze the use of the veto in relation to the interests of the permanent five in the Libya and Syria crisis.
• To suggest practical recommendations on the use of the veto to ensure the maintenance of peace and security by the Security Council.

1.5 Rationale of the Study

This study is being carried out at a time when the Syrian crisis is ongoing and the Security Council is yet to reach a consensus on the Country. In the case of Libya, even though the Council passed resolutions in an attempt to restore peace, peace and security, they have not been restored. This study takes place in an era when calls are being made for the Security Council to undergo reforms to enhance its efficiency at ensuring international peace and security. Though ideological differences are not manifestly visible now, there seems to be lack of unanimity among the Super Powers. Another area of interest is how the use of the veto is affecting the effective functioning of the Security Council. Since the actions and
decisions of the permanent five have significant implications on international peace, there is the need for an assessment of the veto, which as has already been established, is the vital tool of the P-5 in taking decisions. This research contributes intellectually to the debates on these cases. Moreover the findings and observations arrived at could help support researchers in the field of International Relations.

1.6 Scope of the Study
The study basically focuses on the use of the veto power by the UN Security Council with regard to the Libyan crisis which started in February 2011 and that of Syria which started in March 2011.

1.7 Hypothesis
The abuse of the veto power and lack of effective cooperation among the permanent five members of the Security Council have negative implications on global peace and security.

1.8 Theoretical Framework
The theory of realism underpins this research. Some of the major proponents of this theory are Kenneth Waltz,14 Robert Gilpin,15 Hans Morgenthau,16 E. H Carr17 and Joseph Grieco.18 The main premise on which realism is built is that, the International system is a state-centric system i.e. dominated by sovereign nations or nation states, and as such, states are considered the most important actors in the international system. In such a system, survival or the maintenance of national security is the major pre-occupation of states. Wars and conflicts however are inevitable in such an international system since the dominant actors of the system are pre-occupied with their security and survival, which usually comprises of their national interests. The application or the use of force and violence are inescapable in such a
system in order to achieve the stated objectives of states as well as gain relative advantage
over others.\textsuperscript{19} Realism therefore interprets world affairs in terms of what states and leaders
actually do; in terms of “what is” rather than “what ought to be.”\textsuperscript{20}

From the works of the above mentioned authors, four main assumptions can be distilled.

a) The international system is a state-centric system; which means the system is
dominated by states which are considered the most important actors in the international system.

b) The state is rational in its decision-making processes. The state pursues goals that
would yield the best possible results after considering all possible alternatives or options.

c) States are unitary actors, thus they act with one voice on the international scene. They
conveniently pursue this objective through the employment of statecraft and diplomacy and locate their preferences authoritatively.

d) There are priorities in terms of goals that states pursue in the international system,
‘high politics’ or ‘hard power’ which are primary pursuits on one hand and ‘low politics’ or ‘soft power’ on the other hand which are secondary pursuits relating to
issues of economics, social welfare, human rights, the environment etc.

The above assumptions help in explaining the problem statement in a number of ways.
Firstly, states pursue their goals for their own benefits or interest. So states, for instance
Russia, China and US among others will take decisions that will suit their own interests hence
the decision of casting their vetoes is likely informed by their interests. Secondly, states are
unitary actors. This is because there is no other actor but states and therefore the actions of
the permanent five in the UNSC represent the importance of states in the international
system. Also, states employ a number of strategies in pursuit of their goals in that Russia and
China’s decisions not to veto in the Libya but rather veto in the Syria crisis may be as a result of priority of interest as stake. Realism also points to the fact that, states who are the dominant actors in the international system are preoccupied with their security and survival and as such take decisions and actions that will inure to the benefits of their national interests as observed in the actions and decisions of the Security Council permanent members which also supports the problem statement.

Theorists of liberalism have however criticized the theory of Realism on the basis of these propositions. Firstly, idealists such as Joseph Nye argues that states are not the most dominant and most important actors of the international system since there are other actors such as international organizations, terrorist groups, multinational and transnational corporations whose decisions and actions have global impacts even on states. Secondly, idealists claim states might not always act rationally since issues of misperception and misrepresentation affect decision-making of the state and its leadership. Furthermore, idealists question the unitary actions of states since there are in existence several non-state actors both within and outside the state whose activities and preferences often impinge on the actions and policies of states. Finally, idealists argue that high politics (pertaining to the military-security nexus) are the most important in the calculation of states action and cannot be justified in the light of the contemporary important economic, social and environment issues (considered formally as low-politics) which occasionally render states powerless.

Notwithstanding the above criticisms, realism serves the purpose of this research. This is because it helps in portraying the dominant nature of states in the international system as well as their importance in addressing issues of global challenges especially those pertaining to international peace and security. In realism, security and survival guide decisions of states in
the international system. For instance, on February 24, 2012, the British Broadcasting Corporation (BBC) reported that “Russia has clear interests in Syria. It has long given military and diplomatic support to the Syrian government. It supplies Syria with many of its guns, tanks and shells. The report also notes that if the Assad regime falls, Russia would lose much of its influence in the Middle East.”

According to Joel Wuthnow, in 2011, China was ranked as Syria’s top trading partner, ahead of Russia. China’s exports to Syria were more than $2.4 billion including communications and electronic equipment, heavy machinery and other important goods. Again, he notes that China has large stakes in Syria’s oil industry. The state-owned China National Petroleum Corporation holds shares in two of Syria’s largest oil firms and has signed multibillion-dollar deals to assist in exploration and development activities. Another Chinese firm, Sinochem, owns a 50 percent stake in one of Syria’s largest oil fields. China has also stepped in as a buyer of Syrian crude in the aftermath of a European Union embargo in 2011. These relationships among these states (Russia, China and Syria) may have accounted for Russia and China’s vetoes against the UN Security Council’s Resolutions on Syria.

On February 18, 2014, the BBC reported on the stance of the other three permanent members of the Security Council – France, the United Kingdom and the US on Syria. According to the report, the three countries want President Bashar al-Assad out of power due to the use of chemical weapons and other atrocities on the Syrian citizenry. Besides, they think the Assad government is exhibiting dictatorial tendencies and abuses the rights of the Syrian people. For the United States alone, Syria is harbouring terrorists. These factors are likely reasons that may have informed the three countries to favour resolutions on Syria within the UNSC.
It is in this vein that Realism will be used to analyze the veto power of the permanent five members of the Security Council and the implications of their decisions and actions on international peace and security, taking into consideration the crises of Libya and Syria as a result of the Security Council’s actions and decisions. Realism supports this research because it helps explain how and why the permanent five of the Security Council take decisions and actions based on their national security and interests, rather than the general interests of the international system. The means to influence decisions in the UNSC is made possible due the existence of the veto power accorded to members of the permanent five in the main organ of ensuring and promoting international peace and security of the international system.

1.9 Literature Review

Since the establishment of the United Nations, a number of books and articles have been written on the Security Council, its veto power wielded by the five permanent members and the use of it. This section reviews some of these scholarly works on the use of the veto power by the United Nations Security Council’s permanent five members, and indicates how they contribute extensively to this research, as well as identifying the gaps that exit in such literature.

Krisch Nico in “The Security Council and the Great Powers” writes on the existence of the Great Powers and how their privileges in the name of the “veto” have been institutionalized and formalized. The author indicates that the great power privileges in the Security Council have received many criticisms over the years but the Council has defended itself against those attacks. With reference to the Cold War era, the writer points out that the Council was “blocked” (in that it could not function effectively) by Super Power positions but beyond the 1990s with the absence of the Cold War, unity was ensured. According to him greater unity
of the permanent members allows them to make effective use of their privileges, and it has also led them to develop informal mechanisms that further strengthen their dominant role.\textsuperscript{28}

The author cites the Iran-Iraq war of 1986 which indicates that, the US and the Soviet Union increasingly conducted informal negotiations prior to Council meetings regularly with the other permanent members being included in the later stages of negotiations. The author further indicates that in the 1990s, most decisions of the Council were prepared in meetings of the P-5 earlier to any debate in the Council and decisions were carried out successfully but this was at the expense of the non-permanent members since it limits their influence. The more the permanent members are able to agree on a common position beforehand, the lesser the opportunity of the non-permanent members to control the decision and as a result, the role of the non-members of the Council has become progressively weaker\textsuperscript{29} even though it is the role of the non-permanent members to legitimize the decisions of the UNSC. A decision will fail when seven members of the Council vote against it. This is inclusive of the non-permanent members. Nico reveals a trend of the emergence of the increasingly central role of “Groups of Friends” with respect to issues before the Security Council. These groups are composed of states with a “particular interest or special weight in a conflict.”\textsuperscript{30} These groups often coordinate operations and also draft Council resolutions. The writer indicates that most elected Council members are normally not part of those groups, and their role in actual decision-making is often reduced to the mere rubberstamping of decisions. The author points that the relationship between the other members of the Council and the great powers appears not to be solid. This is due to the interests of the permanent five. As a result, the Council appears “janus-faced” Thus even though it is a tool of the P-5, it similarly is an instrument for constraining them in the sense that while they have their national interests to protect, the Council’s mandate is mostly not in accordance of their interests hence there is a conflict of
interests. The writer indicates it is very paramount for the P-5 to undertake regular efforts to bolster acceptance of the entire Council’s decisions by trying to reach unanimity among all members and by responding to “procedural critique”. Nico further asserts that implementing Council decisions is still not a routine matter; the Council’s authority is far from internalized. He indicates that reaching a common position within the Council depends however on the extent of diverging interests and points out that the Council is often a great tool for P-5, but sometimes also a trap.

Nico’s analysis is relevant because it contains vital revelations regarding the activities in the UNSC. This work points out how the veto power has brought about conflict of interests. This is due to the fact that, though the permanent members will want to use the veto to pursue their interests, they still have to act in the general interest of the Council—the very reason for which it was set up. However the writer did not indicate how the veto is affecting the functioning of the Council. This work will go beyond the outlook of the writer and ascertain the extent to which the veto power is helping to achieve the Council’s aim for which it was established.

Fassbender Bardo, in his work “All Illusions Shattered? Looking Back on a Decade of Failed Reform of the UN Security Council” explains the original structure of the UN Security Council, as well as the positions of UN member states regarding the composition, size and voting procedures of the council. In addition, he addresses the modifications that have taken place in the council since 1991 and also tackles the question of the permanent membership of the Council. Bardo argues that, though the Security Council is composed of more than five members, the ultimate decision making on voting procedures for maintaining international peace and security is entrusted into the hands of only five members known as the permanent
members of the Council. He accounts that, the ultimate decision making process is embedded in the use of the Veto Power by these permanent members of the Council in deciding when the UN can intervene in situations which could threaten global peace and security. Bardo however asserts that, most of the time, the permanent members of the UN Security Council use their veto power to pursue their national interests at the expense of the general interests of the larger international community. He reveals that:

“this has led to majority of the states of the UN pushing the agenda to curtail or abolish the right of veto of the permanent members (Article 27, paragraph 3) since it is inconsistent with the concept of democracy in the UN and also a mechanism of non-cooperation in a system of collective security which is necessarily rigorous for the maintenance of international peace and security”

Bardo also indicates how persistent and emphatic the permanent five members of the Council have been, in thwarting any such move of reforming the use of the veto as the ultimate decision making procedure for operations pertaining to the maintenance of global peace and security. Of particular relevance to this research, is the contribution of Bardo’s work on the permanent five members and how they use the veto to safeguard their national interest. This work therefore goes beyond the outlook of Bardo and ascertains that if the P-5 by protecting their national interests still carry out the Council’s mandate.

Sahar Okhovat, in his work “The United Nations Security Council: Its Veto Power and Its Reforms,” explains “how the permanent five members of the UN Security Council (namely USA, UK, Russia, France and China) have the ability to quash any non-procedural matter with their negative vote (Veto Power) irrespective of its level of international support”. He reveals that this has generated several criticisms against the Council which includes its small size and exclusive nature, the relation of the Council with the General Assembly, its working methods as well as its undemocratic structure. He explains that the permanent five members have used the veto power in accordance with their national interests which is parallel to the
initial reason for which it was included in the Charter: which is preventing the UN from taking direct action against any of its principal founding members. He also asserts that, a critical assessment of the use of the veto reveals that although it has been sparingly used in the past two decades after the end of the Cold War, it has often been to pursue the interests of the permanent five members of the Security Council. In a tabular format, he demonstrates how 15 of the 24 vetoes exercised in the last 20 years have been by the US to protect Israel which is a great ally. He concludes by stating that, “the undemocratic privilege of the permanent five due to their use of veto combined with other flaws of the Councils has led to several calls for reform of the Council.” Okhovat’s work is very vital and has great contributions to this work. This is because the writer makes mention of national interest affecting the core mandate of the Council and categorically mentions that the veto has been used sparingly by the P-5 after the end of the Cold War. The work helps to deal with the question of national interest and the original mandate of the Security Council. This is relevant to evaluate and analyze the use of the veto power in relation to the interests of the permanent five in the Libya and Syria crisis.

Fakiha Mahmood, in his work “Power versus the Sovereign Equality of States: The Veto, the P-5 and the United Nations Security Council Reform,” identifies that, the United Nations Security Council is the centre of international security system. He also explains that the binding nature of the decisions of the Council on all members of the UN further enhances the importance of the Council. He however posits that limited membership and the principle of the veto concentrated in the hands of the permanent members of the Council have led to the pursuit of national interests at the expense of global interest. This he claims has called for several reforms of the Council. The author argues the attitudes of the permanent members of the Security Council have not been favourable to such reforms. He also suggests that the
The seemingly lack of consensus among the rest of the world has also prolonged the reforms from coming into being.\textsuperscript{45}

The above works contribute to this research by illustrating how the United Nations Security Council has been charged as the global architect for ensuring and maintaining global peace and security. They also reveal how the permanent members of the Security Council have been empowered more than other members of the Council and the General Assembly as a whole through their use of the veto power in taking final decisions concerning mechanisms to intervene in matters threatening global peace and security. It is also relevant because it makes an assessment of the veto power of the United Nations Security Council on international peace and security.

Notwithstanding the immense contribution of the above works to the topic, they all have a common gap by failing to assess how the use of the veto power by the permanent five members of the UN Security Council in the Syria and Libya crises have implications on global peace and security which is the core mandate of the Security Council. This gap is what this study seeks to fill to contribute to knowledge in the area of studies under the UN Security Council. Their failure to assess the Libya and Syria crises may be due to the fact that for some of them their works predate those crises and this work fills that gap.

In “Security Council reform: A New Veto for a New Century?”\textsuperscript{46} Jan Wouters and Tom Ruys maintain that apart from the Council’s composition, one of the traditional stumbling blocks has been the existence of the veto power of the Council’s permanent members, which enables the so-called P-5 to block any resolution that is not merely procedural in nature.\textsuperscript{47} The work was done in the post-Cold War era and the authors observe that the veto power is considered
unjust by majority of states and it is considered to be one of the main reasons why the Council failed to respond adequately to humanitarian crises such as that of Rwanda and Sudan (Dafur region). The reasons that underpin the use of the veto power by states ‘is hampered by the fact that states often fail to provide clarification of their exact motives for casting a veto vote’. Wouters and Ruys note that the exercise of the veto has frequently worsened rivalries, rather than promote unity. This is manifested when the interests of any of the P-5 members are at stake. Wouters and Ruys write that permanent members sometimes use their privilege to shield their allies, with whom they maintain close economic and diplomatic relations, from condemnation or imposition of economic sanctions. This sends out wrong signals that, states that are allies to even one of the P-5 members can get away with recurrent human rights violations and/or unlawful military incursions into neighbouring states. This development confirms the fears of most states especially developing countries’ apprehension toward this reserved privilege of the P-5. In effect it undermines the maintenance of international peace and security. In this regard, they argue that “the veto should at all times be supported by the substantial motivation, explaining the reasons why resolutions would affect the vital interests of the Security Council members in question”.

It is clear that majority of the UN members support the abolition of the veto power, however, this raises a very important and nagging question; to what extent will world peace be achieved without such a prerogative? And more importantly to what extent will decision-making be enhanced if the UN systems operate on the principle of absolute consensus?

On the argument for the expansion of the veto powers to some other proposed states opting to join the Security Council, the arguments have been divergent. As noted by Wouters and Ruys, states such as Germany, Japan, India and Brazil have argued that the veto powers must
be extended to other members proposed to join the Security Council. Russia and France maintain this position, as well as the AU and the League of Arab States. On the contrary, the United States argues that the veto power should remain with the P-5. It is worth pointing out that the horizontal extension of the veto powers may not necessarily enhance efficiency or legitimize its exercise; however, it may deepen the Security Council’s paralysis. Wouters and Ruys conclude that in spite of the problem with the veto power and its exercise, “non-permanent members of the Council should abandon the claim that the veto has become obsolete since the end of the Cold War” and recognize that “trying to get rid of the veto is like trying to get rid of politics”. These states, Wouters and Ruys further posit, have to admit that the UN cannot function properly without the support of the world’s powerful states. Therefore, safeguarding the essential interest of the latter states is a necessary price to pay.49

Anna Spain, in her work, “The U.N. Security Council’s Duty to Decide”50 makes a case for the UNSC’s endowment with obligatory powers within its mandate to take decisions when faced with global crisis.51 She argues that even though the UNSC is the only body with legal authority to take decisions, the UN rules does not spell out clearly how these obligations are/should be exercised. She therefore seeks to address the procedural gap that to her engenders dysfunction: namely “the absence of clear rules for when and under what conditions the Council is obligated to make decisions”52 To Spain, any reforms particularly concerning the veto power must come from members of the Council. She maintains that three issues are critical to the UNSC; firstly, the duty to decide, which she argues, requires the Council to take up decisions about whether or not it will take an action in crises under its jurisdiction. Secondly, the duty to disclose, which would require the Council, when it takes no decision in a particular situation, to publicly disclose its reasons for not doing so. Finally, the duty to consult would obligate the Council to take reasonable measures to consult those
nations, and the people therein affected by decisions falling under Chapter 7 of the Charter regarding sanctions, intervention, and the use of force. Spain asserts that, dealing with procedural issues is more like a first step towards addressing substantive issues in the UNSC. When procedural issues are dealt with, she notes, it would enhance the deliberative acumen of the UNSC. According to her, “reforming the UNSC is a process that must be led by the Council itself, specifically by improving the procedures by which it operates”. Spain therefore does not locate the problems with the UNSC within the existence of the P-5 and the veto powers per se, but the lack of the existence of a defined and predictable decision making procedures within the UNSC. This study nonetheless addresses that gap.

Without mincing words, Anna Spain in her article “Deciding to Intervene” notes that “decisions about intervention in today’s armed conflicts are difficult, dangerous, and politically complicated.” She admits that there are no safe choices; hence, in the climate of urgency and uncertainty, international law should guide the decision to intervene. It is a recognized aspect of international law that states must only go to war or intervene for collective self-defence. Quite apart from the fact that, the UN Charter places an enormous task on the UNSC to decide intervention in times of war or breach of the peace, Spain observes that “what the rules do not provide however, is effective guidance for political choices the Council makes, such as how to prioritize among competing norms”. The sheer lack of clear guidance on how to make decisions in the UNSC on an important matter like international security obviously makes the process highly subjective and discretionary. On this note, the argument that “international law has become an after-the-fact justification for whatever decision is made or that it has no influence” has been strongly advanced. On the contrary, Spain believes that international law informs political choices. She notes further that the idea of law’s purposive intent—that its rules and norms should be interpreted in light of
their object and purpose—is rooted in legal process theory. Under this approach therefore she asserts that any decision to intervene must have as its overriding purpose, the promotion of peace. The difficulty in accepting Spain’s position is that her argument situates the decision to intervene in a normative argument—what ought to be—with her use of the phrase ‘must have’. Practice has shown that not all interventions authorized by the UNSC have achieved long-term peace. 57 Again, once decisions to intervene are highly political with no clear cut procedures as to how to make them, subjectivity is likely to bring into play, resulting in self-interested decisions. Besides, Spain indicates that “intent and purpose” alone are not enough to assess how decisions are made by the UNSC and to test the legality of rules and norms. Spain concedes that, what constitute ‘peace’ still remains a nebulous subjective. Again she opines that “the purposive intent approach will require reforming how decisions about intervention are made in the Council, as well as who gets to make them”.

This study will therefore move beyond the normal practice of when to intervene and look at other factors that tend to influence how decisions are arrived at in the UNSC.

1.10 Methodology and Sources of Data

This study makes use of the qualitative research method and data was obtained from both primary and secondary sources. Characterized by its aims, which aims at shedding light on some aspects of social life, its methods seek to generate ideas for data analysis and thereby provides opportunity for probing. 58 Given the technical nature of the study, it was imperative to ensure that the method of data collection and analysis provided sufficient room for exploration so as to guarantee that the fundamental issues that underpin the behaviour of the permanent five in relation to the use of the veto could be empirically explained.
The study relied heavily on a review of existing literature to identify existing facts on the use of veto by the permanent five members of the Security Council in promoting international peace and security, where they failed to achieve this all-important goal and how they can improve on their actions and decisions to achieve their purpose. Through content analysis of the information obtained, trends on the use of the veto were established. To better understand the issues generated through the content analysis, expert interviews were also conducted with diplomats who had served at the highest level in the United Nations system or in the area of foreign policy formulation.

Two former Ghanaian Ambassadors and a Counsellor at the Permanent Mission of Ghana were interviewed. Ambassador Nana Effa Apenteng and Ambassador Leslie Kojo Christian who had both served as Ghana’s permanent representatives to the UN and served as non-permanent members of the Security Council were critical to the study because they were both representing Ghana in 2006 at the UN when the vote expanding the UN’s mission in Sudan to include Darfur was passed. As Ambassador during that period, Nana Effa Apenteng was interviewed to shed light on the dynamics that influenced the passage of vote on Resolution 1706. Having served as President of the Security Council for the month of October 2007, Ambassador Leslie Kojo Christian was also interviewed to gain insights into some of the intricate negotiations that happen on the Council between the permanent five. The Counsellor, Mr. Harold Agyemang who served at the UN from 1995 – 2001 was responsible for Ghana’s desk on the UNSC. He therefore had the opportunity to monitor proceedings of the Council in its Chamber and has an in-depth knowledge of how the veto power has been cast over the years by the P-5 members.
Finally, Dr. Daniel Joseph Fennell, a Counsellor for Public Affairs at the US Embassy who has been involved in crafting the US’ foreign policies for close to two decades was also interviewed. This was to obtain insights into America’s behaviour with regards to the use of the veto.

1.11 Limitations of the Study

Without doubt, the study would have benefitted from an interview with a Russian diplomat with comparable experience. However, the exigencies of the situation did not make this possible. It is therefore recommended that any future study in this area considers such an interview. This limitation however did not significantly affect the ability of the method chosen to effectively interrogate the problem stated and respond to the research questions of the study.

1.12 Arrangement of Chapters

Essentially, the study is organized into four chapters.

Chapter one comprises of the introduction and research design.

Chapter two deals with an overview of the veto power of the United Nations Security Council (UNSC).

Chapter three presents an overview of both the Libya and Syria crises and actions of the Security Council in both countries. It further analyzes the response to the crisis by the UNSC, the politics surrounding the use of the veto by the Security Council and its implications on international peace and security.

Finally, Chapter four concludes the dissertation with the summary of findings, conclusion and recommendations.
Endnotes

2 The League of Nations was formed on January 10, 1920 to prevent a devastating war after the First World War. It was aimed to maintain universal peace within the framework of the fundamental principles of the Pact accepted by its Members and to develop cooperation among nations and to guarantee them peace and security. The League failed because of separation of members, lack of willingness by Super Powers to join and lack it its ability to avoid a second World War.
3 Meisler, Stanley, op. cit.
5 Ibid.
6 Procedural issues or matters refer to rules of procedure in the UNSC. That is how things are supposed to be done.
7 Substantive matters or issues refer to matters that serve as a threat to international peace and security and therefore requires the consent of the P-5.
11 Ibid. p.3.
19 Morgenthau, Hans, op. cit.
20 Ibid.
22 Ibid.
28 Ibid.
29 Ibid.
30 Ibid., p.5.
31 Ibid.
32 Ibid.
34 Ibid.
35 Ibid.
36 Ibid., p. 3
37 Ibid.
38 Okhovat, Sahar, op. cit.
39 Ibid. p. 4
40 Ibid.
41 Ibid.
42 Ibid., p. 58
43 Ibid.
45 Ibid.
47 Ibid.
48 Ibid.
49 Ibid.
51 Ibid.
52 Ibid., p. 5
53 Ibid.
55 Ibid., p. 1
56 Ibid.
57 The intervention of the UNSC in the 2011 Libyan civil war has not brought about peace. Others examples are the Rwanda and Somalia crises.
CHAPTER TWO
AN OVERVIEW OF THE VETO POWER IN THE UNITED NATIONS SECURITY COUNCIL (UNSC)

2.0 Introduction

This chapter provides a broad overview on the veto power and its role in the UNSC system while presenting a background to its inception and implementation. Its relevance among other key issues will also be discussed in this chapter. The Chapter highlights the decision-making process of the Council, selected uses of the veto by the P-5 and a table to give a clue about how it has been cast from 1946 to 2012. In order to make the selected uses of the veto more comprehensible, there is a catalogue of the veto used by China, France, the Russian Federation, the UK and the US respectively. Finally, it concludes by stressing on most recent trends in the use of the veto.

2.1 Background- UN Veto Power

The United Nations as an international body for peace and security performs the pivotal task of maintaining peace and security through its central organ-the Security Council. As stated in Chapter 1 Article 24 Chapter one, the Article 24 of the UN Charter states that the Security Council is provided with the legal standing and a well spelt out mandate on its duty of maintaining international peace and security. Under Article 25 of the Charter, member states are supposed to accept the decisions and actions of the Council. This is because members have agreed that actions of the Council are on behalf of the entire membership of the UN. The Council is headed by a President and the presidency is held in turns by the members of the Council in the English alphabetical order of their names. Each president holds the office for one month.
Apart from the Security Council, the UN has other principal organs such as the General Assembly, Economic and Social Council, Trusteeship Council, International Court of Justice and the Secretariat. While these organs can make recommendations to member states, the UNSC is the only organ capable of issuing resolutions that are legally binding on all member states.\(^3\)

Depending on the issue under discussion, the initial strategy employed by the Council in its resolution of disputes is to recommend to parties to reach an agreement through peaceful means. The Council may appoint special representatives or ask the Secretary-General to appoint special representatives for the resolution of disputes. The UNSC also employs ceasefire directives, deploys UN peacekeeping forces and in certain situations, mandate enforcement actions such as economic sanctions or collective military action. Other responsibilities of the Council comprises of the recommendation of the admission of new members and the appointment of the Secretary-General to the General Assembly of the United Nations (UNGA). The Security Council together with the General Assembly is also responsible for electing the judges of the International Court of Justice.\(^4\)

The only organ with the authority to give authorization for compulsory measures necessary to restore peace and security is the UNSC.\(^5\)

The Council consists of fifteen member states: five permanent members—China, France, Russia, the United Kingdom, and the United States (the P-5)—and ten non-permanent members (NPM) who serve for two-year terms. The Council does not operate in a vacuum but relies on legal instruments including its provisional rules to function authoritatively in its decision-making framework.\(^6\) Meetings of the Security Council may take many forms, including public meetings (for which official records are published) and private meetings (for which the Secretary-General keeps one unpublished copy of the official records).\(^7\) To make the Council function, members engage in informal consultations that are exclusive to them, informal interactive discussions, and other forms
of meetings to which non-Council members may be invited but would not be able to take part in the decision making.

In some cases, the Council makes decisions in the form of non-binding written statements issued after informal consultations that have resulted in a consensus. The President of the Council in normal cases issues statements on behalf of the Council. Although these statements are nonbinding, they can have a legal effect, especially in cases where the UNSC is able to determine that a state has violated its obligations under international law. The Council is able to reduce some of its responsibilities in decision-making by delegating its own authority to a subsidiary body. In such a case, the Council deems that, that subsidiary body is better suited to make decisions on a particular matter.

The above mentioned issues make the Council a peculiar body within the global body – the UN. The special nature of the UNSC is further strengthened by the fact that the Charter gives some extra privileges to the permanent members. Amongst these privileges is the “veto power.” The veto power is the pride of the p-5 and distinguishes them from the non-permanent members of the UNSC. In order to give credence to the Council’s decisions, all the permanent members need to show acceptance or rejection either by the use or non-use of the veto power.

It is insightful to note that, the concept of the veto is not necessarily a new phenomenon that can only be attributed to the time the UN was formed in 1945. It can be traced to the period the League of Nations was established in the 1920 when world leaders provided for such a system. Under the League, all members of the League’s Council whether permanent or non-permanent members had the power to veto on any non-procedural issue or matter. In the
early stages of the League, there were four permanent and four non-permanent members, but in the case of the non-permanent members, by 1936, the number had increased to eleven totalling fifteen vetoes.\textsuperscript{12} Article 108 of the League’s Covenant adequately mandates each permanent member with a trump card that can overrule any efforts to weaken its formal power, although virtually all of the other member states criticize the veto as not equitable.\textsuperscript{13} Due to the fact that all members of the League’s Council had the power to veto, it made taking decisions in the Council difficult and this led to its collapse.

Upon forming the UN after the collapse of the League of Nations, the founders were careful to avoid the mistakes of the past and so modified the concept of the veto in terms of how many member states could exercise it. Unlike the League’s Council where all fifteen members could exercise the veto, the UN Security Council has only five members (the permanent five) who wield the power of the veto and therefore are the only members who could exercise it.

It was also important to establish that the veto would be used essentially to promote and protect international peace and security, rather than to derail it. And so a lot of diplomatic engagements were held to agree on the principle of unanimity in the exercise of the veto. These involved the Dumbarton Oaks (August–October 1944), the Yalta (February 1945)\textsuperscript{14} and the San Francisco (April and June 1945) conferences. From the onset, it was clear that the victorious states, the United Kingdom, the Union of Soviet Socialist Republics, the United States and France, all favoured the use of the veto and this was not only in their desire to act together but also to protect their own sovereign rights and national interests.\textsuperscript{15}
In fact during the early stages of the United Nations, the question of the veto became controversial in the major aspects of the whole negotiations, and that threatened to quash the formation process at some points.\textsuperscript{16} Between April 25 and June 26 in 1945, negotiations at the San Francisco Conference saw numerous states particularly small ones protesting against the privileged positions of the permanent five as victors of the World War II as a form of victors’ justice and deemed this dominant role as unacceptable violation on the sovereign equality of States. However, the P-5 made it clear that the “complete and unconditional acceptance of the permanent membership and the veto power was a “conditio sine qua non” for their participation in the – the new world organization”\textsuperscript{17}

Indeed, the great powers were convinced that, they should permanently play a dominant role in decision making in order to make the new world body effective. \textsuperscript{18} Again, the veto was needed to rule out the possibility that the entire Council will make decisions that will go against the will of any of the permanent members. The P-5 members gave assurance to countries that despite the existence of the veto, the operation of the Council would not be subjected to the impediment as was in the case of the League of Nations, where unanimity among all members was required.\textsuperscript{19}

Despite all of these assurances, there was no consensus on the use of the veto among the founding members of the UN and Article 27, which cautiously avoids the term ‘veto’, was put to a vote for consideration. It was adopted with 30 votes in favour, 2 against, and 15 abstentions during the Conference. \textsuperscript{20} Australia called for an amendment, which sought to avoid the use of the veto in matters relating to peaceful settlement of disputes, but it was rejected at the San Francisco Conference by 20 votes against 10 while 15 states abstained
when the votes were cast. France had also earlier suggested a restriction of the veto power in May 1945 but abandoned this position when it gained a permanent membership status.

It is insightful to note that although present in practice, there is no explicit mention of the veto in the Charter. Over the years there have been calls for the reconsideration of the veto since analysts say the veto is the most sensitive element and has had implications on the Security Council in general, making it the most contentious organ of the United Nations. Moreover, the veto remains one element which is making it difficult for reform; the reason which is appears to be the P-5’s vested interests in preserving power and because no provision in the charter requires them to give up power or that right. Nevertheless the veto is crucial, since it has ensured the survival of the UN since its formation in 1945.

2.2 The Decision Making Process of the UNSC

As mentioned earlier the United Nations Security Council "power of veto" refers to the special powers wielded solely by the five permanent members of the United Nations Security Council that enables them to prevent the adoption of any "substantive" draft resolution, regardless of the level of international support for the draft. It is a privilege meted out to the permanent members for the key role they played in the formation of the United Nations. Again it is to ensure the full participation of the Super Powers in the global body.

The veto does not apply to procedural votes, which is significant, in that the Security Council's permanent membership can vote against a "procedural" draft resolution, without necessarily blocking its adoption by the Council. The veto is indeed exercised when any permanent member casts a "negative" vote on a "substantive" draft resolution. Abstention or
absence from the vote by a permanent member does not prevent a draft resolution from being adopted.\(^{25}\)

It is the voting procedure enshrined in the United Nations Charter that solidifies the veto power.\(^{26}\) Paragraphs 2 and 3 of Article 27 of the United Nations Charter reads as follows:

2. Decisions of the Security Council on Procedural matters shall be made by an affirmative vote of nine members.\(^{27}\)

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members.\(^{28}\)

There are two types of vetoes – double and hidden vetoes. According to Hans Koechler, the phenomenon of the “double veto” refers to the influence the permanent members have with regard to the classification of an issue as being procedural or substantive.\(^{29}\)

Moreover the veto power can be exercised in an informal manner in the UNSC. This is called the ‘hidden veto’. The hidden veto is actually when permanent members threaten to use their veto if a certain measure or statement is put to vote. This is normally done informally behind closed-door consultations, rather than in open meetings.\(^{30}\) Since the hidden veto is exercised behind closed- door meetings, it is sometimes difficult to know which states use it but it is not too problematic in assessing its implications on the work of the Security Council. Although it is often behind closed- door sessions, over the years, it has been leaked severally. It is therefore possible to glean, (even if one cannot rely on that solely) the pattern. During the deliberations on Ukraine, it was known that Russia had signalled its intent to veto any resolution that called for the use of force of any kind. According to Okhovat, Sahar, the
initial aim for the inclusion of the veto power in the Charter was to prevent the UN from taking direct actions against any of its principal founding members. This veto power, according to Okhovat has been responsible for the silence or inaction of the Security Council on some major international conflicts including the 2003 Iraq War, the 2008 conflict in Georgia and the 2009 massacre of Sri Lankan Tamils. Again, although the conflict between Israel and Palestine is on the agenda of the Security Council, the Council has not succeeded in condemning the violence and settlement activities through issuing resolutions.31 This is due to the fact that resolutions on that conflict have been vetoed many times, preventing the Council to take actions.

2.3 Selected Uses of the veto by the Permanent Members

Taking a look at the use of the veto, there has been a certain trend over the years. The USSR/Russia (128) and the US (83) have used the veto often than the other permanent members. The United Kingdom is 32, France 18 and China 10. For China, nine of the 10 were cast by the People’s Republic of China (PRC) after it replaced the Republic of China (ROC) on October 25, 1971. There have been 33 cases in which multiple vetoes have been cast during a vote. The USSR/Russia and the PRC have cast joint vetoes six times. Five of those have occurred not long ago particularly since 2007. These resolutions include Myanmar (S/2007/14), Zimbabwe (S/2008/447) and Syria (S/2011/612, S/2012/77 and S/2012/538). France, the UK and the US have concurrently vetoed 13 draft resolutions, during the Cold War. Ten of the 13 vetoes blocked condemnation against the apartheid regime in South Africa. In addition, the UK and the US have jointly cast 10 vetoes, also all during the Cold War. France and the UK have only twice jointly cast vetoes, both during the 1956 Suez crisis (S/3710 and S/3713/Rev.1). France and the USSR cast one joint veto on
June 26, 1946 on the question of whether the “Spanish Question” was a substantive or procedural issue (S/PV.49).32

On March 17, 1970, the US cast its first veto; about 112 draft resolutions had already been vetoed. The USSR was responsible for 108 of these vetoes. A significant number of these vetoes—about 51 were used to block the admission of new member states as the USSR sought to assert its authority in the UN during the Cold War. Other permanent members have been reserved in using the veto to block admissions, with the US vetoing six times and the ROC and PRC one each. The application for membership of the Socialist Republic of Vietnam was also quashed by the US, on November 15, 1976 with the resolution tag S/12226. The US cast its first veto in 1970 and has since become a dominant user of the veto. Also Russia has used the veto about 20 times but the US has cast 42 sole vetoes to stop condemnation of measures against Israel or block support for Palestine. In the post-Cold War era, issues related to Israel/Palestine remain one of the very few areas in which France, the UK and the US have demonstrated significant voting divergence.33

It is worth noting that, neither France nor the UK has publicly used the veto since they last did so on 23 December 1989 (S/21048) in tandem with the US to prevent condemnation of the US invasion of Panama. China, which historically, was not a regular user of the veto, is increasing its pace - casting seven of its nine vetoes since 1997. These include its five joint vetoes with Russia since 2007, as well as sole vetoes regarding Guatemala and Former Yugoslav Republic-Macedonia, respectively. The veto was most recently employed on 19 July 2012 by China and Russia on a draft resolution threatening sanctions on Syria (S/2012/538).34
Although the veto power has been used by the permanent five members over the years, it has not been used in all cases of the UNSC. Since the use of the veto power is the privilege of the P-5, the use of the veto is also at their discretion—thus they decide when to use it and when not to use it. The following talks about some instances in which the veto power has been exercised. It is important to know some of those instances in order to know that all the permanent members have exercised the veto power one time or the other and these permanent five members have exercised the veto for various reasons. The Libya and Syria crisis have been selected since the two cases started around the same period in 2011. There was therefore the need for the attention of the UNSC to intervene in these crises in the Middle East.

From the below, all members of the P-5 have exercised the veto power on several occasions. From the period between February 16, 1946 to December, 2012 the veto power has been cast publicly271 times. During the Cold War era, the Union of Soviet Socialist Republics (USSR) or the Russia Federation was the regular user of the veto power. The US was the second dominant user of the veto power in the Cold War era but has assumed full dominance of its usage after the Cold War.35

It is important to note that the analysis on the table below is from 1946 to 2012. It excludes 2013 and beyond.
Table 1: Use of the Veto by the Permanent five members from 1946-2012

<table>
<thead>
<tr>
<th>Period</th>
<th>United States</th>
<th>Russian Federation (USSR)</th>
<th>China</th>
<th>France</th>
<th>United Kingdom</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1946-1955</td>
<td>-</td>
<td>80</td>
<td>1</td>
<td>2</td>
<td>-</td>
<td>83</td>
</tr>
<tr>
<td>1956-1965</td>
<td>-</td>
<td>26</td>
<td>-</td>
<td>2</td>
<td>3</td>
<td>31</td>
</tr>
<tr>
<td>1966-1975</td>
<td>12</td>
<td>7</td>
<td>2</td>
<td>2</td>
<td>10</td>
<td>33</td>
</tr>
<tr>
<td>1976-1985</td>
<td>34</td>
<td>6</td>
<td>-</td>
<td>9</td>
<td>11</td>
<td>60</td>
</tr>
<tr>
<td>1986-1995</td>
<td>24</td>
<td>2</td>
<td>-</td>
<td>3</td>
<td>8</td>
<td>37</td>
</tr>
<tr>
<td>1996-2003</td>
<td>8</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>10</td>
</tr>
<tr>
<td>2004-2012</td>
<td>5</td>
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2.3.1 China

Between 1946 and 1971, the occupant of the Chinese seat in the Security Council was the government of the Republic of China. It retreated to Taiwan in 1949. The Republic of China used its veto only once by blocking an application for the membership of the Mongolian People’s Republic on December 13, 1955. This was because the Republic of China considered Mongolia to be part of China. Mongolia was later admitted into the United Nations system in 1960 after the USSR indicated its preparedness to block all admissions of newly independent African states if Mongolia was not admitted.36

The People’s Republic of China took over China’s seat in the Council in 1971 after the expulsion of the Republic of China. On August 25, 1972, the People’s Republic of China cast first veto relating to Bangladesh’s admission to the United Nations.37 Bangladesh was born as
a result of the December 1971’s India-Pakistan war, which Pakistan lost. The new nation was carved out of former East Pakistan, a province separated from Pakistan by 1000 miles on the Indian Territory. The Soviet Union supported India in the war whiles China backed Pakistan. The proposal that sought to push for Bangladesh’s membership was sponsored by the Soviet Union, India, Yugoslavia and Britain. There were 11 votes in favour and three abstentions. The United States voted with the majority of the 15 Council members in favour giving the young country UN membership status but China vetoed having failed earlier to obtain an indefinite postponement of the Council’s debate on whether to accept Bangladesh or not. China vetoed with an attack on the Soviet Union, accusing the Russians of acting on the world stage with “with honey in their mouths and daggers in their heart”.

In 1973, the People’s Republic of China joined the USSR to veto a resolution for a ceasefire in the Yom Kippur War. China’s resort to the use of the veto symbolizes to a large extent, the fear of losing its control over Taiwan. From the Chinese viewpoint, Taiwan is a question that bears upon China’s sovereignty, territorial integrity and the cause of national integrity. In this view, China considers any action which contradicts its interest as interfering with its internal affairs, therefore some resolutions vetoed by China demonstrates the extent to which it is determined to maintain power over Taiwan and any state that is perceived as interfering in this objective is punished through the veto.

On January 10, 1997, China vetoed on the Security Council resolution that authorized the assignment of a group of 155 military observers and requisite medical personnel to the United Nations mission for the verification of human rights and of compliance with the comprehensive agreements on Human Rights in Guatemala (MINUGUA). The Resolution S/1997/18 was for a period of three months.
the agreement on the definite ceasefire which sought for the separation of forces, disarmament and the demobilization of the Unidad Revolucionarios Nacional Guatemalteca (URNG). Another duty was to oversee the peace agreement in Guatemala. The blocking of this resolution by China was in line with the fact that Guatemala had just established diplomatic relations with Taiwan.\textsuperscript{41}

China on February 25, 1999 vetoed against a draft resolution S/1999/201. The draft resolution was aimed at extending the mandate of the United Nations Preventive Deployment Force (UNPREDEP). The Force was monitoring the border areas of the Former Yugoslav Republic of Macedonia for a period of three months. The extension would have helped the Force to continue with the monitoring exercise and also to report other prohibited activities. China indicated its disapproval by casting its veto vote for the purpose that Macedonia had established diplomatic relations with Taiwan. China repeatedly blocked peace keeping effort in Haiti by threatening to veto further extension for the small peacekeeping force in that Country because of the suspicion of financial and diplomatic ties with Taipei.

On January 12, 2007, the People’s Republic of China in conjunction with Russia vetoed against Resolution S/2007/14 concerning human rights records of Myanmar (Burma).\textsuperscript{42} Again, on July 12, 2008 China with Russia vetoed sanctions against Zimbabwe. This draft resolution was captioned as S/2008/447.\textsuperscript{43} The draft resolution would have imposed an arms embargo on the Country, as well as a travel ban and financial freeze against the President of Zimbabwe and 13 senior Government and security officials considered responsible for the violent crisis before, during and after the Country’s March 29, 2008 elections that saw President Mugabe maintain power. The draft text sought to determine, under Chapter 7 of the United Nations Charter, that the situation in Zimbabwe posed a threat to international peace
and security in the region, and demanded that the country’s Government immediately cease attacks and intimidation of opposition members and supporters, while beginning a substantive and inclusive political dialogue between the parties with the aim of arriving at a peaceful solution that reflected the will of the Zimbabwean people and respects the results of the elections.  

China and Russia on October 4, 2011 voted against sanctions against Syria. On February 4 and July 19, 2012 China and Russia vetoed the draft resolutions S/2012/77 and S/2012/538 calling for foreign military intervention in Syria. (The vetoes on Syria are discussed in detail in Chapter Three since this work focuses on Syria). As at December 2012, the People's Republic of China had used its veto eight times, fewer than other permanent members within the UNSC. It appears observers have noted a preference for China to abstain rather than veto on resolutions not directly related to Chinese interests.

2.3.2 France

It would appear that France uses its veto power cautiously. On October 30, 1956, France cast its first veto but did not do it alone. It vetoed with the United Kingdom in the draft resolution S/3710 which was later amended as S/3713 concerning the Palestine question. The resolution sought to call for the immediate cessation of military action by the Israeli army against Egypt in 1956 during the Suez crisis. The Suez Crisis was an invasion of Egypt in late 1956 by Israel, followed by Britain and France. The aims were to regain Western control of the Suez Canal and to remove Egyptian President Gamal Abdel Nasser from power. The invasion started, following the nationalization of the Suez Canal by the then Egyptian President. Israeli forces, aided by Britain, and France invaded Sinai and occupied much of the peninsula within few days.
The Egyptian President announced the Egyptian nationalization of the Suez Canal and its operating Suez Canal Company in retaliation to the break of promise made by the American and British Governments to finance the construction of the Egyptian Aswan Dam at an amount of about 70 billion Dollars. The Suez Canal represented the main source of supply of oil for Britain and France and the potential loss of those supplies represented an economic threat that the two countries could not ignore.\textsuperscript{49} The Suez Canal Company is a joint British-French enterprise, which serves an economic interest of the two countries.

The UK and France claimed that the nationalization was a violation of international law because the Suez Canal had been granted to the Canal Company in 1858 by the Viceroy of Egypt, which at the time was under the Ottoman suzerainty and that the company’s concession was supposed to end in 1968. However, analysts say it was within Egypt’s sovereign rights under international law to end the agreement with the Canal Company. According to them both Britain and France were aware that the nationalization of the Suez Canal was not enough justification for the military intervention.\textsuperscript{50} Following the Israeli invasion, the United Nations Security Council met at the request of the US on October 30 but France and the UK vetoed the draft resolution asking for the Israeli withdrawal. France’s veto was to serve its economic interest since the nationalization of the Suez Canal will avoid it to have access to oil, besides it had shares in Suez Canal Company.

On October 30, 1974, France together with United Kingdom and the United States vetoed draft Resolution S/11543 concerning the relationship between the United Nations and South Africa. The resolution sought to expel South Africa from the United Nations as a Charter member of the body due to human rights violations in the context of apartheid. In 1946, South Africa and apartheid was placed on the agenda of the United Nations for the first time.
by India regarding the treatment of people of Indian origin living in South Africa. The issue of apartheid became an annual agenda for the United Nations and on April 1, 1960 the Security Council after discussing the issue, recognized that it might be a threat to world peace and security.

The Council called upon the South African Government to introduce measures to bring about racial harmony. The South African government instead reacted with banning the African National Congress and the Pan Africanist Congress, the two major opposition political parties and movements. From this point on the UN decided to take a number of measures to curtail apartheid. In 1961, the United Nations Secretary-General, Dag Hammarskjold visited South Africa, but reported back that he could not come to an acceptable agreement with the then South African Prime Minister. Even though there were UN seminars and sanctions on South Africa, the human right violations continued. This informed the UN’s decision to expel South Africa from the body but France joined the UK and the US to veto the resolution. In 1977, there were other vetoes by France and other two super powers-UK and US in the draft resolution S/1231 which was later amended as S/12312 concerning the question of South Africa.

France on June 6, 1975 cast a veto with United Kingdom and the United States, which was Resolution S/11713 concerning the situation in Namibia. The situation was that South Africa had occupied the Namibian territory, an occupation which was deemed as illegal. The three permanent members exercised their veto power in the UNSC on behalf of South Africa and against an assertion of the rights of the Namibian people to their independence. They rejected a mandatory arms embargo on South Africa. The Resolution S/11713 which was put forward by Cameroon, Guyana, Iraq, Mauritania and Tanzania, invoked Chapter 7 of the UN Charter
in declaring that South Africa's defiant presence in the Namibian territory constituted a threat
to international peace and security and that states should prevent the supply of arms,
ammunition, aircraft, vehicles, military equipment, spare parts or any activities that promoted
their supply or their manufacture or maintenance in South Africa and Namibia.\textsuperscript{52} France,
United Kingdom and the US vetoed a draft resolution (S/12211) on the October 19, 1976,
again relating to the situation in Namibia. Moreover on April 30, 1981 France again joined
the UK and the US to cast vetoes on the situation in Namibia.

February 6, 1976 was the first time France, unilaterally vetoed a draft resolution (S/11967) to
block a resolution on the question of the independence of Comoros, which was done to keep
the Island of Mayotte as a French overseas territory.\textsuperscript{53} On April 21, 1986 France together
with the US and UK vetoed on letters dated April 15, 1986 from Libya, Burkina Faso, Syrian
and Oman to the President of the Security Council. On December 23, 1989, France also with
the US and the UK vetoed in a draft resolution (S/21048) concerning the situation in
Panama.\textsuperscript{54} The draft resolution sought to criticize US military invasion of Panama. It was the
last time France exercised its veto power. From 1990 to July 2015, France has not used its
veto. In 2003 during the Iraqi crisis, France just like Russia was ready to exercise its veto to
stop the US from invading Iraq. This caused a friction between France and the United
States.\textsuperscript{55}

\subsection*{2.3.3 The Russian Federation}

As a founding member of the United Nations, the Union of Soviet Socialist Republics
(USSR) otherwise the Soviet Union which later on became Russia has been playing a key
role in the United Nations Security Council. Russia is an active participant in deliberations in
the UNSC and a permanent member of the Council. Indeed Russia has been a Super Power in
the period following the Second World War. During the Cold War period, the Soviet Union was the most frequent user of the veto power among the permanent members of the Council.\textsuperscript{56}

In fact in the early days of the United Nations, the USSR Commissar who later became the Minister for Foreign Affairs, Vyacheslav Molotov, vetoed resolutions so many times that he was nicknamed “Mr. Veto”\textsuperscript{57}. Indeed, the Soviet Union was in charge of nearly half of all vetoes ever cast in the United Nations Security Council. In the first ten years of the of UNSC’s existence, the Soviet Union had cast 79 vetoes already.

Its representative in the Council, Molotov repeatedly cast off bids for new membership. This is partly ascribed to the US’ refusal to admit the Soviet republics into the United Nations. During the Cold War period the veto was exercised extensively by Russia with more than 100 vetoes but reduced its act of casting the veto after the Cold War was no longer visible. Specifically, from 1990 to date, the Russian Federation comes in second to US with more than 11 vetoes – six of which have been issued jointly with China.\textsuperscript{58}

The Soviet Union cast their first veto on February 16, 1946 in a draft resolution regarding the withdrawal of foreign troops from Lebanon and Syria (S/PV.23). In 1946 alone, Russia cast about seven vetoes. Four of those vetoes related to the Spanish question while the others, were related to applications for the United Nations membership by Transjordan, Ireland and Portugal among others. Until the 1990s, Russia exercised its veto power almost every year. In the lead up to the demise of the Cold War and the split-up of the Soviet Union, the Soviet Union battled with economic difficulties. This crippled its ability to extend military and economic assistance to other states.\textsuperscript{59} The Russian Federation battled with economic
difficulties after the disintegration of the Soviet Union. Russia in a period of two years cast two vetoes to block two resolutions.

Firstly, on May 11, 1993 it blocked a draft resolution S/256/93 which was put forward by the United Kingdom in relation to the funding of UN Peacekeeping Forces in Cyprus (UNFICYP). The UNCS made a proposal that sought to extend the mandate of UNFICYP. The Resolution also aimed at considering the cost of the Force as UN expenses in accordance with Article 17(2) of the Charter.\(^ {60}\) Russia’s refusal for approving this resolution was due to the fact that it thought that, it was supposed to be voluntary and not compulsory in order to avoid financial burden.\(^ {61}\) On December 2, 1994, Russia exercised its veto because it was not in favour of a resolution for the enforcement of existing restrictions on the movement of goods between the Federal Republic of Yugoslavia and the Serb-controlled areas in Bosnia and Herzegovina, and Croatia.

In March 2003, during the Iraqi crisis, Russia threatened to veto against any resolution backed by the US and the United Kingdom that authorized military action against Iraq.\(^ {62}\) To avoid the veto, the United States decided to move away from the Security Council and with support from Britain unilaterally attacked Iraq. On April 21, 2004, Russia vetoed the Resolution S/2004/313 relating to Cyprus. On January 12 2007, Russia and China vetoed against the resolution S/2007/14 concerning human rights records of Myanmar (Burma).\(^ {63}\) Also, on July 12 2008, Russia and China cast vetoes against sanctions against Zimbabwe. This draft resolution was captioned as S/2008/447.\(^ {64}\) Russia and China on October 4, 2011 voted against sanctions preferred against Syria. The draft resolution was S/2011/612.\(^ {65}\) On February 4 and July 19 2012, Russia and China vetoed draft resolutions S/2012/77 and S/2012/538 aimed at calling for foreign military intervention in Syria.\(^ {66}\)
2.3.4 The United Kingdom

The United Kingdom is one of the countries that emerged victorious in the Second World War. As a permanent member of the UNSC, it vetoed for the first time on October 30, 1956 with France in the draft resolution which was amended as S/3713. The draft resolution sought to resolve the Suez Canal crisis in 1956. As indicated earlier, the Suez Crisis was an invasion of Egypt in late 1956 by Israel, followed by Britain and France to regain Western control of the Suez Canal after a nationalization of the Canal by the then Egyptian President Gamal Abdel Nasser. The nationalization was in retaliation to the renege of promise made by the American and British Governments to finance the construction of the Egyptian Aswan Dam. The Suez Canal represented the main source of supply of oil for Britain and France and the potential loss of those supplies represented an economic threat to them. The Suez Canal Company was a joint British-French enterprise that served an economic interest of the two countries. France and the United Kingdom eventually withdrew from the Suez crisis after the US instigated an "emergency special session" of the General Assembly, under the terms of the "Uniting for Peace" resolution. The “Uniting for Peace” resolution led to the establishment of the United Nations Emergency Force (UNEF I), by the adoption of Assembly resolution 1001. So, economic interest compelled the United Kingdom to veto in the Suez crisis when the issue was tabled before the UNSC.

The United Kingdom cast its first sole veto on September 13, 1963. This was in the draft Resolution S/5425 concerning the situation in Southern Rhodesia. On March 17, 1970 the United Kingdom with the United States vetoed a corrected draft Resolution S/9696 in relation to a question concerning the situation in Southern Rhodesia. The situation and question on Southern Rhodesia sought to end white minority rule in that part of the world. Britain controlled both the Northern and Southern Rhodesia. Britain started investing in Rhodesia
particularly the Northern Rhodesia’s copper industry since 1937 and its industry yielded 12 million Pounds Sterling in that year. 5.5 million in dividends went to shareholders, 800,000 to 1,690 white workers and only 244,000 to 17,000 black African workers. Britain quadrupled its investment and dividends shot up. Between 1923 and 1964, the British Treasury has collected an amount of 40 million Pounds in taxes from Northern Rhodesia. In 1953, the British government promoted the scheme of Central African Federation to defeat nationalism and guarantee that white settlers controlled the whole region.

The African people opposed it and many were killed in the 1959 to 1960 state of emergency. From 1953, the Federal government controlled by Britain drained 100 million Pounds Sterling from the North to build up Southern Rhodesia. In 1963, the British government quashed the Federation and transferred all of its air force and armaments to Southern Rhodesia’s settler regime. Indeed, Britain built up Southern Rhodesia and the fear of losing grip influenced its vetoes on Southern Rhodesia’s sovereignty. Some few months after that, the United Kingdom did another sole veto on November 10 of that same year. This question/veto also concerned South Rhodesia.

On February 4 1972, the UK cast a single veto in the draft Resolution S/10606 on the consideration of questions relating to Africa and implementation of the Council’s relevant resolutions on the situation in Southern Rhodesia. Still in 1972, on September 29, the United Kingdom solely blocked a revised draft Resolution S/10805 relating to the question concerning the situation in Southern Rhodesia. Again, on May 22, 1973, the United Kingdom blocked yet another draft resolution on the situation in Southern Rhodesia.
On October 30, 1974, the United Kingdom together with France and the United States vetoed the draft Resolution S/11543 concerning the relationship between the United Nations and South Africa in a resolution that sought to expel South Africa from the UN due to discriminatory policies. In 1977, there were other negative votes by the United Kingdom, France and the US. The draft resolution S/1231, which was later amended as S/12312 concerned the question of South Africa.

On June 6, 1975, the United Kingdom again cast a veto with France and the United States in the Resolution S/11713 concerning the situation in Namibia. The situation as indicated earlier was that South Africa had illegally occupied Namibia and so the resolution sought to call on South Africa to vacate the Namibian territory. The United Kingdom, the US and France vetoed a draft resolution (S/12211) on October 19, 1976 relating to the situation in Namibia. The UK on April 30, 1981 cast another veto with France and the United States. There were other resolutions - S/14459, S/14461 and S/14462, concerning the situation in Namibia. The United Kingdom’s interest in the Namibian was because, the UK and South Africa are allies and therefore the UK needed to protect its ally’s interest as well.

In 1982, the UK and the US vetoed a draft resolution(S/15156) which was a revised version in relation to a question concerning the situation in the region of the Falkland Islands (Islas Malvinas). The resolution sought to call on the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to refrain from the use or threat of force in the region of the Falkland Islands. The isolated and sparsely-populated Falkland Islands, a British overseas territory in the south-west Atlantic Ocean, remain the subject of a sovereignty dispute between Britain and Argentina, who waged a brief but bitter war over the territory in 1982.
Argentine forces, which had landed on the Falklands to stake a territorial claim, were ejected by a British military task force. Argentina says it has a right to the Islands, which it calls the Malvinas, because it inherited them from the Spanish crown in the early 1800s. It has also based its claim on the islands' proximity to the South American mainland. Britain rests its case on its long-term administration of the Falklands and on the principle of self-determination for the Islanders, who are almost all of British descent. This informed its veto in order to use force to assert its authority over the Island. In 1985, 1986, 1987 and 1988, the UK cast vetoes.

The UK cast its last veto on December 23, 1989 with France and the US in the draft Resolution S/21048 concerning the situation in Panama. The resolution sought to criticize US’ invasion of Panama. Since 1989, the UK has not used the veto but critics have indicated that if the UNSC had put forward a resolution prohibiting US from using unauthorized force in Iraq, the UK would have opposed that move.

2.3.5 The United States

The United States played a leading role in the planning of the post-Second World War intergovernmental organization- the United Nations. This role put it in a good stead for the permanent membership position within the United Nations Security Council. Generally, the US is seen as the second most frequent user of the veto power. In the Cold War era, the US was second to Russia as the most frequent user of the veto power with more than 60 vetoes. It however emerged as the first in the post-Cold War period. The US has so far cast 83 vetoes with more than 40 protecting Israel, its ally. After the visible Cold War period, the US is now the most frequent user of the veto having resorted to it 16 times between 1990 and the
present. The majority of these vetoes, specifically 14 pertain to the Israel/Palestine situation, thereby protecting Israel.\textsuperscript{72}

The United States first cast its veto on March 17, 1970 on the issue regarding the crisis in Rhodesia in the Resolution S/9696. The US joined United Kingdom in casting its first veto. The US cast its first single veto on September 10, 1972. That veto was to prevent Resolution S/10784 relating to its ally-Israel. In the 1973, 1974, 1975, 1976 up until 1990, the United States exercised its veto power. Mostly, Jewish lobby and Jewish investment in the US play major roles in US’s decision in the use of the veto.\textsuperscript{73} On May 31, 1990, the US vetoed the Resolution S/21326, which was on the issue of Occupied Arab Territories. It sought to establish a commission involving three members of the Security Council, among other things, to examine the situation relating to the policies and practices of Israel, the Occupying Power, in the Palestinian territory which included Jerusalem.”\textsuperscript{74}

In 1995, six non-permanent members of the Security Council-Honduras, Botswana, Rwanda, Nigeria, Oman and Indonesia made a proposal that a resolution confirming the expropriation of land by Israel in the eastern part of Jerusalem was not valid and violated relevant Security Council resolutions and provisions of the Fourth Geneva Convention. The proposal further expressed support for the Middle East peace process and encouraged the parties to adhere to the accord agreed upon.\textsuperscript{75} The draft proposal called on the Israeli Government to rescind the expropriation orders and avoid such actions in the future. The resolution tagged S/1995/394 was however not adopted due to a negative vote by the US.

The year 1997 saw the US use its veto power on two occasions in the month of March alone. The first was on the 7 and the second, on the 21 of the same month. The draft Resolution
S/1997/199 focused on expression of concern over Israel’s plans to build new settlements in East Jerusalem and called on Israel to desist from measures including the building of settlements that will pre-empt the final status of negotiations in the Middle East peace process. The second draft demanded that, Israel stopped the construction of settlements in East Jerusalem which is called Har Hona by Israel and Jabal Abu Gheim by the Palestinians. On March 27, 2001, the US quashed the UNSC’s efforts of establishing a UN observer force to protect Palestinian civilians by a veto. A draft was put forward by seven Non-Aligned Movement (NAM) members calling for the protection of Palestinian civilians. About 360 civilians had died in six months of clashes with Israeli forces. The draft would also have called on the Secretary –General to consult the parties (Israel and the Palestinians) on the immediate steps to implement the resolution and to cooperate fully. The draft resolution also called for an end to the closure of the Occupied Palestinian territories and the transfers by Israel to the Palestinian Authority of all due revenues.

Tunisia and Egypt put forward a draft resolution (S/2001/1199) on December 14, 2001 concerning the Middle East. The draft resolution condemned excessive violence and urged the establishment of a monitoring team to help Israel and Palestine. The resolution intimated the need for Israel, the Occupying Power, to abide by its legal obligation responsibilities under the Fourth Geneva Convention, in relation to the protection of civilians in time of war. This draft resolution was prevented by the US after it was put forward through veto power. The US justified its action that the draft resolution among other things made no mention of terrorists’ acts against Israelis.

December 21, 2001 was the day the US vetoed UN draft resolution condemning the Israeli government for series of attacks. Those attacks by the Israeli armed forces were carried out
against UN workers and the UN facilities in the occupied Palestinian territories. In the attacks, three UN workers died and there was also the destruction of a UN warehouse storing more than 500 tonnes of food in Gaza. Actions of the US by vetoing resolutions that are aimed at bringing peace to the Middle East have made it difficult for peace to prevail in that part of the globe.

Indeed, due to the power of veto, not only has the international community’s actions been prevented many times by the US but also many humanitarian interventions have been quashed. On December 20, 2002, September 16, 2003, October 14, 2003, March 25, 2004, October 5, 2004, July 13, 2006 and November 11, 2006, the United States vetoed resolutions concerning the Middle East situation including the Palestinian question. US’ protection of its ally, Israel, continues to attract concerns in the international system. On February 18, 2011, the Obama administration vetoed Resolution S/2011/24 condemning Israeli settlements.

The US in the 1990 exercised its veto and this time on January 17, blocked the UN Security Council’s draft resolution S/21084. That draft resolution was concerned with the violation of diplomatic immunities in Panama on December 29, 1989. This was in connection with an intervention in that country. The US blocked the draft resolution because it suspected that arms were stored in that country. In that draft resolution, seven non-permanent members of the Security Council co-sponsored the draft resolution condemning this action. The countries include Columbia, Cote d’Ivoire, Ethiopia, Malaysia and Yemen.

Again, in 1996, the US used its veto power to thwart the re-election of a Secretary General from Egypt-Boutros-Boutros Ghali. The US stood alone to cast its veto against Boutros-Boutros Ghali’s re-election while the other 14 members of the council were in support of his
re-election. Washington indicated the reason for taking that particular action was that Boutros-Boutros Ghali had not being an effective tool in shaping and trimming the UN’s bureaucracy.\^85

The US cast vetoes in the year 2002. On June 30th that year, the world Super Power cast a negative vote against a draft resolution that was to renew the mandate of peace keeping in Bosnia and Herzegovina. Indeed before the veto, negotiation began within the United Nations Security Council that was later rendered deadlock as the US carried out a campaign to ensure the exemption of its personnel participating in UN peacekeeping operations from the Jurisdiction of the International Criminal Court (ICC). The Security Council had earlier turned down two US resolutions: with one seeking immunity from the Court for all UN mandated peace-keepers and the other applying to Bosnia and Herzegovina.\^86

Thus, the reason for the US’ veto was because it failed to win an agreement to exclude Americans from prosecution by the ICC.\^87 In defending this action, Washington indicated that immunity was very important and needed to prevent American troops and citizens from frivolous and politically motivated prosecutions.\^88

2.3.6 Most Recent Trends in the Use of the Veto (2013 and Beyond)

Since 1989, the United Kingdom and France have played a low key in the exercising of the veto power. In fact, the two countries have not used the veto power since the Panama situation. It appears in the twenty first century that, the exercising of veto power is for China, France and the United States. The following contains the most recent events of the exercise of the veto power by any of the five permanent members of the United Nations Security Council. On March 15, 2014, Russia vetoed a resolution condemning as illegal a referendum
on the status of Crimea.\textsuperscript{89} This was a sole veto exercised by Russia in on the draft Resolution S/2014/189.

Indeed Russia was the only Security Council member to vote against the measure. China, which is regarded as a Russian ally on many issues, abstained from the vote while the other 13 members of the Council backed the resolution that called for all nations to respect Ukraine's territorial integrity and condemned the Crimea’s referendum as illegal. Russia’s reason for the veto was for its national interest in Crimea particularly- security and influence.

On March 15, 2014 the BBC reported that the Crimean region, which is the southern part of both Ukraine and Russia, was part of Russia until 1954 and most of its residents are ethnic Russians, many of whom would prefer to be governed by Moscow rather than Kiev.\textsuperscript{90} Russia's Black Sea fleet, which is an integral part of its security, is also still housed in Crimea.\textsuperscript{91} The Black Sea fleet’s main responsibility is to protect Russia’s southern flank from external aggressors, with this it cannot afford to lose control over that area even though it has signed agreements promising to uphold Ukraine's territorial integrity. On May 22 2014, China and Russia vetoed the draft Resolution S/2014/348 condemning the state of Syria.\textsuperscript{92} It is asserted by analysts that Russia vetoed on Syria primarily to safeguard its interests in the Country.

Apart from being a major arms supplier to Syria, it also have its only outside navy installation that is naval military base in Tartus-Syria. The fear of the loss of these interests to a section of analysts is influential in Russia’s veto. China, as stated in Chapter one, is a trading partner of Syria. Even at the height of the Syrian crisis, China emerged as the top trading partner of Syria in 2011.\textsuperscript{93}
On July 8, 2015, Russia blocked a UNSC draft resolution that aimed to describe the Srebrenica massacre as genocide. The Srebrenica massacre saw some 8,000 Muslim men and boys killed by Bosnian Serb troops in 1995. On July 8, 2015, the BBC reported that during the Bosnian War in 1995, which saw Serbia-backed Bosnian Serb forces fighting the Muslim-led Bosnian government, thousands of people who were seeking shelter at what was supposed to be a UN refuge were killed. According to the report the resolution had been drafted to mark the 20th anniversary of the atrocity, which came in the wake of the bloody break-up of Yugoslavia into independent states. The report further stated that the Resolution said that acceptance of the tragic events at Srebrenica as genocide is a prerequisite for reconciliation. However Russia vetoed and four other members of the council abstained while the remainder voted in favour.

Russia on July 29, 2015 vetoed a draft resolution that sought to set up an international tribunal into the MH17 air disaster in July 2014. The Malaysia Airlines flight from Amsterdam to Kuala Lumpur crashed in eastern Ukraine and killed all 298 people on board. On July 30, 2015, the BBC reported that Pro-Russian rebels in the area denied shooting down the aircraft. According to the report, Western nations and Ukraine say there is evidence that the Flight was hit by a Russian-supplied Buk anti-aircraft missile - a claim also denied by Russia. Russia was the only nation at the 15-member UN Security Council to oppose the move. Malaysia was supported by the Netherlands - which had 196 nationals on board - Ukraine, Belgium and Australia to push for an international tribunal to try those responsible. Moscow has rather blamed the government in Kiev for the incident.

From the above a number of questions can be asked. For instance, what are the implications of the veto power for international peace and security? What informed the decisions by the
permanent five in the Libya and Syria crisis? How does the national interest of the permanent five affect the safeguard of international peace and security generally and in particular during the Libya and Syria crises? All these questions are analyzed in the next chapter.
Endnotes

1 The UN Charter
7 The UN Security Council Website, op. cit.
9 Ibid.
11 League of Nations Covenant.
20 San Francisco, 12 June 1945, UNCO vol. XI, at 495.
22 Mahmood, Fakiha, op. cit.
25 Ibid
27 The UN Charter, op. cit.
28 Ibid
29 Kölher, Hans, op. cit.
31 Okhovat, Sahar, op. cit.
33 Ibid.
35 Okhovat, Sahar, op. cit.
37 This was in the draft Resolution S/10771.
39 Ibid.


The draft Resolution was S/2011/612.


Emma McClean “Hard Evidence: who uses veto in the UN Security Council most often – and for what?”, July 2014

The UN Charter, op. cit.

The Veto Use and Its Use. Auswartiges Amt, 2003, op. cit.


Kessing’s Record of World Events. 2002

86 The Veto Use and Its Use. AuswartigesAmt, 2003 op. cit.
88 Ibid.
91 Ibid.
CHAPTER THREE
ANALYSIS OF THE USE OF THE VETO POWER – IN THE LIBYA AND SYRIA CRISSES

3.0 Introduction
This Chapter gives an analysis of the use of the veto power. The Chapter first of all dwells on the brief description of Libya, overview of the Libya and Syria crises, and the Security Council’s reaction in both cases. It analyses the key issues that seemed to have informed the decisions made by the permanent five in the Libya and Syria crises. The Chapter also ascertains how the interests of the permanent five, affected the conduct of international peace and security as a result of these crises. It finally analyses the implications of the veto power on international peace and security.

3.1 An Overview of the Libya Crisis
Libya is bordered on the Mediterranean south by Egypt, Tunisia, Niger and Chad, and southwest by Sudan. Libya lies within easy reach of the major European nations and links the Arab countries of North Africa with those in the Middle East. The European country that lies to Libya’s north across the Mediterranean is Italy. Libya is said to be the fourth largest country on the African Continent and seventh in the world with an area size of 1.8 million square kilometres. Its population according to the World Bank hovers at about 6.4 million, making it one of the lowest populated countries on the African continent. The Country is said to be endowed with rich mineral resources, particularly oil, with nearly 42 billion barrels of oil in proven reserves, the ninth largest globally. It also has the highest Human Development Index in Africa (HDI) with a per capita income of $14000.1
However, Libya’s unemployment rate is a little high at about 30 percent, though it appears to have good economic credentials. After becoming a Roman colony for many centuries, the country was conquered by Arab forces in AD 647 during the Caliphate of Uthman bin Affaan; the third successor to Islam’s prophet Muhammad from the Sunni sect’s perspective. Following this, Libya was ruled by the Abbasid; a revolutionary group that emerged and claimed to be the legitimate successors to Muhammad few decades after his death, and the Shiite Fatimids; also one of the Islamic intra Shia factions that claimed descent to the daughter of Muhammad (Fatima) who established their influence over Egypt and some parts of the Middle East before the emergence of the Ottoman Caliphate. The Ottoman Empire later dominated and consolidated its influence by controlling the Arab country in 1551 and exercised its dominion over Libya for nearly four centuries. Its influence and control of Libya declined as a result of the defeat it encountered in the Italian Ottoman-War. Italy eventually assumed supremacy and brought Libya under its influence in 1912 thanks to the treaty of Lausanne.
Libya was ruled by Italy, until the Second World War when the Italians were defeated. This paved way for the enactment of the Libyan Constitution in 1949; it became an independent state under the reign of King Mohammed Idris, who declared himself the first monarch of that land but was overthrown in 1969 by Col. Muammar al-Gaddafi in a bloodless coup. Muammar Gaddafi brought an end to the monarchical rule of Libya, annulled the constitution and established the Libyan Arab Republic. Gaddafi held on to power for more than four decades. The Libyan uprising which started in February 2011 appears to be the most serious challenge faced by Gaddafi in his 42-year-old rule, which eventually led to his overthrow and assassination by Libyan rebels.  

3.1.1 Beginning of the Libyan Crisis

The commencement of the Libyan crisis can be traced to the period between January 13 and 16, 2011, when agitations at delays in the putting up of housing units and over political corruption led protesters to break into the Libyan cities of Bayda, Derna, Benghazi among others and occupied, housing units that the government was constructing. The protests were met by Police crackdown on Protesters. By January 27, 2011 the Libyan government responded to the protest by injecting an amount of €20 billion into an investment fund to expedite the process, provide more housing units and development.

Inspired by the Tunisian and Egyptian revolutions, a writer, political commentator Jamal al-Hajji used the internet to garner support for demonstrations to be held in support of greater freedoms in Libya. By February 1, al-Hajji was arrested, charged and prosecuted on February 3, 2011 with injuring an individual in a car accident. Gaddafi later met with political activists, journalists and leading media figures and warned that they would be held responsible if they disturbed the peace of Libya. The protests led to an uprising and civil war, which in turn led
to the ouster and assassination of Gaddafi as part of the wider context of the Arab Spring, which had already resulted in the ousting of long-term presidents of neighbouring Tunisia Zainul Abedin Bin Ali and Hosni Mubarak of Egypt respectively. Thus, social media played a key role in organizing the opposition.\(^6\) It was used as a medium to declare an alternative government, the first to compete with Muammar Gaddafi’s political authority was an interim National Council.\(^7\)

By February 2, 2011, the protests turned to an intensified violent confrontation including the main square of Zawiya, Derna, Bayda, Maydan al-Shajara and Zintan which seemed to have been violently confronted by the police and pro-Gaddafi loyalists. As a result of the arrest of human rights leader, Fathi Terbil, between 500 and 600 demonstrators protested on February 15, 2011 in front of Benghazi’s police headquarters, with petrol bombs, blocked roads and damaged cars and calling for an end to Gaddafi’s government. The Police consistently responded with tear gas, water cannon, and rubber bullets.\(^8\) On February 16, 2011 Aljazeera reported that about 38 people were injured—including 10 security personnel.\(^9\)

Other reports also indicated that Libyan officials in a press release warned civilians against meddling with Libyan security forces indicating that the government would not tolerate that. According to the statement issue by the BBC, the Libyan government would not permit any group trying to corrupt the local legal process which had long been in place and encouraged all Libyans to voice out their grievances through the appropriate channels which existed.\(^10\)

The high point of the Libyan civil war was on February 17, 2011. It was otherwise called the “Day of Rage” planned by both disgruntled Libyans in the country and those in exile.\(^11\) A coalition of opposition groups, the National Conference for the Libyan Opposition (NCLO)
asked that all groups opposed to the Gaddafi government were to protest on that day in memory of demonstrations in Benghazi five years earlier. The security forces fired live ammunition into the armed protests. A number of government buildings were set ablaze including a police station. In Tripoli, television and public radio stations were ransacked and protesters set fire on security buildings, Revolutionary Committee offices, the Interior Ministry building, and the People's Hall.

Army personnel later withdrew from Benghazi while others also joined the protesters; they then seized the local radio station in Benghazi. In Bayda, unconfirmed reports indicated that the local police force and riot-control units joined the protests. Consequently, based on Gaddafi’s order, troops loyal to him attempted to quell the rebellion. Thus, helicopters fired into crowds of anti-government protesters. Gaddafi announced his intention to fight to the last drop of his blood and likened the rebels to cockroaches and Al Qaeda extremists.

Meanwhile, the rebels set up a local governing Council for Benghazi and also announced the formation of a National Transitional Council. The Council claimed to be the legitimate government of Libya. With this, Gaddafi intensified his crackdown aided by loyal troops, special-forces under the command of his son Khamis as well as mercenaries from neighbouring states. The issue of mercenaries has become debatable and the rebels were also accused of committing heinous atrocities. African migrant workers and black Libyans were accused of being part of the mercenary forces loyal to Gaddafi.

3.1.2 The United Nations Security Council’s Involvement in the Libyan Crisis

The existence of the United Nations Security Council (UNSC) is an important necessity and pillar in the establishment and consolidation of international peace, security and cooperation
in the conduct of international relations. Its role on the development of the Libyan crisis seemed to have been subjected to varied standpoints by academicians, policy makers, international institutions and civil society organizations.

The reaction of the UNSC was first of all informed by the estimated number of casualties caused by the Gaddafi’s government. The Reports on the number of casualties were variably reported by media outlets and other rights organizations. On February 24, 2011, for instance, Libya's Ambassador to Malta reported that Gaddafi's government put the death toll at about 300, including civilians, police officers, and soldiers.20 The World Health Organization on March 2012 however indicated that approximately 2,000 people have been killed.21 Meanwhile, the rebels through their spokesperson, Abdul Hafiz Ghoga projected the figure of the death toll to 8,000.22

Amnesty International indicated in June 2011 reported that the February clashes were exaggerated and estimated that about 110 died in Benghazi and about 64 lost their lives in Bayda.23 On September 8 2011, the National Transitional Council through its Health Minister, said an estimated 30,000 were killed in the crisis were believed to be pro-Gaddafi fighters, the wounded were 50,000 out of which 20,000 were seriously injured.24 Later the National Transitional Council reduced the estimated number to 25,000.25 The estimated number of deaths kept on conflicting. On January 23, 2013, based on the figures available, the new Libyan government mentioned 4,700 rebel supporters as those killed and gave a similar figure for Gaddafi supporters. About 2,100 persons were believed to have been missing from both sides.26 According to Armed Conflict Location and Event Data Project, 6,109 fatalities were recorded from February 15 to October 23, 2011. Out of this number, 1,319 were killed prior to the North Atlantic Treaty Organization (NATO) intervention.27
The crisis in Libya exposed the country to local, regional and continental effects. It had negative impacts on the country’s revenue generation as a major supplier of a bulk of the world’s oil and again rendered the country instable. In the sub-region, the crisis led to a precarious refugee situation and posed a threat to the peace and stability of the region through the creation of numerous militia groups (pro-Gaddafi and pro-government). The effect of the crisis almost threatened the stability in neighbouring Libya including the Republic of Mali as a result of the transfer of arms from Libya through unapproved routes to Mali by the Tuareg rebels and al-Qaeda in the Islamic Maghreb (AQIM). As a result sub-national groups like AQIM and National Movement for the Liberation of Azawad led by the Tuareg forces emerged in Northern Mali, until the intervention of both regional organizations like the African Union (AU), ECOWAS, France, the US and the international community. This intervention appeared to have established relative stability in the landlocked West African country. Moreover, the brutal killing of the US diplomats including Christopher Stevens by insurgent groups was also another indication of the high level of the effects of the crisis.

On the global front, the crisis had effects on global peace, security and the global economy especially on the international oil market. The oil industry seemed to have grinded to a halt during the crisis, cutting supply and leading to a shortage of crude, and its attendant price hikes.

On February 26, 2011 having determined the crisis in Libya to be a threat to international peace and security, it was tabled before the Security Council. Given that this was a non-procedural matter, it required the concurrent votes of the five permanent members like the US, Great Britain, France, Russia and China. Within the United Nations Security Council structure, the chaos, brutality, abuse of human rights, destruction of property, killing of
innocent citizens and above all total loss of peace and stability that were and are still prevailing in the Libyan crisis made them substantive or non-procedural issue that needed the attention of the Security Council. Since it was substantive there was the need for a concurrent vote of the permanent five members who wield the power of the veto.

The United Nations Security Council therefore adopted resolutions to enable the Council to take an action in Libya. On February 26, 2011, the first Resolution on the Libyan Crisis, Resolution 1970 was passed. It condemned the use of lethal force by the government of Muammar Gaddafi against anti-government protesters, and imposed series of international sanctions in response. The resolution also referred the situation in Libya to the Prosecutor of the International Criminal Court, who was to address the Council within two months following the adoption of Resolution 1970. The Resolution which was proposed by France, Germany, the United Kingdom and the United States, was unanimously adopted after a day-long discussion.

On March 17, 2011, a second Resolution, Security Council Resolution 1973 was passed. This was in response to the failure of the Libyan government to comply with resolution 1970, the continued murder and abuse of human rights and the second Resolution was proposed by France, Lebanon, and the United Kingdom. Ten Security Council members comprising seven non-permanent members - Bosnia and Herzegovina, Colombia, Gabon, Lebanon, Nigeria, Portugal, South Africa, and three permanent members - France, the United Kingdom, and the United States voted in the affirmative. However, Brazil, Germany, and India, which were the non-permanent members and two permanent members - China and Russia abstained. This means that technically, there was no opposition to the Resolution. Resolution 1973, which demanded an immediate ceasefire, also authorized the imposition of a no-fly zone and the use
of all means necessary short of foreign occupation to protect civilians among other things therefore provided the legal basis for military intervention in the crisis.

In addition to the above resolutions on Libya, other resolutions have been adopted recently to enable the UNSC take action in that part of the world. The Council adopted two separate resolutions alone this year on Libya. The Security Council, in the first, Resolution 2213 (2015) called for an immediate and unconditional ceasefire in Libya and besides it extended the United Nations Support Mission there (UNSMIL) until September 15, 2015. It boosted the arms embargo on the country in light of the terrorist’s threat in Libya. Moreover, based on the Resolution 2214 (2015) - the Council expressed grave concern about the infiltration of insurgents or Islamists like the Islamic State in Iraq and the Levant (ISIL), and all other individuals, groups, undertakings and entities associated with al-Qaida extremist ideology and actions on the internal stability in Libya.28

The above resolutions adopted clearly indicates that previous resolutions passed on Libya have not been vetoed, the worse has been abstention by members of the Council thus allowing intervention there- no matter the consequences because veto basically means voting against the resolution. Russia and China abstained in the Resolution 1973 while the other three permanent members voted in favour of that resolution for action to take place.

**Criticisms of the Reaction of the Security Council on the Libyan Crisis**

The intervention by members of the United Nations Security Council (UNSC) on the Libyan crisis has by far been subjected to series of criticisms in both academic and development dialogue. Critics have asserted that the US and NATO were not in Libya to provide humanitarian relief. It was a spin put forward to the public with the package of the UN
Resolution 1973. Thus, they have accused NATO of overridden the UN resolution 1970 and 1973 as a result of the attack on the international airport radar antenna by NATO forces which constitutes a violation of international law. According to Abayome Azikiwe, because the initial intent was to protect and ensure safety of civilians. Abayomi therefore, contends that it was all an escalating campaign to topple the Libyan Government under Gaddafi.\textsuperscript{29}

\section*{3.2 An Overview of the Syrian Crisis}

The Syrian Arab Republic is a country in Western Asia, bordering Lebanon and the Mediterranean Sea to the west, Turkey to the north, Iraq to the east, Jordan to the south, and Israel to the southwest.

Map 2: The map of Middle East showing one of the study areas (i.e. Syria)

Source: https://www.google.com.gh/ Retrieved on June 13\textsuperscript{th} 2015

In 1946, Syria became an independent republic. The democratic rule was brought to a halt by a coup in March 1949 and this was advanced by two more coups that same year.\textsuperscript{30} In 1954, the country experienced an uprising, which transferred power to civilians. Before 1958, Syria practiced a parliamentary system of government but between 1958 and 1961, it entered into a short union with Egypt that replaced its parliamentary governance system with a highly
centralized presidential regime. In 1963, the Ba'ath Syrian Regional Branch assumed power after a successful coup d'etat. There was another coup in 1966 which overthrew traditional leaders of the Ba'ath Syrian Regional Branch party leaders - Michel Aflaq and Salah al-Din al-Bitar. The then Minister for Defence, General Hafez al-Assad became the Prime Minister after seizing power in November 1970 in a revolution. Ḥafiz al-Assad, the father of Bashar al-Assad declared himself the President of Syria in March 1971 and occupied position until his death in 2000. Since his death, the secular Syrian Regional Branch has remained the leading political authority in what is practically a single-party state in Syria. The people of Syria may only approve the President by referendum until 2012 parliamentary election which was a multi-party one but this was controlled by the government and so could not succeed in voting other political parties to the legislature.

3.2.1 Beginning of the Syrian Crisis

The Syrian crisis began with pockets of protests on January 28, 2011. The year 2011 was a period that saw the commencement of a major protest against Bashar al-Assad’s government. The protests among others can be attributed to include the arrest and torture of fifteen children under the age of seventeen in the southwestern town of Dara’a, after having scrawled on a wall “The people want the fall of the regime.” The protest started as a nonviolent demonstration with Syrians calling for justice from the regime of President Bashar al-Assad. President Assad responded with a widespread and more brutal force of arms turning the protests into a bloody one by March 18, 2011. The Ba'ath Party (Assad’s political party) headquarters, and government facilities like the City of Dara’a’s Courthouse, and a telecommunication company were set on fire by protesters following the opening of fire on protesters by security forces killing 15 demonstrators and about seven policemen were killed in that incident. In March, 2011, an estimated number of about 90 civilians and 7 policemen
had been killed in Syria. On March 30, 2011 President Assad in an address on the protests claimed that the conspirators and foreign powers sought to topple his administration.

Before April 7, 2011 a number of factors featured as demands of the protestors. These include democratic reforms, release of political prisoners, abolition of emergency laws and an end to corruption. After April 8, 2011 there was a shift of focus, with calls for an overthrow of the Assad government. The protest became widespread, taking place simultaneously in about ten major cities. By April 22, 2011 the crisis had gained roots in 20 cities. The high point of the crisis was on April 25, 2011 when the Syrian Army instigated a series of large-scale deadly military attacks on towns, using tanks, infantry carriers, and artillery. This led to hundreds of civilian deaths. By the end of May 2011, 1,000 civilians and 150 soldiers and policemen had lost their lives. Several others were detained. Those who were detained include students, liberal activists and human rights advocates.35

On June 4 2011, following a shooting incident by the police at a funeral of anti-Assad regime activists, in Jisr al-Shugur a city close to the Turkish border, an armed rebellion began. The police realized that it was a procession that was used together armed gangs and saboteurs against the regime of Assad. The mourners attacked the police station in the city, killed some security officers and seized weapons in the process. Violence continued and spread over the following days. Later, more protesters in Syria took up arms, and more soldiers defected to protect protesters. By the latter part of July 2011, around 1,600 civilians and 500 security forces had been killed and 13,000 persons arrested.36

On July 29, 2011 the Free Syrian Army (FSA) was formed. It comprised of some officers from the Syrian Armed Forces and other security officers who have defected and established
themselves under a collective force with the sole aim of bringing down the Assad regime. 

On July 31, a nationwide crackdown dubbed the "Ramadan Massacre" resulted in injuring hundreds and the death of at least 142 people. 

On August 23, an alliance of an anti-government group called the Syrian National Council (SNC) which had its base in Turkey was formed with a strong zeal to organize opposition to the Assad government. The Syrian forces confronted protests in major urban areas throughout the month of August 2011. On August 14, 2011 the Syrian Navy joined the military crackdown. While the Navy fired machine guns at waterfront districts in an area called Latakia, ground troops also carried out operations on land by attacking protestors. This disturbed the celebration of Eidul-Fitr as security forces opened fire on protestors assembled in places like Homs, Daraa, and the suburbs of Damascus.

As at September 2011, organized units of Syrian rebels staged an active insurgency campaign in many areas of Syria. In Rastan for instance, there was a major clash between the FSA and the Syrian armed forces. Between the period of 27 September and October 1, 2011, the Syrian government forces, backed by tanks and helicopters, initiated a major offensive on the town of Al-Rastan in Homs Governorate with an aim to drive out army defectors. The Rastan battle which lasted for about a week was very intense to the extent that the FSA was compelled to retreat from the town.

In October 2011, Turkey started giving support to the Free Syrian Army by allowing it to operate its command and headquarters from Turkey’s Southern Hatay Province, very close to the Syrian border. However it operated its field command from inside Syria. The Turkish side was seen as the safe haven, support and supply base for the FSA to launch attacks into towns.
and cities in the northern part of Syria. The FSA gained control over a considerable number of towns a year after its formation.43

The month of October 2011, also saw many clashes between government and defected army units. In the first week of October, there were sustained clashes in Jabal al-Zawiya in the mountainous regions of Idlib Governorate and the Idlib city was later captured by the rebels.44 In the middle of October, there were clashes too in areas like the city of Binnish and a town called Hass among many areas.45 There clashes between the FSA and security forces in Homs in the early part of November. The Syrian army trooped to the city of Homs after days of bombardment which led to heavy street fighting in several neighbourhoods. The Homs fighting was a heavy one to the extent that Homs was referred to as the Capital of the Revolution.46 There were increasing rebel attacks in both November and December 2011. The FSA launched deadly attacks on an air force intelligence complex in Damascus, the Ba'ath Syrian Regional Branch youth headquarters in Idlib Governorate, an airbase in Homs Governorate, and an intelligence building in Idlib among others.47 In December the rebels ambushed checkpoints and military bases around Daraa, killing 27 soldiers. This was considered one of the largest attacks on the security forces.48 Since January 2011, the fighting in Syria has continued in many forms and nature.

The Syrian Civil War or crisis has taken a different turn largely due the porous nature of its borders with most of its neighbours. Indeed the fighting has spilled over causing fears of a regional war. In June 2014, members of the Islamic State of Iraq and the Levant (ISIL) crossed the border from Syria into the northern part of Iraq and have taken control of large areas of the Iraqi territory. This is due to the fact that the Iraqi Army abandoned its positions. The Syrian crisis has also led to incidents of sectarian violence in Lebanon particularly the
northern part of that Country. The spillover has ignited historical differences between Hezbollah which is a Shia terrorist which supports President Assad and Sunni groups in Lebanon. The Hezbollah militants are conducting havoc in Lebanon –attacking Sunni mosques but it is important to state that they are also building bridges and to win the support of the People in Lebanon.\textsuperscript{49} The Kobanes have joined the fight due to the geographically strategic nature of the place. The Kobanes are Kurds based in Kobani, which is the gateway to Turkey. By joining the fight their territory will be protected. The fight between ISIL and the Kurds in the town of Kobani on the Turkish border has led to rioting in some parts of Turkey as well. \textsuperscript{50}

\textbf{3.2.2 The Reaction of the Security Council in the Syrian crisis}

The estimates of casualties in the Syria crisis vary since the civil war broke out. According to the Amnesty International in the past four years, more than 200,000 people have died. An overwhelming number are civilian who were mostly attacked by government forces. Around 4 million people from Syria are now refugees in other countries and more than 7.6 million are displaced inside Syria.\textsuperscript{51} The UN High Commissioner for Human Rights Navi Pillay stated that the number of casualties is much higher than they expected and described the situation as shocking. The global body-the United Nations stated that 60,000 people had been killed since the crisis began in 2011.\textsuperscript{52}

The estimated number of armed combatants who have died remains a challenge since some government forces who have defected are seen as civilians. However both the pro-government forces and rebels have lost lives. About 52,290 pro-government fighters and 29,080 rebels are believed to have died.\textsuperscript{53} On August 20, 2014, a new U.N. study concludes at least 191,369 people have died in the Syrian conflict.\textsuperscript{54}
Infectious diseases have spread in rebel held areas, primarily affecting children due to the deteriorating nature of sanitation and living conditions. These include measles, typhoid, hepatitis, tuberculosis, diphtheria and whooping cough among others. Of particular concern is the contagious and crippling Poliomyelitis of which there have been more than 90 cases.\textsuperscript{55} The crisis in Syria has caused millions to flee their homes. As at March 2015 an estimated 10.9 million Syrians or almost half the population, had been displaced and 3.8 million people including children had been made refugees. People fleeing the conflict in Syria have sought refuge in Lebanon, Jordan, Turkey, and Iraq.\textsuperscript{56}

According to various human rights organizations and the United Nations, both the government and the rebels have committed human rights violations, but the government forces have committed more.\textsuperscript{57} The Syrian Observatory for Human Rights confirmed that there have been intentional killings in the troubled Country. Between the period of 2012 to mid-July 2013, 9 cases of intentional killings were reported pointing fingers at the Syrian government and its supporters in eight cases, and the opposition in one.\textsuperscript{58}

The Syrian economy is not in good shape. As at July 2013, the Syrian economy had shrunk 45 percent since the start of the conflict. Unemployment has increased, the value of the Syrian currency decreased to one-sixth of its pre-war value, and the public sector lost USD $15 billion.\textsuperscript{59} By the end of 2013, the UN estimated total economic damage of the Syrian civil war is about $143 billion. According to the United Nations Economic and Social Commission for Western Asia, the total economic loss from the Syrian Civil War will reach $237 billion by the end of 2015.\textsuperscript{60} As of March 2015, the war had affected 290 heritage sites, out of which 104 are severely damaged and about 24 completely destroyed. Five of the six UNESCO World Heritage sites in Syria have been damaged.\textsuperscript{61}

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Despite the documented atrocities and the undoubted fact that the crisis in Syria is having negative repercussions on international peace and security particularly in the Middle East, the Security Council has been paralyzed into inaction by the use of the veto. Even though a number of draft resolutions have been developed and placed before the Council, there has been little or no agreement among the permanent members on how to address the Syrian crisis. On October 4, 2011, Resolution S/2011/612, sought to strongly condemn the continued grave and systematic human rights violations. Again the draft Resolution S/2011/612 condemned the Syrian government for the violence it used on its civilians. The draft Resolution, which was sponsored by France, Germany, Portugal and United Kingdom and Northern Ireland also called for those responsible for violence and abuse of human rights to be held accountable but was vetoed by China and Russia.

The draft resolution on Syria, S/2011/612, tabled during the Security Council meeting was not adopted due to negative votes by two permanent members, China and the Russia Federation. This was because the draft proposal was biased. However, China and the Russia Federation maintained that political and pacific means were the only ways to solve the Syrian crisis.62

On February 4, 2012, the Council sat on the draft Resolution S/2012/77 concerning Syria. It was proposed by countries which includes Bahrain, Colombia, Egypt, France, Germany, Jordan, Kuwait, Libya, Morocco, Oman, Portugal, Qatar, Saudi Arabia, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America. The draft attempted to condemn the continued widespread and gross violations of human rights and fundamental freedoms by the Syrian authorities, such as the use of force against civilians, arbitrary executions, killing and persecution of protestors
and members of the media, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence, and ill-treatment, including against children. The Resolution demanded that the Syrian government immediately quash all human rights violations and attacks against those exercising their rights to freedom of expression, peaceful assembly and association, protect its population, fully comply with its obligations under applicable international law and fully implement Human Rights Council resolutions in that Country.

It is insightful to state that, resolutions on Syria and Libya have some similarities. The resolutions demanded that both governments should stop human rights violations, attack on those exercising freedom of expression and killing of the civilian population.

Meanwhile, the representative of the Russian Federation and China vetoed the draft resolution indicating that it was sought to send an “unbalanced” message to Syria. Moreover, no proposal had been made to end attacks by armed groups, or their association with extremists. Stressing that the violence and bloodshed must end immediately, the Russian representative announced that the Russian Government was taking direct action by sending high-level officials to meet with Syrian President Bashar al-Assad. Yet, while the Russian Federation was committed to finding a solution, some influential members of the international community had been undermining the possibility of a peaceful settlement by advocating regime change.63

Again, on July 19, 2012, Resolution S/2012/538 engaged the attention of the Security Council. The draft was tabled by France, Germany, Portugal, United Kingdom of Great Britain and Northern Ireland and United States of America. The resolution sought to
condemn and expressed grave concern at the escalation of violence, and the failure of the
parties, in particular the Syrian authorities, to implement the United Nations sponsored Envoy
Kofi Annan’s six-point peace plan as annexed to Resolution 2042 (2012), thus not permitting
the creation of a political space that would allow for meaningful political dialogue. It sought
to call upon all parties to recommit immediately and without waiting for the actions of others
to a sustained cessation of violence in all its forms and implementation of the six-point plan.
While it was vetoed by Russia and China, the representative of the Russian Federation said
that the sponsors knew well that there was no chance that the text in its current form would
have been adopted, as his delegation felt it opened the door to military intervention. The text
which did not rule out such intervention would have fanned the flames of confrontation. It
directed its language mainly against the government, despite the violence committed by the
other parties.64

Noting that the Russian Federation had submitted its own text, he said he would not try to put
it to a vote, but instead work for a depoliticized text to allow the extension of UNSMIS’
mandate. The representatives of China, Pakistan South Africa and others also prioritized
extension of the mandate, including through a short, “technical” rollover.65

Meanwhile, Syria’s representative, speaking after Council members, said that a simple,
practical text should have been adopted to extend the mandate of UNSMIS and aid the
implementation of the six-point plan, which his Government strongly supported. Instead, a
one-sided text that sought external intervention had failed. The success of Mr. Annan’s plan
required political will, particularly on the part of those countries that had influence over the
armed groups and could get them to stop their violence.66
He said that some countries wanted the Annan plan to fail, by creating a parallel track under the so-called Friends of Syria, through distorting facts and through giving the impression of a tyrannical regime that was killing its people. On the contrary, those who wanted peaceful reform had been invited to engage in dialogue, but there were also groups bent on destruction, as well as terrorist groups from outside the country, as shown by yesterday’s attack in Damascus.67

Moreover on May 22, 2014, another meeting was convened by the Council to decide on Resolution S/2014/348. More than fifty countries including France, the United Kingdom of Great Britain and Northern Ireland and United States of America supported the resolution. It sought to reaffirm the Council’s strong condemnation of the widespread violations of human rights and international humanitarian law by the Syrian authorities and pro-government militias, as well as the human rights abuses and violations of international humanitarian law by non-State armed groups, all committed in the course of the ongoing conflict in the Syrian Arab Republic since March 2011. The resolution also sought to refer the situation in the Syrian Arab Republic to the Prosecutor of the International Criminal Court. The UNSC failed to adopt these four resolutions on Syria as a result of consistent vetoes by Russia and China.

3.3 An Examination of the Rationale for the Decisions of the Permanent Five in the Libyan and Syrian Crises

As already examined in the previous chapters, Charter 7of the UN has mandated the UNSC with the responsibility to determine the existence of any threat to the peace, breach of the peace or act of aggression and shall make recommendations or decide what measures shall be taken in accordance with Article 41 and 42 to maintain or restore international peace and
security. In this regard, many factors could have individually motivated the P-5 members of the UNSC in taking decisions and actions on the Libya and Syria crises.

It appears that there is always a lot of politics, negotiations, diplomacy, rewards and debates always going on in the UNSC for the following reasons: whether any member among the P-5 would veto a resolution. There are also concerns whether these elected or none permanent members will support a resolution. Thus, countries try to secure approval of their resolution in the Security Council. So whatever the UNSC decides is a product of consensus among the nine members without veto.

Therefore, Russia and China appeared to have consistently vetoed all the resolutions on Syria as a result of the fact that those resolutions were inconsistent with their interests. Moreover, Russia seems to be an important ally and a diplomatic life-line of Syria. Meanwhile some experts have also advanced that Russia did not want the duplication of the Libyan scenario which ousted Gaddafi who was also an ally of Russia.

The responsibility to establish and maintain international peace, security and friendly relations appeared to have always been largely marred by the desire to fulfil national, regional and continental interests. This may have informed the view of Jason Davidson, who asserts that, “a state in the UNSC considers intervention based on the Responsibility to Protect(R2P) norm, when its national or strategic interest is threatened by the target, or its prestige is implicated”68 This seems to suggests that, the decisions by the P-5 members on the Libya and Syria crises were motivated by national interests and the quest to maintain close allies or exercise global influence in the conduct of international relations.
Therefore, the seemingly politicization of the UNSC’s mandate, interests and perhaps the rational actor model of decision making in international relations and foreign policy appears to have undermined the purpose of the UNSC in the establishment and consolidation of international peace and security in the world.

On the basis of the R2P norm, the international community in 2005 agreed that, the international community through a decision or resolution by the UNSC can intervene in crisis; if and only if the country’s government shows the incapability or deficiency in protecting its own citizens. This was hitherto seen as an infringement on the sovereignty of states, but is now permissible under International Law; only through a resolution by the UNSC. The Libya and Syria crises pose a real test to this newly established international norm for ensuring and promoting global peace and security by the UNSC. This is because, the cases presents situations where the lives of citizens in such countries are threatened; since atrocities were meted out against them by their own governments. It therefore became imperative on the international community to intervene to protect civilian lives in those countries against such brutalities.

With the Libya crisis, Russia and China abstained during the voting on whether or not to intervene in the crisis whilst the remaining three members (U.S., U.K, and France) supported the move. This led to the passing of Resolution 1973 on March 17, 2011 by the Security Council, authorizing a no-fly zone and ensuring all necessary measures to protect civilians and civilian populated areas in Libya. This was achieved through the joint forces of the US and NATO; enforcing the no-fly zone and conducting airstrikes against President Gaddafi’s forces. After the passage of Resolution 1973, the UN Secretary-General Ban Ki-Moon declared that “The Security Council today has taken a historic decision. Resolution 1973
confirms, clearly and unequivocally, the international community’s determination to fulfil its responsibility to protect civilians from violence perpetrated upon them by their own government.”\textsuperscript{72} This suggested that, the R2P norm would be acted upon in future cases similar to the Libya crisis; to ensure the protection of civilians against their own governments.

What remains unclear is why a similar sense of obligation has not been discharged in the case of Syria where a situation similar to what happened in Libya continues to unfold. President Assad has perpetuated atrocities against his own citizens; especially with the alleged use of Chemical weapons. However, China and Russia have consistently vetoed against military intervention in Syria. This has slowed the intervention of the international community in protecting civilian lives in Syria, and caused the situation to escalate into a global threat; especially in the Middle East. This largely suggests that, national interest has an influential role to play in the decisions and actions of the P-5 in the Libya and Syria crises.

On the other hand, there might have been along with it that the two countries were unhappy with the way Libya went and have decided that they are not supporting interventions because it would lead to regime change, which would be in contravention of International Law. Thus the norm of R2P in the case of Libya did not only prevent Gaddafi from killing civilians but has led to regime change, civilian deaths and eventually the brutal assassination of Gaddafi and further destabilization of Libya which constituted a significant setback to the security of the sub region, especially with the emergence of Ansarullah or al-Qaeda in the Islamic Maghreb and the Tuareg in Northern Mali.
3.3.1 How the National Interests of the P-5 influenced their Voting Decisions and Actions on the Libya Crisis.

In Resolution 1973 on Libya, as indicated earlier Russia and China abstained in that resolution. The two permanent members of the Security Council decided to find a neutral ground by abstaining. France, the United Kingdom and the United States voted in favour of that resolution and always vote in favour of any other resolution on Libya by the UNSC. A number of factors could have accounted for the voting pattern of the permanent five members who have the power to veto in the Libyan case.

Experts attribute China’s act of abstaining in the Libyan vote to its principle of non-interference in the internal affairs of another state. China also had some economic and political ties with Col. Gaddafi’s regime, yet it voted for Resolution 1970 and abstained on Resolution 1973, allowing sanctions and military action to move forward. Other experts are of the view that China’s relations with the Libyan government were strained over Gaddafi’s outreach to Taiwan and thus indicative of his opposition to Chinese economic interests in Africa. In 2006, Libya hosted Taiwan’s President amidst strong protests from Beijing and therefore gave the opportunity for Taiwan to open a trade office in Tripoli in 2008 despite significant Chinese opposition. Between 2008 and 2011, Libya doubled its crude exports to China and blocked the sale of a small Canadian oil company, Verenex Energy Incorporated, to the state-owned China National Petroleum Corporation. The then Libyan Foreign Minister also called the situation “a Chinese invasion of the continent,” comparing their actions to colonialism. These political differences might have been seen as a threat to China’s economic interests. This may also help explain why China did not offer strong support for Gaddafi in his time of trouble. Brian however agrees with these analysts and points to China’s economic interest which was hurt by Gaddafi as the reason for it not supporting Gaddafi since the survival of the Chinese state is on oil and Gaddafi cared less.
Experts indicate that Russia and Libya have enjoyed a good relationship tracing back from the Soviet Union days. In recent years before the Libyan crisis, economic cooperation and arms sales continued without hitches. In 2008, Russia wrote off $4.5 billion in Libya’s debt geared towards an exchange for Russian companies receiving large contracts in Libya.President Vladimir Putin before handing over power to his successor Medvedev conducted the first official visit of a Russian president to Libya and signed a large number of agreements with the Libyan government on April 16, 2008. In 2010, arms contracts with Libya worth $10 billion which represented up to 12 percent of Russian arms exports were signed. It is clear that Russia’s economic and political ties with Gaddafi’s regime were warm and growing more effective before the crisis started. Russia’s abstention on UNSC Resolution 1973 paved the way for a NATO campaign that eventually helped overthrow Gaddafi. In most cases allies support each other but in some instances priority plays a part in taking decisions. The two permanent members (Russia and China) actions of abstaining and supports of resolutions on Libya may be due to the fact that their economic interests in Libya may not be affected. Like China, Russia allowed these resolutions to move forward out of larger concerns for its good relationship with Middle Eastern and African states and because it was unaware of the consequences implementation would bring.

It could also be examined that the abstention of Russia was as a result of the influence by the change of government from Medvedev to Vladimir Putin. Medvedev seemed to have been a moderate in the conduct of diplomacy as compared to Putin who is perceived to be a radical communist diplomat and aggressive to the US and its capitalist’s policies, some analysts believe that Putin would have vetoed the resolution in Libya, as he has done on Syria on four consecutive occasions.
Eben Kaplan describes the US’ relationship with Qaddafi as that which is not friendly. After a number of provocations, including support of terror groups and pursuit of weapons of mass destruction, Libya has been on the US’ list of states that supports and sponsors terrorism since 1979. In 1981, for instance, the US dismissed all Libyan diplomats and shot down two Libyan fighter jets that fired on US aircraft over the Mediterranean Sea. Libya has a hand in a number of bombings against the West including the Berlin disco bombing in 1986, the 1988 Lockerbie bombing of Pan Am Flight 103, and the 1989 bombing of a French passenger jet over Niger, collectively resulting in hundreds of deaths, including those of Americans. The US and Libya relations continued to deteriorate further in 1999, when Libya turned over two citizens to be tried in The Hague for the Pan Am bombing. It is insightful to state that their relations improved when Libya agreed to compensate victims of its various bombings, accepted responsibility for the Pan Am bombing, and gave up its weapons of mass destruction program in 2003.

In an interview with a Counsellor of Public Affairs at the US Embassy in Accra, Dr. Daniel Joseph Fennell, contended that in Libya the main worry by the P-5 nations is that they had been victimized by terror attacks believed to have been master-minded by Gaddafi. According to Dr. Fennell, the US had direct interests in Libya due to the fact that terrorists found a safe haven in the country. This according to him informed America’s support of the resolutions on Libya. He asserts that the US declared a free trade route through Sidra international waters so that its ships could go through but Libya declared the Gulf of Sidra as their national waters. This warranted US’ opposition to Libya because the Law of the Sea has always declared a free shipping lane for all nations to use. According to Dr. Fennell, the Gaddafi’s government was abusive to its population and so the United States, UK and France had included all these elements as part of their interests but Russia and China did not have the
same interest. He stated that “Russia and China do not have citizens going to Libya for business and so Russia and China had not the same interest as the Us and its allies”.

This study agrees with experts including Dr. Fennell, that Libya’s involvement in terrorism informed the US to support the resolution. Though one can argue that the US relations improved at some point in time nevertheless, past doubts and mistrust and rivalry between the Americans and Gaddafi meant they were by no means friends indeed.

Experts such as Jason Davidson indicates that France was the most enthusiastic country regarding intervention and the first to begin airstrikes and the French Power was also the first country to recognize Libya’s National Transitional Council. According to him while humanitarian concerns played a role, the French government’s support for intervention was also aggravated by the conviction that taking action for the support of the resolutions was in its national interest in terms of its security and economy. France condemned violence by Gaddafi’s government early and often, with President Nicolas Sarkozy calling it “brutal and bloody” and “revolting.”

Although Sarkozy appeared to have been an ally of Gaddafi, reports have also indicated that Gaddafi financially supported the election bid of Sarkozy. Some experts also attribute France’s action on Gaddafi to his repeated support for terrorism. Following the passage of Resolution 1970, if Gaddafi had prevailed, his effort of embarking on terrorists activities would have been boosted and the French government may not have greater economic cooperation with Libya since the prospect may have led to a diplomatic spat between Libya and France. Therefore, once France began taking steps against Gaddafi, its economy and
security would be better off if Libya formed a new government friendlier to France hence the move to support the resolutions.

According to Jason Davidson, the United Kingdom was one of the first countries to campaign for intervention in Libya. According to experts the United Kingdom’s motivations included Gaddafi’s violation of R2P and national security concerns, including threats posed by refugees and terrorism. UK government officials repeatedly condemned Gaddafi’s use of force against civilians, including Libyan planes bombing their own people.89 The issue of Libya’s involvement in terrorist acts is corroborated by Dr. Fennell as he points to the Lockerbie bombing in which the United Kingdom lost its citizens. Dr. Fennell also indicates that, the UK was directly affected, its citizens were killed by the Gaddafi regime prompted it its decision not to veto in the resolutions but rather support them. The three permanent members – France, the United Kingdom and the United States had a common interest of curbing terrorism. To an extent, ideology also played a big role in their decisions to support the resolutions. For instance, the UK, France and the US are liberal democrats and are bent on instituting or establishing democratic credentials across the globe. Indeed they saw Gaddafi as a dictator who has held power since 1969. Thus when the civil war broke out it was an opportunity to remove him from power and this also contributed to their call for the support of the resolutions against Gaddafi.

3.3.2 How the National Interests of the P-5 influenced their Voting Decisions and Actions on the Syrian Crisis

Since the outbreak of the civil war in 2011, the Security Council has not been able to take concrete measures to resolve the Syrian crisis. Russia and China have consistently vetoed resolutions that are geared towards resolving the conflict in the Middle East Country. The three Western countries-France, the United Kingdom and the United States have always
pushed for resolutions on Syria to be adopted but their efforts have been thwarted by their other two permanent members of the Council—Russia and China due the exercise of the veto power.

According to Joel Wuthnow, in 2011, China was ranked as Syria’s top trading partner, ahead of Russia. China’s export to Syria was more than $2.4 billion including communications and electronic equipment, heavy machinery and other important goods.\(^2\) Again, he notes that China has large stakes in Syria’s oil industry and China’s state-owned company—China National Petroleum Corporation holds shares in two of Syria’s largest oil firms and has signed multibillion-dollar deals to assist in exploration and development activities.\(^1\) Another Chinese firm, Sinochem, owns a 50 percent stake in one of Syria’s largest oil fields. China has also stepped in as a buyer of Syrian crude in the aftermath of a European Union embargo in 2011.\(^2\)

Wuthnow’s analysis seems to be supported by Dr. Fennell. According to Fennell, China’s move to veto the resolutions on Syria is a bit difficult to attribute it to national interest but rather for the fact that China has expressed for a long time that they don’t approve of international organizations making judgments or to interfere with the internal affairs of any defined state. Fennell further indicates that:

“China doesn’t want anyone to come to China to tell them how to run China. China will philosophically rise up and come to the aid of any organization or any organized government who might be hurt or overthrown by outside forces and, historically, they have been able to articulate that fairly clearly. They have done that also in the Middle East. Also, China’s specific national interest today in areas that have petroleum exploitation is keener than it was 20 years ago. China stayed out of the fray in the Middle East in the 1960s and 70s but today their economic interests are sharpened because of their economic growth. China’s economy is run by petroleum in a way that it wasn’t 20 years ago. If they perceive their national interest being affected then they want to consult and find a solution.”\(^3\)
In his view Evans Gareth asserts that China’s reluctance to support UNSC resolutions against Syria stems from factors including her foreign policy objective of not supporting regime change of legitimate governments and also supporting rebel groups to oust legitimate governments. This particular policy of China according to Gareth was deviated when China abstained from the UNSC resolution on Libya which resulted in the removal of Gadhafi. China’s disappointment with the West which it accuses of an over extension of the UN mandate in Libya is behind her reluctance to support any of such resolutions proposed by the West. Therefore its disappointment with the West on Libya including extensive economic relations have reinforced her determination not to acquiesce on Syria.\footnote{94}

Russia in vetoing the UNSC resolutions on Syria to many analysts is based on considerations of her national interest. For instance, on February 24, 2012, the British Broadcasting Corporation (BBC) reported that “Russia has clear interests in Syria. It has long given military and diplomatic support to the Syrian government. It supplies Syria with many of its guns, tanks and shells. The report notes that if the Assad regime falls, Russia would lose much of its influence in the Middle East”\footnote{95} Other experts including, a Ghanaian retired Diplomat, Nana Effa Apenteng indicate that the importance of the Syrian port of Tartus to Russia’s navy outweighs considerations of human rights abuses reported by the West against the Assad regime. The fear of the loss of this integral port to Russia’s maritime powers in the event of a rebel triumph or worse still a Pro-West government in Syria influenced Russia’s unflinching support to the Assad regime.\footnote{96}

Again, the Assad’s regime remains one of the biggest weapons ‘buyers’ from Russia. This economic gain runs into billions of dollars, and the fear of losing this market can be inferred from the support from Russia. These two motivations according to this study viewed in realist
terms are enough to ensure the support of Russia to the Assad regime. As such, the security of Russia in terms of her use of the Tartus port coupled with the huge economic benefits from the weapons deals become a motivation for vetoing UNSC resolutions aimed at removing Assad. To Dr. Fennell, Syria has been a specific client state of the Soviet Union for years and even today most of the weapons that are being used by the Syrian regime are Russian manufactured. So there is a bond economically, politically and historically as well Russia’s relationship with Syria is something Russia is keen, because of their national interest, which they perceived to be hurt if those resolutions were adopted.  

America’s move in championing resolutions against the Assad’s regime seemed to be based on their desire to ensure the security of Israel within the region. According to this study, the perception that the Assad’s regime together with Iran pose threats to the security of Israel has been a factor of ensuring a regime change in Syria by way of a support for the rebels. This fear together with allegations of Assad abusing the rights of sections of Syrians thus provided the US with ample reason to justify a regime change that goes to solve the security of Israel problem as well.  

Again, America being the promoter of democratic values saw an opportunity in Syria to promote her ideological values. Assad’s alleged brutality and abuse of human rights against his own citizens violated basic democratic principles and norms including the principle of Responsibility to Protect (R2P), which calls on the international community to intervene. The US in sponsoring resolutions Syria is thus seen as acting not only in championing international peace but also promoting her ideology or worldview i.e. democracy across the world. Any success in removing the Assad government will thus be in the national interest of the US as it corresponds with her worldview.
Experts are of the view that France and the United Kingdom share a common platform for their reasons of pushing for intervention in Syria. Both countries, with their allies including the United States advocated for Assad’s departure in August 2011 - the very year in which the civil war broke out. The two countries together with the United States have strongly condemned the Assad government’s actions and called for direct intervention after Assad allegedly used chemical weapons against Syrians. Experts say the United Kingdom and France have been strong critics of the Assad regime and have always advocated for a military solution to the crisis.99 The United Kingdom remains cautious of the possibility that jihadists and other extremists could come or return to the UK with experience from the Syrian conflict. Again the UK will therefore want the situation to be stabilized since it does not want a large influx of Syrian refugees.

On February 18, 2014, the BBC reported on the position of the three Western permanent members on Syria. According to the report, three permanent members think the Assad government is a dictator and again abuse the rights of the Syrian people. For the three, Syria is harbouring terrorists.100 These factors may have accounted for their role in the Syrian resolutions. Though this writer agrees with these analysts, he is also of the view that their ideology was also a factor and the fact that the Assad government has stayed in power for a very long time is also one factor that informed their actions of pushing for resolution to take him out of power.

3.3.3 Implications of the Veto Power on International Peace and Security

In essence, the Security Council, boils down to the permanent five members who wield the veto power within the fifteen- member body who are the only members in the Council with the right to stop or pursue any development, anywhere in the world that they consider
detrimental or otherwise to peace and security. In line with the above, LeRoy Bennett’s posits that the great powers wield the veto as a safeguard where their vital interests are at stake.¹⁰¹ This applies to the concept of power and according to Hans Morgenthau, nations must be viewed as political entities pursuing their respective interests defined as power.¹⁰²

Indeed whenever an international organization is formed, one of the paramount concerns of governments or nations during the course of preliminary discussions and negotiations is to make sure that the arrangements made are as favourable as possible to their power positions. It is with this concept that in 1945, when the sovereign states met in San Francisco to form the United Nations Organization, the emerging powers after the World War, insisted on the veto to exhibit power. This position is succinctly captured by Fennell who asserts that “….the United Nations is not a membership organization for the world’s citizens; it is a membership organization for the world’s governments and so 100 percent of the actions taken by the representatives are national interests. Hundred percent.”¹⁰³ Thus governments would want to take decisions to suit their interests. Therefore within the context of International relations, as portrayed in the Cold War period and now, power and interest are the inevitable tools for the determination of state action.

Power is by far one of the key issues that seem to be relevant to the conduct of international relations and global politics. Thus, Walter S. Jones and Steven J. Rosen reiterate this phenomenon by stating that “power is the ability of an actor on the international stage to use tangible and intangible resources and assets its local, regional and continental influence. Power is often used to influence the outcomes of international events to the satisfaction of interests of states”¹⁰⁴ This definition points out some of the important and essential features in the conduct of diplomacy and foreign policy among actors. By this, power is the means by
which international actors deal with one another. It is definitely a means for achieving influence over other actors who are also competing for outcomes and benefits favourable to their objectives.

It is therefore enough to say that states’ national interest plays a major role in the decision making process at the Security Council since they all have power and for that matter the veto power and would want to assert it in many ways. In an interview with Ambassador Kojo Christian, he confirmed that national interest indeed influence states in the use of the veto power in the UNSC. He indicated that China’s decision to abstain in a Darfur resolution was due to national self-interest – an economic interest. He said Sudan sits on large reserves of oil and China was interested in Sudan’s oil hence the need to abstain so that Sudan would not think that China was against her.  

So in the UNSC, permanent members depict power through the veto but whenever they want to show power, their behaviour is influenced by national interest. Another Ghanaian Diplomat, Mr. Harold Agyemang who was Counsellor at Ghana’s Permanent Office to the United Nations in an interview also confirms that “national interests of the P5 Member States certainly influence their decision in the use of the veto power. In essence, and it makes common sense to do so, none of the P5s would accept a Security Council decision that affects its national interest”.  

When Nana Effa -Apenteng was questioned on what influenced states in the use of the veto power, he answered in simple words “it is their national interest. When their national interest coincides with the issue at stake, then you can get unanimity. If the P-5s agree that means it coincides with their national interest.” This clearly suggests that the principle of unanimity is mostly not achieved when an issue as take affects the national interest of any of the permanent five members.
The United States has been casting the veto to protect its ally-Israel. More than half of US vetoes cast over the year has protected Israel. According to Dr. Daniel Fennell, the US has two spheres of interest in Israel- a direct one, which involve trade benefits and something that affect the population of the Israelites and the second is indirect, which according to him is ideological benefit. He said the US is interested in protecting Israeli due to the outcome of the Second World War when many Jews were killed. Again Israel and the US share the same ideological values. According to him the state of Israel has the highest form of functioning democracy in the Middle East and the most successful with the highest Gross Domestic Product (GDP), this seems to represent the best economy and highest standard of living, so this is one the interests of the US that call for their vetoes to protect Israel. Again as stated earlier, Russia and China’s interest in Syria also call for their vetoes to attain their interests and to prevent the United Nations Security Council from taking action on Syria. The permanent members are able to block actions because they have the power of the veto hence the veto has implications on international peace and security.

According to Mr. Harold Agyemang “the veto power has in a number of instances held back action for collective security and the examples of coalitions by-passing the Security Council to address perceived threats to international peace and security is evidence of the frustrations some countries in the Security Council appear to have.” According to him Rwanda in 1994, with the backdrop of Somali in 1992 are clear examples of how American threat of veto against troop reinforcement stalled any action by the United Nations Security Council against the genocide that subsequently occurred.

Though the United Nations Security Council has achieved a great feat of preventing another major, regional or World War, with the existence of the veto power and the politics
surrounding it to suit the interest of the permanent members of the UNSC, one cannot say the Council has achieved it all. As a result of the spate of violence across the globe, the UNSC is yet to make a decision to impact the crisis in Syria. However, their interests are sometimes hampered by the veto power privilege. This creates more puzzle than answers as to why there is an outstanding institution like the United Nations and yet there are scores of violence in some parts of the world. Indeed without national interest the UNSC can achieve a greater unity than now and more so, the world will enjoy great peace and stability than presently.
Endnotes

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CHAPTER FOUR

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSION

4.0 Introduction

The United Nations Security Council is the embodiment of global peace and security. For decades, this organ has been carrying out this duty but has received criticisms due the power of the veto that is wielded by the five permanent members of the Council. Although the veto endowed to the P-5 is aimed at promoting peace and security, it appears it has become a tool for the promotion of national interests – making the Council lose focus on its mandate including the generally accepted principle of the Responsibility to Protect. The politics relating to the use of the veto power due to national interests of the members of the Council or their allies is rendering it ineffective. The cases in point are Libya and Syria, where in the case of Libya the veto was not used but was exercised in the Syrian case.

The study is pivoted on the theory of Realism and focuses on national interest as a predominant factor that influences the decisions and actions of the P-5 members of the UNSC, in the use of their veto in discharging their global responsibility of ensuring international peace and security. This theory helps to explain how the pursuit of the national interests of the P-5 members of the UNSC largely undermines their ability to effectively discharge the Council’s mandate for maintaining international peace and security.

Following from this, the study set out to ascertain the extent to which the veto power is helping to achieve the UNSC’s aim for which it was established and to what extent national interests of states influence the use of the veto and the implications of that on international
peace and security and evaluate and analyse the use of the veto in relation to the interests of the permanent five in the Libya and Syria crises.

4.1 Summary of Research Findings

Based on information obtained from the analyses of data gathered from literature reviews and interviews conducted the following findings were derived:

The study found out that in order to avoid the pitfalls that led to the collapse of the League of Nations, the United Nations Security Council (UNSC) was established to establish and maintain international peace, security and cooperation. Thus the UNSC was conceived with the veto power wielded by only five members including the US, Russia, UK, France and China instead of the entire members of the Council.

In addition, the study showed that, the UNSC has undergone some reform since its inception and now has 15 members with five permanent members (i.e. China, France, the Russian Federation, the United Kingdom and the United States) and 10 elected by the General Assembly for two-year terms, an increase of five over the original 10. Notwithstanding the overall increase in the membership of the UN to almost a quadruple since its formation, there has been no further increase in the permanent members of the Security Council.

In line with the above, with reference to Article 24 of the UN Charter, Member States bestow the principal responsibility of the maintenance of international peace and security on the Security Council and agree that the Council, in order to carry on this duty, acts on their behalf. Member States also agree to accept and carry out the decisions taken by the Security Council under Article 25 of the Charter. Though other organs of the United Nations like the General Assembly can only make recommendations to governments, the UNSC is the only
organ mandated to issue resolutions that are legally binding on all Member States under international law.

Furthermore, the study found that, since the establishment of the UNSC, it has used voting as its main medium to decide or establish resolutions on issues of international importance. This voting pattern or system indicates members’ stance on issues. In the voting system or pattern, the Charter differentiates between the procedural and non-procedural (substantive) matters. According to Article 27 of the Charter, decisions on procedural matters will be made by an affirmative vote of at least nine out of fifteen current members. On the other hand, decisions on substantive matters are made by affirmative votes of nine members; including the concurring votes of the permanent members. This is the clause that gives the Permanent Five or the P-5 their veto power. The United Nations refer to the rule of veto as “great power unanimity.”

The study found that the use of the veto is very important within the Security Council because a single veto vote can quash a resolution. This seems to be a significant contribution to the establishment and development of harmony among the great powers. It appears to emphasize the need for the prevalence of the “unanimity principle” among the permanent members. Determined to avoid the pitfalls of its predecessor organization—the League of Nations, framers of the Charter put in place the unanimity principle. This principle aims at fostering unity among the Super Powers as victors of the Second World War to be able to collectively decide on pertinent issues that will inure to safeguarding the peace and security of the international community as a whole. The “unanimity principle” within the Security Council is a preserve of the permanent five and not the entire membership of the United Nations.
The study establishes that there has been a certain trend over the years; the USSR/Russia which appears to have employed the veto on 128 occasions and the US 83, the United Kingdom 32, France 18 and China 10. This seems to be an indication that both the US and Russia have used the veto more often than the other permanent members. For China, nine of the 10 were cast by the People’s Republic of China (PRC) after it replaced the Republic of China (ROC) on October 25, 1971.

Thus, there seem to have been 33 cases in which multiple vetoes have been cast during a vote in the UNSC. The study indicated that all members of the P-5 have exercised the veto power on several occasions. Since 1946 until now, the veto power appeared to have been used more than 271 times. Between February 16, 1946 to December 2012, the veto power has been cast specifically 271 times publicly. During the Cold War era, the Union of Soviet Socialist Republics (USSR) or the Russia Federation was the regular user of the veto power.

The study also revealed that, though the permanent members of the Security Council have the opportunity to enhance international peace and security, the use of their veto power has become a tool for the furtherance of their interests. i.e. There are great politics surrounding the use of that power due to self- interest or the interests of allies, and this is hampering the effectiveness of the UNSC. This led to the call by some states (particularly Australia) for an amendment which sought to avoid the use of the veto in matters relating to peaceful settlement of disputes, but it was rejected at the San Francisco Conference by 20 votes against 10 while 15 states abstained when the votes were cast. France too had earlier suggested a restriction of the veto power in May 1945. France’s decision was also abandoned when it gained permanent membership status.
The study identified a change in trends in the use of the veto as China that had traditionally abstained from using the veto has increased its use since the late 1990s – casting seven out of its nine vetoes since 1997. France and the UK on the other hand have not used their vetoes since 1989, these include its five joint vetoes with Russia since 2007, as well as sole vetoes regarding Guatemala and Former Yugoslav Republic of Macedonia, respectively. The veto was most recently employed on 19 July 2012 by China and Russia on a draft resolution threatening sanctions on Syria (S/2012/538).

From the study, the Libyan and Syrian crises presented clear cut cases where the use of the veto by the P-5 members of the UNSC portray the pursuance of strategic interests of close allies rather than pursuing the greater interest of the international community which is to ensuring and promoting global peace and security.

The study identifies that the failure of Muammar Gaddafi to respect Resolution 1970, passed by the Security Council on Libya that condemned the use of lethal force by the government of Muammar Gaddafi and called for cessation of violence. Gaddafi’s refusal to comply with the Resolution 1970 led to the second Resolution that authorised the use of force. Gaddafi’s continued massacre of civilians even in the aftermath of Resolution 1973 led the Council to evoke the principle of the Responsibility to Protect so as to provide protection to civilians in imminent threat of danger.

The study showed that, China’s act of abstaining in the Libyan vote could largely be attributed to varied observations: its principle of non-interference in the internal affairs of another state, and perhaps the perceived alliance between Russia and China in the affairs of the UNSC. Therefore, China would initially be unwilling to act of authorizing the use of
force against a sovereign nation. China also had some economic and political ties to Col. Qaddafi’s regime, yet it voted for Resolution 1970 and abstained on Resolution 1973, allowing sanctions and military action to move forward Russia’s decision on Libya stemmed from the long-standing relationship between the two countries that can be traced back to the Soviet Union days where the two countries share the same ideology. Russia’s action in voting for the first resolution (Resolution 1970) was because it called for the cessation of violence but the second-Resolution 1973 called for the application of the use of force by the Council and this may have prompted Russia’s adoption of a neutral ground of abstaining.

The study pointed to the fact that the US’ voting decisions on the Libyan crisis would have been largely influenced by its relationship with Gaddafi at the time; which appeared to be unfriendly. After a number of provocations, including support of terror groups and pursuit of weapons of mass destruction, Libya has been on the US’ list of states that support and sponsors terrorism since 1979. In 1981, the US dismissed all Libyan diplomats and shot down two Libyan fighter jets that fired on US aircraft over the Mediterranean Sea. These factors may have caused the US to vote in favour to intervene in the Libyan crisis although justification was pinched on pursuing and promoting the International Law; R2P norm.

With reference to the role of France on the Libyan crisis, the study shows that, France although appeared to have been in good relations with France, the French government’s support for intervention was also aggravated by the conviction that taking action for the support of the resolutions was in its national interest in terms of its security, economy, and esteem. France condemned violence by Gaddafi’s government early and often. In view of this, France was the most enthusiastic country regarding intervention and the first to begin airstrikes and also the first country to recognize Libya’s National Transitional Council.
In the case of UK’s voting decisions for intervening in the Libyan crisis, the study points out that, the UK’s motivations included Gaddafi’s violation of R2P and national security concerns, including threats posed by refugees and terrorism. UK government officials repeatedly condemned Qaddafi’s use of force against civilians, including Libyan planes bombing their own people. Dr. Fennell confirmed Libya’s involvement in terrorism by pointing to the Lockerbie bombing in which the UK lost its citizens. He indicated that, the fact that the UK was directly affected- its citizens were killed by the Gaddafi regime prompted it its decision not to veto in the resolution but rather support them. Therefore, the United Kingdom was one of the first countries to campaign for intervention in Libya and proceeding military actions.

The study notes that the Security Council employed the normative principle of the R2P which had been in existence since 2005 for the first time in the Libyan crisis. This action of the SC created optimism that the principle would be used in similar instances in the future. This optimism it appears was however a little pre-mature as the SC failed to apply the same principle in the Syrian crisis although it occurred a month after Libya and had similar characteristics.

The study unearthed that; China enjoys a friendly political and economic relationship with the Syrian government. China was Syria’s third-largest importer in 2010 with their bilateral trade ties increasing 12 percent to almost $2.5 billion. The study also indicated how China has firmly supported Syria’s position on the Golan Heights, while Syria reciprocates this with staunch support to China on matters related to Taiwan, Tibet, Xinjiang and human rights. This shows clearly that, China’s decisions to veto intervention in the Syrian crisis are entirely
based on geopolitical national interests. China has called for a halt to the killings but does not want to see Assad’s regime overthrown. China has thus been seeking a peaceful, political solution to the crisis since its beginning.

The study showed that Russia’s decision to veto intervention in Syria stems out of its dissatisfaction of the intervention process that was carried out in Libya. In addition, Russia has close economic and military ties with the Syria and as such has been even more supportive of the Bashar al-Assad government.

The study therefore found out that the veto by China and Russia in intervening in the Syria crisis has made the vote of the other three P-5 members (UK, US and France) futile; though the wish for the intervention of the UNSC in the crisis for the removal and destruction of chemical weapons in Syria considered mainly as contributing to the ever ending nature of the crisis.

The study found out that the permanent five are not all the time united in taking decisions within the Council. In certain situation they are one but in others –there is lack of the unanimity principle, a reason which can be still be directed to their national interest.

4.2 Conclusion

The study reached the following conclusions based on findings obtained from the study;

The main factor that has prevented the collapse of the UN as witnessed in the case of the League of Nations is the veto power wielded by the P-5 members of the UNSC. This clearly shows power differentiation among states in the international system. This was what was lacking in the previous global body structure (the League of Nations) where all member states
of its Council wielded equal power in deliberating and deciding on issues of international peace and security. Based on the findings of the study, the researcher concludes that, though the use of veto power has prevented the collapse of the UN system till now, the same veto has become the tool of the P-5 members for the pursuit of their own parochial interests at the expense of the global interest of maintaining international peace and security. A critical look at the vetoes cast so far by the United States, the United Kingdom, France, China, and Russia, show that these states are seeking to advance their own strategic, ideological, moral, economic and social purposes, in line with the conditions of the international environment.

It can also be concluded from the above that, national interest plays a major role in influencing the voting decisions and actions of the P-5 members in the UNSC with regards to addressing issues which threaten global peace and security.

Also in relation to the above, it can be concluded that the use of veto by the P-5 members of the UNSC has implications on international peace and security. This is because, the P-5 members of the UNSC will only consider intervention when they believe their national interest is threatened by an intended action, or their prestige is implicated. In such a system where there is diffusion of global power and each state has its own national interest, arriving at a consensus sometimes become almost impossible in addressing an issue of threat to international peace and security as observed in the Syrian crisis.

It can also be concluded from the study that, though the pursuit of the national interests influence the voting decisions of the P-5 members of the UNSC, it has also prevented some emerging threats from escalating into a global threat. In other words, the UNSC has been effective in discharging its global responsibility since the world has yet not suffered or experienced a World War since 1946 when the UNSC was formed.
Based on the above findings of the study, the researcher concludes that, the hypothesis that “The abuse of the veto power and lack of effective cooperation among the permanent five members of the Security Council have negative implications on global peace and security” has been positively confirmed. This is because, it has resulted in situations where the UNSC is still battling to restore and peace and security in some parts of the world such as Syria. As a consequent, the crisis is escalating with each passage of the day and the region is now becoming the domicile habitation for some terrorist groups such as ISIS in carrying out more atrocious operations.

4.3 Recommendations

Based on the findings from the study and suggestions made by respondents during interviews, as well as objectives of the study, the researcher makes the following recommendations:

- There should be more pressure from other non-members of UNSC to ensure a reform of the Council. These should include increasing the memberships of the Council as a whole including; the membership of its permanent members. In addition, there should be a reform of the use of the veto power by the permanent members of the UNSC to ensure that, they do not abuse the privilege in pursuing their own parochial interests at the expense of discharging the ultimate responsibility of promoting and ensuring international peace and security.

- In instances where the Security Council cannot see reform, the permanent five should be ready to suspend the use of the veto-particularly in situation that there is mass atrocity meted out on innocent citizens. Thus, the veto should only be exercised when it is about a question of vital importance to the United Nations as a whole. For
example, it is essential that the veto power be not used to block action that would prevent international aggression or even genocide in any part of the world. This will enable the Council to take an action in some parts of the world where people die on daily basis and there is a high sense of destruction of property and instability prevails – in like Israel and Syria.

➢ The researcher recommends that there should be a mechanism to ensure the universal application of the R2P norm. In this way, the national interests of the P-5 members of the UNSC wouldn’t interfere with discharging their ultimate responsibility of ensuring international peace and security.

➢ The role of the Security Council is indispensable to genuine peace and development. Thus, to strengthen the Council, more efforts should be made by the big five to seek greater consensus in the Council's decision-making processes and this will help maintain sanctity of the purpose and principles for which the Council was established. However, the Super Powers solidarity should not be at the expense of the smaller powers. These smaller nations need to be united and also to form a formidable force.

➢ Also, for the global community to be firm through the Security Council, the speedy and effective action, as demanded by the Charter, in confronting the constant challenges of international peace and security, it is therefore imperative that its decisions be backed by the collective commitment of the permanent five as pertains in Article 27(3) of the Charter. This commitment can be guaranteed by demands from all the nations that form the United Nations on the five powerful members to live up to their responsibilities as mandated by the charter and nothing else. The Security
Council and for that matter the United Nations is centred on the collaborative effort of the five permanent members. The Organization must therefore continue to depend, for its strength, upon the essential solidarity of these Super Powers. If this solidarity fails, security enforcement arrangements would also fail.

Finally, the permanent members should also provide a convincing justification whenever they wish to apply the veto. This would help in discouraging the use of the veto mainly for selfish reasons and this would allow the veto to be used by the permanent members in a manner consistent with their responsibility under the Charter. The veto should rather be used to deter any negative move on the part of any member of the Council that would appear to render the Security Council inactive.

In short, Chapter Four has provided a summary of the research findings; drawn conclusions based on the research findings and made recommendations for use.
A. Books


B. Journal Articles


C. Documents/Reports/Papers

Ambassador Frederic C. Hof & Alex Simon “Sectarian Violence in Syria’s Civil War: Causes, Consequences, and Recommendations for Mitigation”


Draft Resolution S/10771.


Enders, David "Deaths in Syria down from peak; army casualties outpacing rebels". November 2012.


Landis, Joshua "Free Syrian Army Founded by Seven Officers to Fight the Syrian Army". *Syria Comment*. July 29, 2011.

League of Nations Covenant.


Mahmoud, Khaled "Gaddafi Ready for Libya's 'Day of Rage'". February 2011.
McClean, Emma “Hard Evidence: who uses veto in the UN Security Council most often – and for what?” July 2014

No Room to Breathe: State Repression of Human Rights Activism in Syria” 19 (6). Human Rights Watch.


The UN Charter


Weiss, Michael. "Trust Iran Only as Far as You Can Throw It". Foreign Policy.

D. Interviews

Personal Interview with Dr. Daniel Joseph Fennel, Counsellor for Public Affairs, US Embassy, Accra, on July 14, 2015.

Personal Interview Nana Effa-Apenteng, Former Ghana’s Permanent Representative to the UN and president of the UNSC in August 2006, on July 23, 2015.

Personal Interview with Ambassador Leslie Christian, Former Ghana’s Permanent Representative to the UN and president of the UNSC in October 2007. He is currently the Chief Director of the Ghana’s Ministry of Foreign Affairs and Regional Integration, on July 6, 2015.


E. News/Newspapers/Magazines

11 troops killed as UN chief urges end to Syria violence." NDTV. Agence France-Presse. 18 October 2011.

400 children killed in Syria unrest". Geneva: Arab News. 8 February 2012.

Assad forces fight deserters at north western town". Reuters. October 25, 2011.


Syria Kurd leader vows to keep up democracy struggle". Reuters. April 7, 2011.

Syrian army kills at least 95 in Hama: activist".Dawn. Agence France-Presse. 31 July 2011.

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F. Internet Sources


Syria: Opposition, almost 11,500 civilians killed". Ansamed.ansa.it.


The UN Security Council Website.


APPENDIX

INTERVIEW GUIDE


The purpose of this research is to ascertain the extent to which the permanent five are using the veto power to enhance international peace and security. In particular, it seeks to determine the implications of the decisions of the permanent members of the UNSC on the Libyan and Syrian crises. This is solely for an academic research as a further requirement for a Post-graduate degree (MA) certification. Responses to the following questions will be treated with high confidentiality and solely for the purpose of the research.

1. What influence states in the use of the veto power?
2. Do national interests of states influence the use of the veto?
3. Has the veto power played any role in ensuring international peace and security?
4. Did the unanimity principle bring peace in the Libyan crisis?
5. Is the veto power hampering the effort of the UNSC in maintaining international peace and security and in what instances?
6. Is there a sense of unity or co-operation among the permanent five particularly when it comes decision making in the UNSC for instance in the Syrian case?
7. Should the scope of the veto power be extended to other members of the Council?
8. Has the UNSC achieved its purpose for which it was established?
9. What informed the decision of the permanent five in the Sudan case?
10. Why did China and Russia abstain in the Sudan vote?
11. What informed the decisions by the permanent five in the Libya and Syria crisis?
12. How did the national interest of the permanent five affect the safeguard of international peace and security during the Libya and Syria crisis?

I Thank You