

# The Role of Non-Permanent Members on the Security Council in Pursuit of Peace and Justice: Key players or lame ducks?

11-12 May 2017



**Universiteit  
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The Netherlands

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# Welcome

**This research seminar seeks to examine in some depth the particular responsibilities and roles of non-permanent members of the Security Council in a world of turmoil.**

The non-permanent members are in a numerical majority on the Council, yet do not have the power of the veto wielded by the permanent members.

This research seminar addresses the question whether the NPMs are just in a rather impotent position on the Council or whether they can contribute significantly to its work, for example by serving as agents of the international community and norm entrepreneurs. While fully realizing that the NPMs never form a homogeneous group, it is pertinent to identify and explore their joint strengths. What role for the NPMs is foreseen by the Charter, and how has this role evolved in practice? What are their chances and opportunities to employ

what is in the tool-box of the Security Council? Practice demonstrates that this contains a host of instruments, including Charter-based mechanisms such as the establishment of subsidiary organs (e.g. sanctions committees) and rotating presidencies as well as non-Charter based instruments such as thematic debates, presidential statements, informal working groups, concept notes and non-papers. Are there any particular 'niches' for the NPMs in the Security Council, such as, for example, taking initiatives on rule of law issues?

The research seminar will also discuss the reform of the Security Council, in particular from the perspective of the NPMs. Should their position be strengthened, e.g. by increas-

ing their number or by extending the term of two years? Is there any room for strengthening their position by informal changes that do not require Charter amendment?

We would like to heartily welcome you to Leiden University and the Netherlands, and hope that you enjoy your stay!

*Nico Schrijver and Niels Blokker*

*Grotius Centre for International Legal Studies, Leiden University*



## Programme Thursday 11 May (the Hague)

From	To	Speaker	Description	Location
13:50	15:00		Pick-up at hotel and travel to the Hague by train	Golden Tulip Hotel, Leiden
15:00	16:00	Nico Schrijver ( <i>Leiden University &amp; MP and Chair Foreign Affairs Committee Senate</i> )	Introduction  Guided tour of the Senate	Senate, Binnenhof 22, The Hague
<b>Panel 1: Non-permanent members on the UN Security Council (Chair: Niels Blokker, Leiden University)</b>				
16:00	16:30	Stephen Mathias ( <i>Assistant Secretary-General for Legal Affairs, UN, New York</i> )	Non-permanent members on the UN Security Council: a Charter perspective	Senate, Binnenhof 22, The Hague
16:30	17:00	Ian Martin ( <i>Executive Director, Security Council, New York</i> )	Non-permanent members in the UN Security Council: a practical perspective	
17:00	17:30	Ulrika Möller ( <i>University of Gothenburg</i> )	Campaigning for a seat in the Security Council	
17:30	18:00		Discussion	
18:30	21:30		Dinner hosted by Marriët Schuurman ( <i>Ministry of Foreign Affairs, Kingdom of the Netherlands</i> )	Restaurant Garoeda, Kneuterdijk 18A, The Hague

## Programme Friday 12 May (Leiden)

From	To	Speaker	Description	Location
08:15	08:30		Pick-up at hotel and walk to Academy Building	Golden Tulip Hotel, Leiden
08:30	09:00		Coffee and tea	Academy Building, Rapenburg 73, Leiden
<b><i>Panel 2: Non-permanent member experiences (Chair: Larissa van den Herik, Leiden University)</i></b>				
09:00	09:20	Alistair Edgar ( <i>Executive Director of the Academic Council on the United Nations System</i> )	The Canadian experience	Faculty Room Law, Academy Building, Rapenburg 73, Leiden
09:20	09:40	Gerard van Bohemen ( <i>Permanent Representative of New Zealand to the UN, New York</i> )	The New Zealand experience	
09:40	10:00	Nico Schrijver ( <i>Leiden University</i> )	The Dutch experience	
10:00	10:30		Discussion	
10:30	11:00		Coffee and tea break	
<b><i>Panel 3: Niches for non-permanent members (A) (Chair: Han ten Broeke, MP of the People's Party for Freedom and Democracy (VVD))</i></b>				
11:00	11:20	Alejandro Rodiles ( <i>ITAM, New Mexico</i> )	Non-permanent members and the rule of law	Faculty Room Law, Academy Building, Rapenburg 73, Leiden
11:20	11:40	Giuseppe Nesi ( <i>University of Trento</i> )	Non-permanent members and international criminal justice	
11:40	12:00	Daniëlla Dam-de Jong ( <i>Leiden University</i> )	Non-permanent members and agenda-setting: the Security Council as peace broker	
12:00	12:30		Discussion	
12:30	13:45		Lunch	

## Programme Friday 12 May (Leiden)

From	To	Speaker	Description	Location
<b><i>Panel 4: Niches for non-permanent members (B) (Chair: Peter van der Vliet, Director Multilateral Organisations and Human Rights, Ministry of Foreign Affairs)</i></b>				
13:45	14:00	Peter Wilson ( <i>Deputy Permanent Representative of the UK to the UN, New York</i> )	The permanent member experience (video-link)	Faculty Room Law, Academy Building, Rapenburg 73, Leiden
14:00	14:20	Jeremy Farrall ( <i>Australian National University</i> )	Non-permanent members and sanctions	
14:20	14:40	Kimberly Prost ( <i>Former Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee, UN</i> )	Non-permanent members and the UN ombudsperson	
14:40	15:10		Discussion	
15:10	15:40		Coffee and tea break	
<b><i>Panel 5: Towards reform of the Security Council and the future role of non-permanent members (Chair: Judge A. Yusuf, Vice-President International Court of Justice)</i></b>				
15:40	16:00	Sam Daws ( <i>University of Oxford</i> )	Security Council reform	Faculty Room Law, Academy Building, Rapenburg 73, Leiden
16:00	16:20	Christian Wenaweser ( <i>Permanent Representative of Liechtenstein to the UN, New York</i> )	Working from the outside to make the Security Council more effective	
16:20	16:40	Jan Wouters ( <i>Catholic University Leuven</i> )	The Security Council and the EU	
16:40	17:00	Thomas Mayr-Hartin ( <i>Managing Director for Europe and Central Asia in the European External Action Service, Brussels</i> )	Representing the EU at the Security Council	

<b>From</b>	<b>To</b>	<b>Speaker</b>	<b>Description</b>	<b>Location</b>
17:00	17:30		Discussion	Faculty Room Law, Academy Building, Rapenburg 73, Leiden
17:30	17:40	Niels Blokker ( <i>Leiden University</i> )	Closing words	Leiden
18:00	19:00		Reception	Prentenkabinet, Kloksteeg 25, Leiden
19:00	22:00		Dinner	

## Speakers

### Nico Schrijver (Leiden University)

Nico Schrijver is Professor of Public International Law and Academic Director of the Grotius Centre for International Legal Studies, Leiden University. He is also member of the Senate for the Labour Party and serves as the Chairperson of the Senate Committee on Foreign Affairs, Defence and Development Co-operation as well as vice-chair of the Senate Committee on European Affairs. Nico Schrijver was also a member and vice-chair of the UN Committee on Economic, Social and Cultural Rights and is member of the Permanent Court of Arbitration, the Institut de droit international and the Royal Netherlands Academy of Sciences. He has an extensive publications record on the role of international law in peace and security, natural resource management, human rights protection and sustainable development. Furthermore, he appeared as Legal counsel before the ICJ, ITLOS and specialised law of the sea and investment arbitration tribunals.



### Niels Blokker (Leiden University)

Niels Blokker was appointed as Professor of International Institutional Law to the 'Schermers Chair' in 2003, at the Grotius Centre for International Legal Studies of Leiden University. In addition, he worked for many years for the Netherlands' Ministry of Foreign Affairs. In 2007 he became Deputy Legal Adviser at this Ministry. In 2013 he left the Foreign Ministry to work as a full-time professor at Leiden University. His publications include International Regulation of World Trade in Textiles (dissertation, 1989), Proliferation of International Organizations (co-authored with the late Henry G. Schermers, 2000), The Security Council and the Use of Force (co-edited with Nico Schrijver, 2005), International Institutional Law (co-authored with the late Henry G. Schermers, 5th edition 2011), Immunity of International Organizations (co-edited with Nico Schrijver, 2015). He is co-founder and co-editor-in-chief of the journal International Organizations Law Review.



### Stephen Mathias (Assistant Secretary-General for Legal Affairs, United Nations, New York)

Stephen Mathias was appointed as Assistant Secretary-General for Legal Affairs on 1 September 2010. In this position he is the head of the Office of the Legal Counsel and assists in the overall supervision of each of the units of the Office of Legal Affairs. Prior to this, he was the Director of the General Legal Division in the Office of Legal Affairs. Before joining the United Nations, he served at the United States State Department for 20 years. Mr. Mathias has taught as an adjunct professor at Georgetown University Law Center and is a member of the American Society of International Law and the Council on Foreign Relations.





**Ian Martin (Executive Director,  
Security Council Report, New York)**

Ian Martin joined Security Council Report in April 2015 as its Executive Director. Mr. Martin was a member of the UN's High-Level Independent Panel on Peace Operations and has served the UN in several senior capacities over nearly 20 years. He was Special Representative of the Secretary-General in Libya, Nepal and Timor-Leste, head of the Gaza Board of Inquiry, Deputy Special Representative in the UN Mission in Ethiopia and Eritrea and Special Adviser to the High Commissioner for Human Rights. He was also Secretary General of Amnesty International (1986-1992) and Vice-President of the International Center for Transitional Justice (2002-2005).



**Ulrika Möller (University of  
Gothenburg)**

Ulrika Möller is Assistant Professor in the Department of Political Science at University of Gothenburg, Sweden. Her research-interests lies in the fields of international relations theory, comparative politics and foreign policy analysis. Her doctoral thesis *The Prospects of Security Cooperation: A Matter of Relative Gains or Recognition?* (2007) addresses the problem of state defection from multilateral cooperation, with empirical focus on India's decision to repudiate the Comprehensive Test Ban Treaty (CTBT) in 1996. Further, in *Political leadership, Nascent Statehood and Democracy* (2014, 2016) she investigates the political leadership of India and Pakistan at independence. She has also published on the topic of Swedish foreign policy after the Cold War. She is currently working with a project on states' campaigns for an elected seat in the UN Security Council.



**Alistair Edgar (Executive Director of  
the Academic Council on the United  
Nations System)**

Dr. Alistair D. Edgar is Executive Director of the Academic Council on the United Nations System (ACUNS), Faculty Associate and Advisory Board member at the Laurier Centre for Military Strategic and Disarmament Studies, and is Associate Professor of Political Science at Wilfrid Laurier University. Outside of the University, Dr. Edgar is president of the New Delhi-based International Jurist Organization; he also sits on the Board of the Canadian Land Mine Foundation; and is a former National Board member of the United Nations Association in Canada. Dr. Edgar's research focuses on transitional justice in war-to-peace transitions and post-conflict peace building.



**Gerard van Bohemen (Permanent Representative of New Zealand to the UN, New York)**

Gerard van Bohemen has been Permanent Representative of New Zealand to the United Nations since 2015. Prior to this, Mr. van Bohemen was Deputy Secretary at in the New Zealand Ministry of Foreign Affairs and Trade, where he was responsible for multilateral and legal affairs between 2010 and 2015. He was Director of the Ministry's Legal Division and New Zealand's International Legal Adviser (2005-2010). Ambassador van Bohemen's career has combined his service as Minister with his private legal practice in Auckland and Wellington. He has served three terms at his country's Mission to the United Nations in New York.



**Alejandro Rodiles (ITAM, New Mexico)**

Alejandro Rodiles has been Assistant Professor of International Law and Global Governance at the Instituto Tecnológico Autónomo de México (ITAM) since 2015. Before this position, he was a Research Fellow at the Chair for Public Law, Public International Law and European Law at the Humboldt University of Berlin, and a Lecturer at the Law Faculty of the National Autonomous University of Mexico (UNAM). Mr. Rodiles worked at the Ministry of Foreign Affairs of Mexico and served on the Permanent Mission of Mexico to the United Nations in New York (2009-2011) as Legal Adviser (Counsellor) and Member of the Mexican Delegation to the United Nations General Assembly and the Security Council. He also worked at the Office of the Legal Adviser and the Policy Planning Staff of the Ministry of Foreign Affairs, in Mexico City.



**Giuseppe Nesi (University of Trento)**

Giuseppe Nesi is professor of International Law and Dean of the Faculty of Law at the University of Trento. He was legal advisor to the Permanent Mission of Italy to the United Nations in New York for eight years (2002-2010) and legal advisor to the President of the General Assembly, Joseph Deiss, in the 65th Session. Previously, he was the legal advisor of the Italian Presidency of the European Union (1996) and legal advisor of the Chairman-in-Office of the Conference on Security and Cooperation in Europe (1993). In 2013 he was appointed by the Ministry of Foreign Affairs as member of the Inter-Ministerial Committee for Human Rights, Rome.



**Daniëlla Dam-de Jong  
(Leiden University)**

Daniëlla Dam-de Jong is Assistant Professor at the department of public international law and the Grotius Centre for International Legal Studies at Leiden University. She defended her PhD at the same university on a dissertation entitled 'International Law and Governance of Natural Resources in Conflict and Post-Conflict Situations', for which she received a research prize by the Foundation Praemium Erasmianum. Currently she is conducting a research project on the contribution of the UN Security Council to enforcing intra-state peace agreements. Her interests lie in the fields of sustainable development and peace & security, with a focus on the work of the UN Security Council.



**Peter Wilson (Deputy Permanent  
Representative of the United Kingdom  
to the UN, New York)**

Peter Wilson is Ambassador and Deputy Permanent Representative of the Mission of the United Kingdom to the United Nations in New York. Before this, he served as Asia Pacific Director at the Foreign and Commonwealth office in London where he covered North and South East Asia, and Australasia from November 2010. He also served as Director of Strategy for the FCO in 2010. Ambassador Wilson's postings have included service at the British Embassy in Beijing, China where he was Political Counsellor (2007-2010) and Second Secretary, Commercial (1995-1998). Ambassador Wilson will take up a new posting as ambassador of the United Kingdom to the Netherlands in the autumn of 2017.



**Jeremy Farrall  
(Australian National University)**

Jeremy Farrall is a Fellow at the Asia-Pacific College of Diplomacy in the Coral Bell School of Asia Pacific Affairs at the Australian National University (Canberra) and Adjunct Associate Professor at the Faculty of Law of the University of Tasmania. He is also Convenor of the Academic Network of the United Nations Association of Australia (UNAA). Jeremy has worked for the United Nations in a range of capacities, serving as a Political Affairs Officer both for the UN Security Council at UN Headquarters in New York (2001-2004) and for the UN Mission in Liberia (2004-2006). He was also a UN Facilitator for the UN Secretary-General's Good Offices team that mediated peace talks in Cyprus (2004, 2008).



**Kimberley Prost**  
**(Former Ombudsperson to the ISIL**  
**(Da'esh) and Al-Qaida Sanctions**  
**Committee, UN)**

Kimberley Prost was the former Ombudsperson for the Security Council's Al-Qaida and Taliban Sanctions Committee (2010-2015). Prior to this, she served for four years as an ad litem judge at the International Criminal Tribunal for the Former Yugoslavia in the Hague. She has also headed sections within the United Nations Office on Drugs and Crime and the Commonwealth Secretariat. Ms. Prost also worked for the Canadian Department of Justice for almost 20 years in a variety of roles, including as a prosecutor and as head of the international assistance group which deals with extradition and mutual legal assistance.



**Sam Daws**  
**(University of Oxford)**

Sam Daws is Director of the Project on UN Governance and Reform at Oxford University, and has spent over 30 years working for or with the UN. He served as Deputy Director (UN, Prime Minister's Post-2015 team) in the UK Cabinet Office (2012-2013) and previously as Senior Principal Research Analyst in the Multilateral Policy Directorate of the FCO. He was Executive Director of the UN Association of the UK (2004-2010) and then the UK Representative of the UN Foundation. From 2000 to 2003 he served as First Officer in the Office of UN Secretary-General Kofi Annan in New York. He has co-authored or co-edited 13 books on the UN including The Oxford Handbook on the UN and The Procedure of the UN Security Council (both published by Oxford University Press). He also directs the consultancy company 3D Strategy which advises governments, international foundations and corporations on navigating the politics and processes of the UN.



**Christian Wenaweser**  
**(Permanent Representative of Liechtenstein to the UN, New York)**

Christian Wenaweser has been the Permanent Representative of Liechtenstein to the United Nations since 2002. In 2008, Ambassador Wenaweser was elected to a three-year term as the President of the Assembly of States Parties of the International Criminal Court. From 2003 until 2008, he chaired the Special Working Group on the Crime of Aggression for the Assembly of States Parties at the Court. During his time at the United Nations, Ambassador Wenaweser furthermore served as Chairman of the Third Committee (dealing chiefly with human rights issues) during the 57th session of the General Assembly and as Vice Chair of the Open-Ended Working Group on Security Council Reform and Adviser on Security Council Reform during the 59th session.



**Jan Wouters**  
(Catholic University Leuven)

Jan Wouters is Jean Monnet Chair and Full Professor of International Law and International Organizations at the Catholic University of Leuven, where he is also Director of its Centre for Global Governance Studies. As Visiting Professor at Sciences Po (Paris), Luiss University (Rome) and the College of Europe (Bruges) he teaches EU external relations law. As Adjunct Professor at Columbia University he teaches comparative EU-US perspectives on international human rights law. Mr. Wouters is a Member of the Royal Academy of Belgium for Sciences and Arts and President of the United Nations Association Flanders Belgium.



**Thomas Mayr-Harting**  
(Managing Director for Europe and  
Central Asia in the European External  
Action Service, Brussels)

Thomas Mayr-Harting is Managing Director for Europe and Central Asia in the European External Action Service since 2015. He is a former Head of the Delegation of the European Union to the United Nations in New York (2011-2015) and had also served as Permanent Representative of Austria to the United Nations. Mr. Mayr-Harting represented Austria on the UN Security Council (2009-2010) and was President of the Security Council in November 2009. At the 66th UN General Assembly he was also one of the Vice-Presidents. Furthermore, in the course of his career he has worked at the Austrian Mission to the European Communities in Brussels, the Austrian Embassy in Moscow, the Private Office of the Austrian Foreign Minister and as Director for Security Policy and Policy Planning.





## Panel chairs and hosts

**Han ten Broeke**  
(MP of the People's Party for  
Freedom and Democracy (VVD))

Han ten Broeke has been a parliamentarian for the People's Party for Freedom and Democracy (VVD) since November 30, 2006. He is his party's spokesperson on foreign affairs issues and is also the chair of the parliamentary commission on defence issues. From 2006 to 2010 he was the party spokesperson on defence issues, including on the question of Dutch military missions and the weapons export industry. Prior to joining parliament, Han ten Broeke was the head of the public affairs section of the Royal KPN and the political assistant of Annetarie Jorritsma, former parliamentarian and current senator of the VVD.



**Peter van der Vliet**  
(Director Multilateral Organisations  
and Human Rights, Ministry of  
Foreign Affairs of the Kingdom of the  
Netherlands)

Peter van der Vliet (@MultiVliet) is Director of the Multilateral Organisations and Human Rights Department of the Ministry of Foreign Affairs of the Kingdom of the Netherlands, a post which he has held since September 2015. He is also the Dutch ambassador for the Sustainable Development Goals (SDGs). Between 2011 and 2015, he was Deputy Permanent Representative of the Kingdom of the Netherlands at the United Nations in New York.



**Judge Abdulqawi Ahmed Yusuf**  
(International Court of Justice)

Abdulqawi A. Yusuf is a Judge of the International Court of Justice, The Hague, The Netherlands and Vice-President of the Court since February 2015. He is a member of the Institut de Droit International, a member of the panel of arbitrators of ICSID, and a member of the Governing Board of ICCA. He is the founding Chairman of the African Institute of International Law (AIIL), Arusha, Tanzania, founder and General Editor of the African Yearbook of International Law. He is the author of numerous publications on various aspects of international law. He holds a Ph.D. in international Law, IUHEI, Geneva.



**Larissa van den Herik  
(Leiden University)**

Larissa van den Herik is Vice Dean of Leiden Law School and professor of Public International Law at the Grotius Centre for International Legal Studies at Leiden University. She is General Editor of the Cambridge Studies in International and Comparative Law and also serves as General Editor of the Leiden Journal of International Law (former Editor-in-Chief 2005-2013). Professor Van den Herik is chair of the ILA Study Group on UN Sanctions and International Law and vice-chair of the Advisory Committee on Public International Law, which advises the Dutch government. Her areas of research and expertise include, amongst other things, the study of international peace and security law with a focus on UN sanctions. She also studies commissions of inquiry, terrorism, and international criminal law, particularly the law on genocide and crimes against humanity.



**Marriët Schuurman (Coordinator of the  
Task Force for the UN Security Council  
Membership of the Dutch Ministry of  
Foreign Affairs)**

Marriët Schuurman assumed her current assignment as Coordinator of the Task Force for the UN Security Council membership in the Dutch Ministry of Foreign Affairs in April 2017. Previously, she served as the NATO's Special Representative for Women, Peace and Security (2014-2017), leading the implementation by the Alliance and its Partner Nations of UN Security Council Resolution 1325 and related resolutions on Women, Peace and Security. In this position, she represented NATO as its high level focal point on Women, Peace and Security; Protection of Civilians; and Children and Armed Conflict. Prior to this, Ambassador Schuurman was the representative of the Kingdom of the Netherlands to the Former Yugoslav Republic of Macedonia. She also served as Deputy Chief of Mission and Head of Cooperation to the Embassy of the Kingdom of the Netherlands in Sudan and she held the position of Head of the Great Lakes Unit in the Ministry's Sub-Sahara Africa Department.



## Locations

### The Hague

- > Station: The Hague Central Station, Koningin Julianaplein 95, The Hague
- > Seminar location: Senate of the Dutch Parliament, Binnenhof 22, The Hague
- > Dinner: Restaurant Garoeda, Kneuterdijk 18A, The Hague

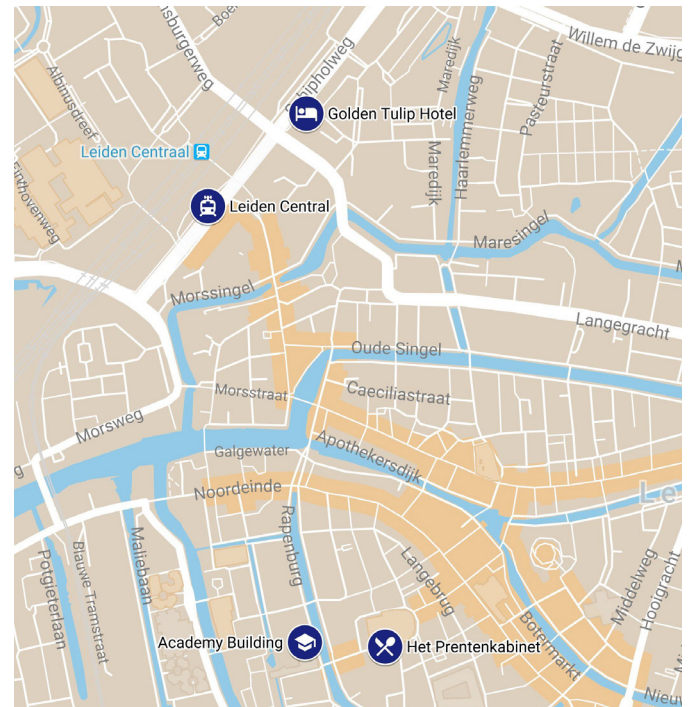
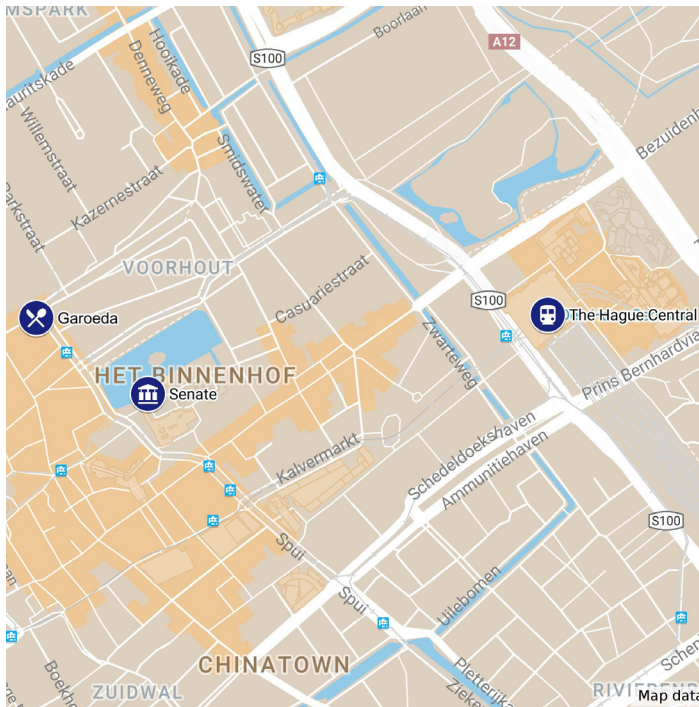
### Leiden

- > Station: Leiden Central Station, Stationsplein 3J, Leiden
- > Hotel: Golden Tulip Leiden Centre, Schipholweg 3, Leiden
- > Seminar location: Academy Building, Rapenburg 73, Leiden
- > Dinner: Prentenkabinet, Kloksteeg 25, Leiden

## Contact information

Should you require assistance, please contact us:

- > Sophie Starrenburg, +31 6 38 53 72 16
- > Secretariat of the Grotius Centre for International Legal Studies, +31 71 527 7578





The Grotius Centre for International Legal Studies continues Leiden University's long and outstanding tradition in the study and teaching of public international law. It currently hosts more than 30 scholars and almost 200 students of public international law from all over the world. The Grotius Centre is named after the father of public international law and one of its most illustrious alumni – Hugo Grotius – and is chaired by Prof. Dr. Nico Schrijver.

With offices in Leiden and in The Hague, the International City of Peace and Justice, the Grotius centre allows both staff and students to witness first-hand global justice in practice and to exchange ideas with practitioners on a regular basis.

Research at the Grotius Centre for International Legal Studies is primarily carried out under its Research Programme 'Exploring the Frontiers of International Law'. This research programme intends to map the increasing transformation of the international legal order by exploring the frontiers of international law. Exploring the frontiers of international law allows the identification of common principles and differences, both between the various areas of (public international) law and between the various disciplines which study the (transformation of) the international legal order. As such we may find unity within diversity.

The Grotius Centre is responsible for the publication of the Leiden Journal of International Law, which is firmly established as one of Europe's leading journals in the field. Other journals which are published under the editorial supervision of members of the Grotius Centre include the Criminal Law Forum and the International Organizations Law Review.

Both at Bachelor's and Master's level, the Grotius Centre offers a wide range of general and specialised courses in the field of public international law. At the Bachelor's level, the Grotius Centre teaches a number of general and specialised courses to law students, political science students and liberal arts and sciences students. At the Master's level, the Grotius Centre offers two specialised Master Programmes on Public International Law: one Regular Programme and one Advanced Programme.

Further, the Grotius Centre for International Legal Studies offers various Lecture Series, such as the Supranational Criminal Law Series and the Dugard and Van Vollenhoven Lectures, Summer Schools, training courses for professionals, Massive Open Online Courses (MOOCs). The Grotius Centre also organizes and hosts the annual Telders International Law Moot Court Competition and the International Criminal Court Moot Court Competition.