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SPAIN IN THE SECURITY COUNCIL

Tomas Machin

**A Thesis Presented to the School of Politics and International
Relations, Rutherford College, University of Kent at Canterbury, in
Fulfilment of the Requirements for the Degree of Doctor of
Philosophy in Politics and International Relations**

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ABSTRACT

The Security Council (SC) is a venue where many different countries gather to deal with matters of international peace and security. Spain has held a seat in the SC on four occasions (1969-1970, 1981-1982, 1993-1994, and 2003-2004). The presence of Spain in these different periods of its recent history allows us to examine the evolution of the Spanish foreign policy over that period. The conclusions that can be drawn are two: First, that the presence in the SC has consolidated Spain as a relevant actor in international relations; second, that Spain's role in the SC can serve as an inspiration for other countries that, like Spain, pursue a more active multilateral and supportive role in international affairs.

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Tomas Machin

LIST OF ABBREVIATIONS

ANC	African National Congress
AU	African Union
CANZ subgroup	Canada, Australia and New Zealand subgroup
CFSP	Common Foreign and Security Policy
CIS	Commonwealth of Independent States
CSCE	Commission on Security and Cooperation in Europe
DAC	Development Assistance Committee
ECOSOC	Economic and Social Council
ECOWAS	Economic Community of West African States
EEC	European Economic Community
EPC	European Political Cooperation
EU	European Union
EUFOR	European Force
EUPM	European Union Police Mission in Bosnia and Herzegovina
EURATOM	European Atomic Energy Community
FAO	Food and Agriculture Organisation
FMLN	Farabundo Marti de Liberacion Nacional
G4	Group of four
GA	General Assembly
GATT	General Agreement on Tariffs and Trade
GNP	Gross National Product
HHG	Helsinki Headline Goal
IAEA	International Atomic Energy Agency
ICC	International Criminal Court
ICJ	International Court of Justice
ILO	International Labour Organisation
IMF	International Monetary Found
IPU	Integrated Police Union
LOS	Law of the Sea
MINUCI	United Nations Mission in Ivory Coast
MINUSTAH	United Nations Stabilisation Force in Haiti
MNBN	Multinational Manoeuvre Battalion
MONUC	United Nations Organisation Stabilisation Mission in Democratic Republic of Congo
NAFTA	North America Free Trade Association
NATO	North Atlantic Treaty Organisation
NGOs	Non Governmental Organisations
OAU	Organisation of African Unity
OECD	Organisation for Economic Co-operation and Development
ONUB	United Nations Operation in Burundi
ONUCA	United Nations Observer Group in Central America
ONUMOZ	United Nations Operation in Mozambique
ONUSAL	United Nations Observer Group in El Salvador
P5	Permanent five
PDK	Party of Democratic Kampuchea
PFLP	Popular Front for the Liberation of Palestine
PP	Partido Popular
PSOE	Partido Socialista Obrero Español

RENAMO	Mozambican National Resistance
SC	Security Council
SFOR	Stabilisation Force
SG	Secretary General
SHIRBRIG	Stand-By High Readiness Brigade for United Nations Operations
SLNF	Sandinista Liberation National Front
SWAPO	South West Africa People's Organisation
UDI	Unilateral Declaration of Independence
UN	United Nations
UNAMI	United Nations Assistance Mission for Iraq
UNAMIR	United Nations Assistance Mission in Rwanda
UNAMSIL	United Nations Mission in Sierra Leone
UNAVEM	United Nations Angola Verification Mission
UNDOF	United Nations Disengagement Observer Force
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFICYP	United Nations Peacekeeping Force in Cyprus
UNGOMAP	United Nations Good Offices Mission in Afghanistan and Pakistan
UNICEF	United Nations Children's Found
UNIFIL	United Nations Interim Force in Lebanon
UNIIMOG	United Nations Iran-Iraq Military Observer Group
UNIKOM	United Nations Iraq-Kuwait Observation Mission
UNITAF	Unified Task Force
UNMEE	United Nations Mission in Ethiopia and Eritrea
UNMIH	United Nations Mission in Haiti
UNMIL	United Nations Mission in Liberia
UNMISET	United Nations Mission of Support in East Timor
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
UNOMIG	United Nations Observer Mission in Georgia
UNOMSA	United Nations Observer Mission in South Africa
UNOSOM	United Nations Operation in Somalia
UNPAs	United Nations Protected Areas
UNPROFOR	United Nations Protection Force
UNSCOM	United Nations Special Commission
UNTAC	United Nations Transitional Authority in Cambodia
UNTAET	United Nations Transitional Administration in East Timor
UNTAG	United Nations Transition Assistance Group
UNTSO	United Nations Truce Supervision Organisation
WEOG	Western European and Other States
WHO	World Health Organisation
WMD	Weapons of Mass Destruction
WTO	Word Trade Organisation

1 INTRODUCING SPAIN AND THE SECURITY COUNCIL

The non-permanent members of the Security Council (SC) constitute a very heterogeneous group of countries with different characteristics: Let us think, for instance, of countries such as Australia, South Korea, Pakistan, Spain, South Africa, or Canada, to name some. These countries have great variations in population, size, Gross National Product (GNP), location, military power, or per capita income. Yet all these countries have a number of common features: They are not superpowers or great powers, and nor are they small countries, but some of them such as Australia and South Africa have reached the status of regional powers through their capacity to exert decisive influence in their geographical areas. And all of them can be non-permanent members of the SC. Indeed, we can distinguish four categories of non-permanent members of the SC: great powers, regional powers, middle powers, and small states. However, the distinction between great, regional, middle and small states are somewhat blurred. For example, Germany is a great power that exerts decisive influence in its regional ambit, which makes it a regional power (Britain and France can also be considered as great powers but they are permanent members of the SC). Australia and South Africa are also regional powers although they are not considered to be great powers but middle powers. Spain, Italy and Poland are middle powers although they cannot be considered as regional powers. And countries such as Sweden, Switzerland or Finland could be considered as small powers but they are capable of exerting greater influence than many other small powers. Thus, while it seems easy to identify a super power, the distinction between great and middle powers is somewhat more difficult. Similarly, the difference between middle powers and small states also seems to be vague. As Carsten Holbraad succinctly says:

Since middle powers enjoy no legal or conventional status to separate them from lesser states, the lower dividing line is bound to be more arbitrary. Deciding where to draw it is complicated by the fact that no single minimum qualification for inclusion in the category, whether expressed in GNP or in terms of any other indicator, can produce a reasonably satisfactory result throughout the system.¹

Therefore, the SC constitutes a venue where a great variety of countries, with a great diversity of interests, gather to discuss and decide on matters of international peace and

¹ Holbraad, Carsten (1984), *Middle Powers in International Politics*, London and Basingstoke, Macmillan Press, p. 80.

security. Such diversity of members and interests makes the SC a very good venue where countries can hone their diplomatic skills with the aim of mustering the necessary consensus to adopt resolutions. To that end, the observance of international law, the inclination for multilateralism to solve international problems, the tendency and capacity to reach compromises in disputes, the reluctance to use force and the proclivity to act in accordance with good neighbourhood principles are very valuable attributes for a country that aspires to play a relevant role in the SC. Although Spain can be a good example of a country with such features, it is necessary to make some caveats.

Although there are authors who argue that middle powers are characterised by their preference for multilateralism and their unlikely recourse to force to solve disputes,² these are not exclusive attributes of middle powers. All members of the SC, both permanent and non-permanent, great or small states, show predilection for reaching solutions by consensus. The great powers because, although they can rely more on their power and may have a tendency to unilateralism, seek to give their initiatives a halo of legitimacy; and the other powers in order better to defend their interests multilaterally, although they can also show unilateral tendencies when their vital interests are at stake. The result is that neither super powers nor great powers are totally unilateralist, and nor are middle powers absolutely multilateralist. In fact, there are authors like Mark W. Zacher and A. Claire Cutler who consider the Canadian commitment to multilateralism as uneven (Canada is one of the traditional middle states).³ The same can be said with regard to the defence of international law and order. Some authors argue that great powers have an inclination to consider themselves above the law.⁴ And Martin Wight affirms that “History affords little support for the assertion the great powers like to make that they are more restrained and responsible than minor powers. It suggests, rather, than they wish to monopolize the right to create international conflict,”⁵ and furthermore, “...powers who by definition were without ‘general interests’ were more capable than the great powers of pursuing consistently what might be regarded as the universal

² Holloway, Steven (2000), “U.S. Unilateralism at the UN: Why Great Powers Do Not Make Great Multilateralists”, *Global Governance*, Vol. 6, Number 3, Jul-Sept, p. 364; Cooper, Andrew F., Richard A. Higgott and Kim Richard Nossal (1993), *Relocating Middle Power: Australia and Canada in a Changing World Order*, Vancouver, UBC Press, p. 18.

³ Cooper, Andrew F. et al. (1993), *op. cit.*, p. 22.

⁴ Claude Jr., Inis L. (1993), “The tension between principle and pragmatism in international relations”, *Review of International Studies*, Vol. 19, Number 3, July, p. 226.

⁵ Wight, Martin (1986) (2nd ed.), *Power Politics*, Harmondsworth, Middlesex, Penguin Books, Royal Institute of International Affairs, pp. 42-43.

interest of upholding international law and order.”⁶ However, this is not a totally accurate picture, because super powers or great powers also show an inclination to obey rules in order to obtain an image of reliability, with the aim of giving their actions a halo of legitimacy. In fact, Hedley Bull affirms that “...most states obey most agreed rules of international law most of the time,”⁷ and that only in specific cases are rules of law violated or disregarded.⁸ Nevertheless, great powers are more susceptible of being accused of having ‘double standards’ than middle or small powers.

When states seek support to solve international issues multilaterally, or when they try to reach compromises in disputes, it is possible to distinguish three patterns of performance: states can act as catalysts, as facilitators, or as managers.⁹ They enact as catalysts when they use their diplomatic abilities to trigger international initiatives and take the lead in gathering followers around it. Donna Lee, for instance, offers a good account of how Britain influenced US policy and contributed to the successful outcome of the Kennedy Trade Round.¹⁰ In turn, states will perform as facilitators when they use their diplomatic skills to seek the formation of coalitions at the regional or global level, with the aim of pursuing specific objectives. And finally, they can play the role of managers when their diplomatic efforts are orientated to the formation of institutions or regimes.¹¹ For example, middle powers played a key role in the creation of the Stand-By High Readiness Brigade for United Nations Operations (SHIRBRIG), in the ban of anti-personnel landmines, and in the creation of the International Criminal Court (ICC).¹² Notwithstanding the examples aforementioned, it is important to point out that great powers can also play the roles mentioned above because they have the resources, the diplomatic ability, and the specialised skills to carry out these activities. Others, by

⁶ *Ibid.*, p. 66.

⁷ Bull, Hedley (1995) (2nd ed.) *The Anarchical Society. A Study of Order in World Politics*, New York, Columbia University Press, p. 131.

⁸ *Ibid.*, p. 132.

⁹ Cooper, Andrew F. et al. (1993), *op. cit.*, pp. 24-25.

¹⁰ Lee, Donna (1999), *Middle Powers and Commercial Diplomacy. British Influence at the Kennedy Trade Round*, London, Macmillan Press Ltd, and New York, St Martin’s Press Inc.

¹¹ Cooper, Andrew F. et al. (1993), *op. cit.*, pp. 24-25; Hamill, James and Donna Lee (2001), *op. cit.*, p. 35.

¹² Behringer, Ronald M. (2005), “Middle Power Leadership on the Human Security Agenda”, *Cooperation and Conflict. Journal of the Nordic International Studies Association*, Vol. 40, Number 3, September, pp. 305-342.

contrast, are simply reluctant or self-restrained to play such roles, as it is the case of Mexico.¹³

However, regardless of their will or their capacity, the multilateralist tendencies of states can be subjected to limitations. The international structure of the system is, perhaps, the most important. As Holbraad shows, the behaviour of states will vary depending on the structure of the system. They do not behave in the same way as in a unipolar system (or unifocal, as Holbraad calls it), than in a dualistic, triangular, or multiple system.¹⁴ Each system offers different opportunities and options. However, this is not the only restraint. There are other limiting circumstances that restrict the multilateralist tendencies of states. We have already mentioned the vital interests of states, although their defence can also have the opposite effect, which is the encouragement of cooperation with other countries as the best way to defend their interests and fulfil the priorities of their agendas. The domestic political circumstances can also be a very important factor that constrains the multilateralist inclination of states. And in the case of the SC, where face to face diplomacy is a common feature, a key factor is the good personal relationship among the representatives. A good or bad personal relation among SC members can affect the receptiveness to some initiatives, affecting the performance of the roles of catalyst, facilitator, or manager.

In spite of these limitations, which affect all countries, there are states that can be placed in a better position than others to exert multilateral diplomacy for historic, cultural, geographical, economic, or political links with other countries: States with a long tradition of neutrality, which offer more guarantees of impartiality, can obtain greater receptiveness when acting as brokers in conflicts; countries that contribute generously to development aid for Third World countries can use such aid as a leverage to obtain support to certain initiatives; ex-colonial powers that maintain historical, cultural, political or religious ties with their former colonies can use their privileged relationship to act as mediators and muster support for different projects; ex-colonies that maintain special bounds with their former metropoles or other ex-colonies can obtain the endorsement by other countries to fulfil their ambitions; or countries that belong to the same geographical region can act together to pursue more easily the accomplishment of

¹³ Pellicer, Olga (June 2006), “Mexico – A Reluctant Middle Power?”, at <http://library.fes.de/pdf-files/iez/global/50417.pdf>, accessed on 10 December 2010.

¹⁴ Holbraad, Carsten (1984), *op. cit.*

those issues of their common interest. All these countries are more likely to be able to play successfully multilateral diplomacy, not only in the SC but also in other international fora.

In conclusion, many states that gather in the SC show an interest, at least in theory, in upholding international law and order, a reluctance to use force as a means to solve disputes, a predilection to reach compromises, and a tendency to act in accordance with good neighbourhood principles. This is despite their different characteristics, interests, and agendas. As a result, the SC constitutes a fertile field for those countries that, because of their special bonds with other UN members for historical, cultural, economic, religious, geographical or political reasons, can and wish to take advantage of those links to make a significant contribution to the maintenance of international peace and security. This contribution can be exerted by the adoption of different roles, such as that of catalyst, facilitator, manager, or bridge builder. The choice of role will depend on different and diverse circumstances. In any case, these functions are extremely important because they help the SC to discharge its responsibilities, at the same time that granting to those countries that fulfil such roles, a greater international relevance.

Spain in the Security Council

Spain has been one of the long established middle powers, whose position would date back to the nineteenth century, when Spain lost its colonial empire. Although the majority of the Spanish American colonies gained their independence in the first half of the nineteenth century, Spain remained a colonial power that still maintained Cuba, the Philippines and Puerto Rico, until the war with United States in 1898. Despite the turbulent political life, and the economic crisis, that followed the loss of the last colonial territories on the American continent, Spain, by the volume of its population, geographical dimensions, military strength and economic size, still could be considered as a middle power. Its official recognition as such came from the League of Nations in 1928, when Spain together with Poland were officially recognised as the first two middle powers.¹⁵ The Spanish Civil War (1936-1939) made the country an impoverished middle power, and the ostracism that the Franco regime experienced during the years that followed the end of the Second World War, made Spain a middle power with a very low profile within the international context. Nevertheless, the

¹⁵ *Ibid.*, p. 53.

ostracism imposed upon Spain began to ease in the 1950s, with the signature of the bilateral agreement with the US, and the admission of Spain into the UN, and other international organisations. Since the restoration of democracy after Franco's death in 1975 the position of Spain within the international community and within the UN has steadily strengthened.

Although it has been said that middle powers are not the only countries that uphold international law and have an inclination for multilateralism, the case of Spain seems to be a priori that of a country that has always been a supporter of multilateralism, an advocate of peaceful solution to disputes, and of a defender of international law and order. These seem to have been the principles that have guided Spanish foreign policy during the dictatorial period, as well as during the transition and consolidation of democracy in the years that followed (see below). A glance at Spanish policy from the first time the country obtained a seat in the Security Council (SC) in 1969 seems to corroborate this affirmation. Although Spain has been in the SC in very different domestic political circumstances: the Franco dictatorship first (1969-1970), then during the transition to democracy (1981-1982), and after the consolidation of democracy twice (1993-1994 and 2003-2004), Spanish diplomacy acted according to these guidelines. For instance, Spain called upon Israel to observe the provisions of the Geneva Conventions in 1969; it opposed the use of force by Argentina in the Falkland War in 1982; it supported the creation of international tribunals to prosecute those responsible for genocide and violations of human rights during 1993-1994; and in the last period of service in the SC, Spain supported SC Resolution 1502 (2003) of 26 August, which reaffirmed the obligation of states to comply with international law regarding the protection of humanitarian personnel; it co-sponsored SC Resolution 1556 (2003) of 30 July, which among other things condemned all violations of human rights and international humanitarian law; and it supported SC Resolution 1460 (2003) of 30 January, which called upon states to respect international law concerned with the rights and protection of children in armed conflicts. In the chapters 4, 5, 6 and 7 this will be examined in more depth and the extent to which Spain's commitment to the upholding and defence of international law has been a constant in Spanish foreign policy.

From the multilateral point of view, although the policy followed by Spain in the SC will be examined in chapters 4, 5, 6 and 7, it can be pointed out here that Spain has

played the roles aforementioned of facilitator, catalyst, and manager, although like all powers, it has been constrained by different multiple circumstances, such as: its geo-strategic position; the importance that the issues in question have had for Spain; the Spanish domestic or internal circumstances; and the opportunity to carry out the mentioned roles (receptiveness). As a result of these constraining factors, Spain will have to decide on an “ad hoc” basis what the best role to play is, if any. For instance, while environment, disarmament, or the reform of the SC is a matter of concern for Spain and most countries, other particular issues such as the situation in East Timor or in Western Sahara will attract different degrees of attention. For geo-strategic reasons, Australia, for instance, will be more concerned about security in the Pacific area than Spain is, and as a consequence, it is expected that the former will perform a more active role with regard to East Timor for the potential destabilising repercussions that this matter could have in Indonesia, Australia’s neighbouring country. Spain could see this matter with relative attention for the few Spanish interests in the region. By the same token, the attention that Australia pays to Western Sahara can be of secondary or tertiary importance, whereas it would seem logical that Spain should play a more active role on this issue.

In spite of these limitations, which affect all countries, Spain is in a more advantageous situation to play the roles of catalyst, facilitator or bridge builder in the SC than other countries are. The special ties that Spain maintain with its former colonies in the American continent, the good relationship that Spain has with the Arab and African countries, as a result of Spain’s political ostracism within Europe during Franco’s regime, and the inevitable strong bonds that Spain maintains with the European countries because of economic, geo-strategic, historical and cultural connections (despite of the political ostracism during Franco’s dictatorship), place Spain in a very good position to play the aforementioned roles. Nevertheless, since Spain’s incorporation into the European Economic Community (EEC) in 1986, now the European Union (EU), the weight of African issues in the Spanish governments’ agendas, have increasingly diminished. Even so, Spain’s role in the SC with regard to African issues has been significant in the four periods in which Spain has served in the SC.

There are several reasons for selecting the SC as a place to examine Spanish foreign policy: The SC is an organ of the United Nations (UN) in charge of the preservation of international peace and security. Its competences are global in scope, it has the capacity for adopting resolutions that are compulsory for all states, and it is to work continuously. These three attributes makes the SC the most important organ of collective security. Furthermore, it is also an important source of legitimacy, prestige, and even economic aid for its members. Moreover, the composition of the SC is of special relevance because it makes it the perfect venue for middle powers to develop their skills. The SC is an organ where we find global, regional and middle powers, as well as small states. Some of those states are highly developed, while others are developing or underdeveloped countries. Such diversity of states, and the wide range of issues the SC deals with, makes it a place where the different interests, perceptions, and visions of states converge. As decisions in the SC are adopted by majority, and subject to the veto of the permanent members, the presence of countries with the capacity to encourage common views is very important. The role that middle powers can play is, therefore, of great consequence. Another important reason that explains the selection of the SC is that it is an organ in which the interests of the individual European states still prevail over the communitarians, circumstance that makes the SC the best venue to examine Spanish foreign policy, which by the very nature of the SC, will be focused on aspects of international peace and security or 'high politics'. Finally, election to the SC will make possible an analysis of the evolution of Spanish foreign policy, and the different roles that Spain has played, since the end of the 1960s to the beginning of the twenty first century.

Since its membership of the UN, Spain has been a non-permanent member of the SC on four occasions: 1969-1970; 1981-1982; 1993-1994; and 2003-2004. Spain was thus present in the SC every twelve years between 1969 and 1993, a period that has been reduced to ten years between 1994 and 2003. For the Spanish Ministry of Foreign Affairs, this shorter interval is an indication of the increasing relevance of Spain in international affairs, and within the UN. The Ministry supports this opinion with the following reasons: Spain was the eighth major contributor to the UN regular budget, behind the US, France, the UK, Germany, Japan, Canada and Italy; the Spanish contribution to the peacekeeping operation budget represented the 2.53% of the total budget of the period July 2002-June 2003. In addition, Spain contributed 3,500

personnel to the different peacekeeping operations that the UN had deployed all over the globe; furthermore, Spain had become the twelfth largest contributor in development aid.¹⁶ All these facts are regarded as relevant when considering a country as a candidate for a seat in the SC, besides the geographical criteria (Article 23 of the UN Charter).

Nevertheless, this was not always the case. The economic backwardness of Spain gave the country an entitlement to receive development aid until the end of the 1970s.¹⁷ In 1969, Spain was just the eighteenth major contributor to the UN. Argentina and India, for instance, contributed more to the UN budget than Spain did.¹⁸ Moreover, during the period 1981-1982 Spain was immersed in a deep economic crisis, which resulted in the country's failure to maintain payments to the UN. Spain did not pay its contributions to the Organisation on time, and contributions to different UN missions were put on hold.¹⁹ In addition, Spain did not contribute to peace keeping operations until 1989, although thereafter the country supported the deployment and continuation of these operations. Participation in peace keeping operations has been a task that has traditionally been carried out by middle powers such as Sweden, Canada, Pakistan, the Netherlands or Norway, although on occasions small powers, such as Fiji or Nepal, also make significant contributions. Participation in these missions confers respectability on the participating countries and has helped to create the middle powers' image of 'good citizens'. Spain took its time in cultivating this image of a good international citizen. The first UN mission that Spain participated in was in Namibia in 1989. Although since then Spain's involvement has constantly expanded. Spain's increasing participation in peace-keeping operations has been a task that has contributed to the consolidation of Spain as a middle power and to its increasing commitment in international affairs. Nevertheless, Spain's contribution has not always been consistent. The reason for this inconsistency is due to limited economic and military resources and a lack of political willingness to deploy military staff in areas that are not especially relevant to Spain. If we refer to Article 23.1 of the Charter, which states that at the time of electing members to the SC the General Assembly (GA) must pay specially regard to the contribution of

¹⁶ www.spainun.org/pages/viewfull.cfm?ElementID=1990, accessed on 5 February 2006.

¹⁷ <http://stats.oecd.org/qwids/#?x=1&y=6&f=4:1,2:1,3:51,5:3,7:1&q=4:1,100+2:1+3:51+5:3+7:1+1:20+6:1969,1970,1971,1972,1973,1974,1975,1976,1977,1978,1979,1980,1981,1982,1983,1984,1985,1986,1987,1988,1989,1990,1991,1992,1993,1994,1995,1996,1997,1998,1999,2000,2001,2002,2003,2004,2005,2006,2007,2008>, accessed on 5 February 2006.

¹⁸ *Yearbook of the United Nations 1969* (1972), Vol. 23, New York, Office of Public Information United Nations, pp. 827-828.

¹⁹ See Chapter 5, p. 99.

those members to the maintenance of international peace and security, it draws attention the fact that Spain with this record was elected twice to serve in the SC (1969-1970 and 1981-1982). Without doubt, both elections were political successes for the respective governments of each period.

The SC is not just the place where states can demonstrate their diplomatic skills. The presence in the SC can also constitute a source of economic benefits. Ilyana Kuziemko and Eric Werker demonstrated in 2006 that developing countries present in the SC between 1946 and 2001 experienced an increase in the financial aid they received during the two years term in which they have been members in the SC.²⁰ This additional aid, according to these researchers, would come from the US directly or through the UN agencies influenced by the US, such as UNICEF. The aim of this aid is to influence those states to change their voting pattern with the purpose of minimizing opposition to US policies. Spain is not explicitly included in this research because it only includes those countries with a low income in 2003 but there is no reason to think that Spain had been excluded of such economic advantages in 1969-1970 and 1981-1982. After all, Spain was a low income country in need of development aid. It was not until 1983 that Spain was removed from the Development Assistance Committee's (DAC) list of recipient countries. Furthermore, the political proximity of Spain to Third World countries during those years reinforces the hypothesis that Spain may have become a recipient of such aid.

However, more important are the political reasons. Ian Hurd affirms that "...Council membership confers status and recognition on a state and allows the state to appropriate some of the authority derived from the legitimacy of the Council."²¹ As a consequence, the election of Spain in 1969-1970 was not only a source of prestige to the country, but also a powerful source of legitimacy to Franco's dictatorship. It is important to remember that the Franco regime was always in search of political recognition and the legitimization that the Western European countries refused to give it. The lack of support for the Spanish candidacy to the SC among the Western European countries shows the little sympathy that the Franco regime was given. The Franco regime was aware of this disaffection, and for that reason looked for support among the Latin

²⁰ Kuziemko, Ilyana and Eric Werker (2006), "How Much is a Seat in the Security Council Worth? Foreign Aid and Bribery at the United Nations", *Journal of Political Economy*, Vol. 114, No. 5.

²¹ Hurd, Ian (2002), "Legitimacy, Power, and the Symbolic Life of the UN Security Council", *Global Governance*, Vol. 8, Number 1, January-March, p. 43.

American, Arab, and African states. This support would be extremely useful in case of an open election in the GA, which takes place when the members of a geographical group can not endorse its candidates. This was about to happen in 1968, when the Western European and Others Group (WEOG) could not endorse two countries because there were three candidates. However, the last minute withdrawal of Italy, one of the three European countries that campaigned for a seat in the SC, allowed the endorsement of Spain and Finland, and an open election in the GA was not necessary.

The recognition and status that SC membership confers on states could have been the factor that also motivated the candidacy of Spain to the SC in 1981-1982. Democracy was in a stage of consolidation,²² and SC membership could have played an important role in providing international support, recognition and legitimization to the young Spanish democracy. However, SC membership was not the initial intention of the Spanish government, but the presidency of the GA, a post that the German government also sought for its representative to the UN. The candidacy of Spain, therefore, was the product of a trade-off with Germany. Spain would support the German candidate to the Presidency of the GA, and in exchange, Germany would campaign for Spain to be present in the SC. However, in spite of Germany's support, Spain had to deploy an intensive diplomatic activity to succeed. In the other two periods, 1993-1994 and 2003-2004, Spain's motivations to be on the SC were the desire to participate in the decision-making process, a fact that was understandable because of the increasing participation of Spain in UN missions, especially in the former Yugoslavia. Nevertheless, participation in the decision-making process is not the only reason. The prestige, relevance and preponderance that presence in the SC grants a country, and the desire for showing commitment with international peace and security, are also reasons that should be borne in mind.

Despite the late admission of Spain to the UN in 1955, the country's presence in the SC on four occasions between 1969 and 2004 is comparable with the majority of other Western countries, some of which have expressed their commitment to international peace and security since the foundation of the UN. Only Canada, which has been in the SC six times between 1945 and 2004, and Italy which has been in the SC five times

²² Linz, Juan J. & Alfred Stepan (1996), *Problems of Democratic Transition and Consolidation. Southern Europe, South America, and Post-Communist Europe*, Baltimore and London, The Johns Hopkins University Press, p. 108; Serra, Narcis (2008), *La transición militar. Reflexiones en torno a la reforma democrática de las fuerzas armadas*, Barcelona, Debate, pp. 55-56.

during the same period have been members in the SC more often than Spain. This is not surprising because both countries are important contributors to the UN budget, and Canada has traditionally been an active participant in UN peace-keeping operations. Behind Canada and Italy we find the majority of Western countries with four periods of membership each: Norway, Belgium, the Netherlands, Denmark, Australia and Germany. With the exception of Germany, these countries have always been characterised by their commitment to international peace and security through their participation in peace keeping operations, and all of them are important donors of development aid. Germany, for its part, is one of the main contributors to the UN budget. Spain's four periods on the SC, comes within this group. Ireland, Luxemburg, Greece, Sweden, Finland, Austria, Portugal and Malta, by contrast, have occupied a seat on the SC less than four times.

The multiple benefits that presence in the SC confers on states, explains the intense competitiveness that characterises the campaigns for a seat in the SC. Competition is particularly strong within the WEOG, group to which Spain belongs. According to the geographical quotas, two seats are assigned to the WEOG. In those cases in which there are only two candidates, the WEOG endorses both, and they only have to campaign with the aim of mustering the necessary majority in the GA to get elected (two thirds of the GA members present and voting). In these cases the election becomes a somewhat routine procedure because UN members only have to elect those candidates endorsed by their respective geographical groups. However, if there are more than two candidates rivalry becomes even more intense because candidates have to compete first within the WEOG to obtain endorsement. If a disagreement persists, and it is not possible to endorse the candidates because there are still more than two candidates for a seat on the SC, the candidates will go directly to an open election in the GA. However, this option is risky because if none of the candidates obtain the necessary majority, the group could lose its representation in the SC, although such an outcome is unlikely and it has never happened.

The competitiveness of the campaigns means member states will use different stratagems with the objective of obtaining as much support as possible, and Spain has been no exception. Spain has appealed to historical and cultural links to obtain the support of the Latin American countries, as did Sweden in 1992 and 1996, with the

Nordic countries, and Portugal with other Portuguese speaking countries in 1998.²³ Spain has also appealed to the good relationship that it has maintained with the Arab countries, which have campaigned in favour of Spain in their areas of influence. Spain has also established diplomatic relations in exchange for support. The maintenance of diplomatic relations is also important to obtain the favour of countries. This is what happened to Spain in 1980 with Fiji and Papua New Guinea, which did not support Spain's rivals because they did not maintain diplomatic relations. Spain has also traded off votes: It tried with Britain in 1968, and it was successful in 1980 with India. Another tactic used by states is the purchase of votes through development assistance programmes.²⁴ However, there is no evidence that Spain has resorted to such manoeuvres. More common is the hosting of lunches, dinners, and diverse events with the aim of influencing the will of the electors.

The UN headquarters in New York is another key place where a country can obtain decisive support in its campaign for a seat in the SC.²⁵ This is because some representatives to the UN do not receive instructions from their capitals on which candidate to support.²⁶ This fact turns the UN headquarters into another diplomatic battlefield, where the representatives of those countries that run for a seat in the SC, can play a significant role in mustering as much support as possible, for their respective countries. The personality, determination, and dynamism of a representative are crucial qualities that can be used to decide whether a campaign is a success or failure. This is because at the UN, as in other international organisations which are mainly conducted by personal contacts, face-to-face diplomacy, informal meetings, and other types of encounters (formal or informal), have been revealed as extremely relevant from the diplomatic point of view.²⁷ The case of Jaime de Pinies, the Spanish representative to the UN in the periods 1968-1972 and 1973-1985, is an example. He recommended Spain as a candidate for the SC in 1968, while the Spanish Ministry of Foreign Affairs was still hesitant about the adoption of such step; and it was also he who pressed for the

²³ Malone, David M. (2000), "Eyes on the Prize: The Quest for Nonpermanent Seats on the UN Security Council", *Global Governance*, Vol. 6, Number 1, Jan-Mar, p. 12.

²⁴ *Ibid.*, p. 13.

²⁵ *Ibid.*, pp. 13-15.

²⁶ Telegram of the Spanish representative to the UN on 6 September 1980 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

²⁷ Alger, Chadwick F. (1965), "Personal Contact in Intergovernmental Organisations", in Kelman, Herbert C. (ed.), *International Behavior. A Social-Psychological Analysis*, New York, Holt, Rinehart and Winston, pp. 527-532.

maintenance of the Spanish candidacy in rivalry with Italy and Finland. This last movement was decisive because it allowed the election of Spain when Italy later withdrew, as mentioned above, from the competition for domestic political reasons. Both decisions could have been based on privileged information that he obtained in the course of his personal contacts and formal meetings as mentioned above, although there is no direct evidence of this. It is equally unknown whether Jaime de Pinies had first hand information of the support to Spain at the UN of which the Spanish Ministry was unaware. Nevertheless, these were not the only examples in which the Spanish representative's strong personal attributes proved to be most useful. The key role that he played in the election of the jurist Federico de Castro, as a member of the International Court of Justice (ICJ), and the resolution that he showed to avoid the matter of Northern Ireland getting included on the SC agenda, are also examples. Perhaps such outcomes would not have been possible with a representative with a less determining and resolute personality.

The episodes mentioned above highlight the importance that some leaders and key policymakers play in events. Schechter and Finkelstein offer good examples.²⁸ Ned Lebow, in his approach to the Peloponnesian War, also shows how important leaders can be in the development of events.²⁹ Furthermore, "...human understandings, beliefs, and values have a hand in the creation and evolution of international systems."³⁰ For this reason, academics such as Bruce Bueno de Mesquita have proposed a refocusing on the study of leaders, leadership and citizens in order to obtain a better understanding of International Relations.³¹ However, the exclusive focus on human agents³² would offer an incomplete account of social or political phenomena/events because their actions are

²⁸ Schechter, Michael G. (1988), "The Political Roles of Recent World Bank Presidents", in Finkelstein, Lawrence S. (ed.), *Politics in the United Nations System*, Durham and London, Duke University Press; Finkelstein, Lawrence S. (1988), "The Political Role of the Director-General of UNESCO", in Finkelstein, Lawrence S. (ed.), *Politics in the United Nations System*, Durham and London, Duke University Press.

²⁹ Ned Lebow, Richard (1996), "Play it again Pericles: Agents, Structures and the Peloponnesian War", *European Journal of International Relations*, Vol. 2, Number 2, June.

³⁰ Dryzek, John S., Margaret L. Clark and Garry McKenzie (1989), "Subject and system in international interaction", *International Organisation*, Vol. 43, Number 3, Summer.

³¹ Bueno de Mesquita, Bruce (2002), "Domestic Politics and International Relations", *International Studies Quarterly*, Vol. 46, Number 1, March, p. 4.

³² Although there are authors that locate the agency in the states, these are here considered as constructed social forms that "... can only act in and through individual action. State activity is always the activity of particular individuals acting within particular social forms". Wight, Colin (1999), "The Shoot Dead Horses Don't They? Locating Agency in the Agent-Structure Problematique", *European Journal of International Relations*, Vol. 5, Number 1, March, p. 128.

influenced, constrained and conditioned by the international historical circumstances (structural conditions) that they have created.³³ Thus, there is a reciprocal influence, or as Putnam puts it, ‘an entanglement’,³⁴ between domestic politics and international relations, which has led many experts to question the independence of foreign policy from domestic politics. To what point they influence or condition each other or which one prevails remains a contentious issue, since the outset of the social sciences as a discipline, despite a vast literature which has been generated. The different theories that have tried to discern “what proportions to put in the blender”, an expression used by Martin Hollis and Steve Smith,³⁵ have not been totally satisfactory. What is clear, however, is that a complete explanation and understanding of social events cannot be achieved by only focusing on one of the “...two contentious truths about social life: First, that human agency is the only moving force behind the actions, events, and outcomes of the social world; and second, that human agency can be realized only in concrete historical circumstances that condition the possibilities for action and influence its course.”³⁶

Finally, we shall discuss another tactic that countries have adopted in their campaigns, which consists in announcing a long time in advance their willingness to compete for a seat in the SC. The aim of this strategy is to put off other countries with the same aspiration by mustering up as much diplomatic support as possible, but quickly from the start. Canada, for instance, announced its candidacy in 1994 for the term 1999-2000, Greece did the same in 2000 for the term 2005-2006 and Austria for the term 2009-2010.³⁷ Spain did exactly the same, when it began to campaign in 1996 for a seat in 2003-2004.³⁸ This tactic proved successful because there were only two candidates, Germany and Spain, which were endorsed automatically by the WEOG. In these circumstances diplomatic efforts are focused on achieving the necessary majority of two thirds in the GA to get elected on the first ballot. The traditional good relationships that

³³ Neo-realists were aware of this fact and they considered the structural features of the international system as an explanatory factor of the foreign policy of states. Waltz, Kenneth N. (1979) (1st ed.), *Theory of International Politics*, McGraw-Hill, Inc.

³⁴ Putnam, Robert D. (1988), “Diplomacy and domestic politics: The logic of two “level games”, *International Organisation*, Vol. 42, Number 3, summer.

³⁵ Hollis, Martin and Steve Smith (1991), “Beware of gurus: structure and action in international relations”, *Review of International Studies*, Vol. 17, Number 4, October, p. 393.

³⁶ Dessler, David (1989), “What’s at stake in the agent-structure debate?”, *International Organisation*, Vol. 43, Number 3, summer, p. 443.

³⁷ Malone, David M. (2000), *op. cit.*, p. 4.

³⁸ See Chapter 7, pp. 173-174 and 175.

Spain maintains with the Latin American and moderate Arab states has been revealed on those occasions as being extremely important.

Original contribution to knowledge

The consolidation of democracy at the beginning of the 1980s brought a proliferation of academic studies on Spanish foreign policy. However, it draws the attention the little regard that the study of Spain's role on the Security Council, and on Spain as a non-permanent member, has received. The information about Spain and the country's membership in the United Nations is rare, with the exception of the books written by former Spanish representatives to the UN, such as Jaime de Pinies y Rubio³⁹ and Inocencio Arias,⁴⁰ or other diplomats like Ana Luz Menendez,⁴¹ although the latter does not concentrate so much on Spain. However, these authors focus on the periods of their respective terms in office and their works include anecdotal commentaries, although Jaime de Pinies also wrote a book exclusively focused on the decolonisation of Spanish colonies and Gibraltar at the UN.⁴² Thus, the originality of the present study is twofold: First, it offers an account of Spanish foreign policy during the four periods of Spain's presence in the SC; second, it identifies Spain as a middle power, which explains Spain's role in the SC, and highlights the importance of Spain as a middle power and the important role that these middle power countries can play in international relations. The uniqueness of this work rests, therefore, in the absence of previous studies of Spain as a middle power, and its role in the SC as such.

Methodology: archival research

For the very nature of the research the methodology followed has been essentially qualitative. It has been based on primary and secondary sources, but especially important are the papers I have analysed from the Archives of the Spanish Ministry of Foreign Affairs, and a variety of documents from the United Nations. I have also analysed numerous books, articles, and newspapers.⁴³ Among these sources I designed a questionnaire, which I e-mailed Inocencio Arias, the Spanish representative to the UN

³⁹ Pinies y Rubio, Jaime de (2000), *Episodios de un diplomático*, Burgos, Dossolcs.

⁴⁰ Arias, Inocencio (2006), *Confesiones de un diplomático. Del 11-S al 11-M*, Barcelona, Planeta.

⁴¹ Menendez, Ana Luz (2007), *Vulnerabilidad e irrelevancia. El papel de las Naciones Unidas en el siglo XXI*, Madrid, Ediciones Internacionales Universitarias.

⁴² Pinies y Rubio, Jaime de (2001), *La descolonización española en las Naciones Unidas*, Madrid, Centro de Estudios Políticos y Constitucionales.

⁴³ See Bibliography.

between 1997 and 2004 (see Appendix). This particular source tried to provide this study with a unique insight of Spanish foreign policy in the SC during the relevant period of 2003-2004. However, he declined to answer several questions on crucial issues. He argued that he could not answer them because he was still an active member of the Spanish diplomatic service (he was at that time General Consul of Spain at Los Angeles). He suggested me to contact the Spanish Ministry but he did not provide any names. He also argued that some questions would demand extensive answers and he did not have much time. As a result, he was not as helpful as I had initially expected. All in all, he gave me some bits of useful information. More recently this official has retired and I tried to contact him again but I was unsuccessful.

The archival research was challenging because of old-fashioned facilities. None of the data is microfilmed, and there is no thematic database. To gain direct access to documents, you have to request what you require by filling in an application form. As I was not sure what documents I would need, I decided to request as many as the archival staff were prepared to show me about Spain and the SC. However, I discovered that not all the documents are available for researchers to view. There are a number of documents which are considered by the Ministry as still ‘live’, for example documents about Western Sahara and Gibraltar, and are not available to the public. Other documents are considered ‘too recent’, and they are not yet in the archives of the Ministry. To get more recent documents (those pertaining to the periods 1993-1994 and 2003-2004) I was told I would have to go to the Spanish delegation at the UN. However, when I contacted the Spanish delegation to the UN they informed me that they did not have any documents related to the above mentioned periods. They informed me they were held in Madrid. They suggested contacting the Ministry at Madrid and the UN website. As a result the archival documentation available for the present study is restricted to the periods 1969-1970 and 1981-1982.⁴⁴ Therefore, to circumvent this problem of a lack of primary documents covering the periods 1993-1994 and 2003-2004, as mentioned above, I used secondary sources: books, articles, and mainly Spanish and foreign newspapers. Hopefully, accessibility to archival documentation of

⁴⁴ In order to facilitate access to those documents to future researchers, it has been maintained in the original terminology of their location in the archives. “Signatura” is the box in which files are located, and “expediente” is the collection of documents on one particular issue. Every “signatura” and “expediente” has a number. Therefore, a telegram with the reference “signatura 21950, expediente 2” means that the document in question is in box number 21950, in the collection of papers number 2.

the two more recent periods of Spain's presence in the SC will be available for researchers, to address this gap in knowledge, in the near future.

Outline of the chapters

The purpose of this chapter has been fourfold. First, it has highlighted the difficulty of defining and classifying states for the diversity of countries that comprises the international community. Secondly, the three approaches that serve to identify countries have been examined: the hierarchical approach; the normative approach; and the behavioural approach. However, none of these approaches have helped to clarify what countries among such a variety of states could be considered as middle powers. This is because the hierarchical and normative approaches contain inherent flaws, making them unsuitable for an accurate depiction of which countries fall into the category of great, middle, or small powers. Nevertheless, we should not disregard these two approaches as they have provided us with useful information related to Spain's position within the international community. Returning to the behavioural approach, which we have argued is the most recent (it dates from the 1980s) and useful way of categorising countries, it is assumed that Spain is also a multilateralist country. However, this will be confirmed (or not) in the following chapters in which the behaviour of Spain in the SC will be analysed. The last part of this chapter has presented the SC as the perfect venue in which non-permanent members can develop their skills. This is because it is the place where super powers, great powers, middle powers and small states meet to discuss a wide range of issues. Such variety of issues and countries make the SC a forum where multiple interests converge. This makes the SC a very attractive place for multilateralist countries. However, there are many other reasons why the SC is a very appealing forum, not only for middle powers, but for every type of state. We argued that the SC is an important source of prestige and legitimacy, and for the less developed countries it offers economic opportunities because it provides them with an important source of financial assistance. Furthermore, a seat in the SC is an excellent opportunity for every country to obtain political salience and relevance that otherwise would be very difficult to acquire. These benefits explain why states dedicate, as we have argued, enormous diplomatic, financial, and political resources in their campaigns, and use different strategies to gain a seat in the SC. However, in occasions the presence on the SC may also involve onerous responsibilities.

In Chapter 2, we will offer an account of the evolution and functioning of the SC. This will start from its creation to recent years with the aim of depicting the general framework within which Spanish foreign policy will be examined later. This is pertinent because, as it was mentioned above, a complete understanding and explanation of events is not possible from just one level of analysis, (either individuals, or states, or structures). If individuals or states are important, so are the structures that constrain them, and the SC constitutes the particular structure within which the subject of our research will develop. In Chapter 3, we will explore the hostility of the victorious powers of the Second World War (Britain, France, the US and the USSR) towards the Franco regime for both its origins and its role in the Second World War. This hostility led to the exclusion of Spain from the San Francisco Conference. It also continued with Spain's inclusion in the SC agenda, as a threat to international peace and security, and ended with Spain's international political ostracism, which in the case of the Western European countries lasted until Franco's death in 1975. These events are relevant because they help us to understand Spanish foreign policy in the SC, and the role of Spain as a middle power. Although the influence of these events was clearly evident during the two first terms of Spain's presence in the SC, the reverberations can still be perceived nowadays. In Chapters 4, 5, 6 and 7, we present the core of the research. We examine the role played by Spain in the four periods of service as a non-permanent member of the SC (1969-1970, 1981-1982, 1993-1994, and 2003-2004). In order to do this the main issues that the SC dealt with in each period will be taken into consideration, paying special attention to the Spanish approach to them. We will examine Spain's performance within the SC with regard to those matters, and the underlying motivations of Spain's involvement in decision-making. This will offer a general picture of Spanish foreign policy that will help us establish lines of continuity or rupture/adaptation throughout the years. In Chapter 8, we will draw all the findings from the other chapters together to answer the question of whether or not Spain can be considered as a multilateralist country, judged from the behavioural approach.

2 THE SECURITY COUNCIL

The Security Council (SC) constitutes the most ambitious attempt to date to create an effective mechanism for collective security. It represents the culmination of a process that germinated in the nineteenth century with the Congress conferences after the Napoleonic wars. After the Congress of Vienna came the Hague conferences of 1899 and 1907, followed by the creation of the League of Nations as a consequence of the Great War.¹ It was necessary, however, to have another world conflagration of the great powers of the moment to agree on the creation of new international institution that superseded the League of Nations, and sought to prevent ‘succeeding generations from the scourge of war’, as the United Nations (UN) Charter solemnly declares in its preamble. The SC would be the centrepiece of this aim as the organ whose primary responsibility is the maintenance of international peace and security (Article 24.1 of the Charter). To that end, unlike its immediate predecessor the Council of the League of Nations, the new SC was provided with an unprecedented range of instruments to enable it effectively to accomplish its task. These tools are set out in Chapters VI (Pacific Settlement of disputes) and VII (Actions with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression). The most innovative of such devices is the possibility of adopting mandatory decisions on matters of international peace and security that bind all UN members (Articles 2.5, 25 and 49 of the UN Charter). These mandatory decisions can comprise coercive measures, including the use of military force against any offending state that represents a threat to international peace and security. The philosophy of this idea can be condensed in the sentence ‘one for all, all for one’.

The Security Council during the Cold War

The system of collective security as described above, soon showed its limitations for the particular structure of the SC, and the development of the Cold War after the end of the Second World War. The structure of the SC is based to a great extent on the idea of the ‘four policemen’ that President Roosevelt envisaged, to which France was added later at the San Francisco Conference. This design gave the five big powers, the

¹ Groom, A.J.R. (1978), “The Advent of International Institutions”, in Taylor, Paul and A.J.R. Groom (eds.), *International Organisation. A conceptual Approach*, London, Frances Pinter Ltd. and New York, Nichols Publishing Company, pp. 19-27.

United States of America (US), the United Kingdom (UK), the Union of Soviet Socialist Republics (USSR), China and France, a special status within the SC, revealed in their permanent membership and their right of veto. Their permanent membership gives the five powers a structural power, in the sense that they have the capacity to instil the SC with their values, interests and standards, through their procedures, agenda or the use of their language.² The structural power of the permanent members is reinforced by the mechanism of their right of veto, which means that the SC resolutions on substantive matters must be adopted by nine members of the SC (six before the enlargement in 1965), including the concurrent votes of the permanent members (Article 27.3 of the UN Charter). This voting system guarantees some influence for non-permanent members. The SC decision-making process, therefore, is a hybrid of a decentralised unit veto system for the five permanent members, and a centralised system for all the other members.³

The adoption of resolutions during the Korean War (1950-1953), while the USSR was absent from the SC, raised the debate on whether the wording “concurrent votes” of Article 27.3 of the UN Charter meant that the SC needed the affirmative votes of all permanent members of the SC, in order to adopt a resolution. However, it was considered that in view of the interpretation that members of the League of Nations gave to similar provisions of the Covenant, the practise of the SC, and the views of members of the UN, it was only needed the affirmative votes of the permanent members of the SC, present and voting.⁴ Therefore, the abstention or absence of a permanent member did not constitute a veto. Sydney D. Bailey and Sam Daws seem to share this opinion when they say that “...a veto can be described as the failure of the Council to adopt a resolution due to the negative vote of one or more of permanent members, during a vote in which nine or more members of the Council have voted in favour.”⁵ The objective of the veto was twofold: First, to ensure that coercive measures would not be adopted against any of the five permanent members; and

² Groom, A.J.R. (2007), “The Security Council: A case for Change by Stealth?”, in Chetail, Vincent (ed.), *Conflicts, security and cooperation*, Bruxelles, Bruylant, p. 283.

³ Finkelstein, Lawrence S. (1988), “The Politics of Value Allocation in the UN System”, in Finkelstein, Lawrence S. (ed.), *Politics in the United Nations System*, Durham and London, Duke University Press, p. 6.

⁴ Udechukwu, E. C. (1972), “The Problem of the veto in the Security Council”, *International Relations*, Vol. IV, May, p. 194.

⁵ Bailey, Sydney D. and Sam Daws (1998) (3rd ed.), *The Procedure of the UN Security Council*, Oxford, Clarendon Press, p. 228.

second that their cooperation would be needed to take any action. It is a system that tries to amalgamate the Kantian peace project, and the Concert of Europe tradition, which both try to address the problem of international order and global governance from different angles.⁶

Roosevelt's mistake was to assume that cooperation among the allies would continue after the defeat of Germany. However, the ideological differences between the USSR and its Western allies, that remained latent during the Second World War, came quickly to surface as soon as the common enemy was defeated. These divergences soon gave way to open military, ideological, and economic rivalry between the two post-war great powers, which acquired a global scale. The SC became one of the scenarios of this ideological struggle from a very early stage, as the Iranian case illustrates.⁷ As a consequence, the mechanism of collective security designed in the Charter did not work as it had been envisaged. Many of the provisions of the Charter established in Chapter VII have never been implemented. The use of the veto or the threat of its use by the two great powers prevented the involvement of the SC in the majority of conflicts in which they directly, or through their proxies, were implicated. And in those cases in which the SC adopted resolutions, in the majority of occasions the wording had to be so watered down to satisfy both sides, that they almost lost any effectiveness. The result was the paralysis of the SC during the years of the Cold War, and the failure of the collective security system contemplated in the Charter. The Korean War (1950-1953) was clear evidence of this failure. The SC could only adopt resolutions under Chapter VII, condemning the attack of North Korea, and authorising the use of force to repel aggression, because of the absence of the USSR from the Council. Furthermore, as a consequence of the lack of its own military resources for the non-implementation of Articles 43 and 45 of the Charter, the SC had to rely on a group of countries, mainly the US, to enforce the resolutions. This situation made it unclear whether the US was acting as an agent of the UN or vice versa. Finally, when the USSR returned to the SC and made use of its right of veto, the US circumvented the paralysis of the SC by persuading the General Assembly (GA), with a majority of Western countries, to pass the "Uniting for Peace" resolution. This resolution, of

⁶ Brown, Chris (2001) (2nd ed.), *Understanding International Relations*, Hounds-mills, Basingstoke and New York, Palgrave, pp. 140-141.

⁷ Dedring, Juergen (2000), "The Security Council", in Taylor, Paul and A. J. R. Groom (eds.), *The United Nations at the Millennium. The Principal Organs*, London and New York, Continuum, pp. 69-73.

questionable legality, authorised the GA to meet when the SC was paralysed by the veto, and make recommendations on matters of collective security, including the use of military force.

Intense confrontation in the 1950s between the Communist bloc and the Western countries lowered dramatically the activity of the SC, to the point that their work almost completely ceased during this decade. In 1952 and 1954 the SC adopted only two resolutions in each of those years; in 1953, 1955, 1957 and 1958 five resolutions in each year; and in 1959 only one resolution. However, from 1960 onwards the SC experienced increasing activism due to the changing relationship between the blocs (the peaceful coexistence superseded the Cold War), the capacity of the UN (and the SC) to adapt to changing circumstances, and the impulse that the Secretary-General Dag Hammarskjöld gave to the establishment of peacekeeping operations as a tool for the maintenance of international peace and security in 1958.⁸ The creation of peace keeping operations was perhaps the most important institutional innovation that reflects this flexibility and capacity of adaptation. Peacekeeping operations are neither established nor mentioned in the Charter, and as they neither fall within Chapter VI of the Charter (Pacific settlement of disputes), nor within Chapter VII (Actions with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression), they are considered to be half way between both chapters. The first peace keeping operations took place in Palestine, with the deployment of the United Nations Truce Supervision Organisation (UNTSO) in 1948, and in Kashmir with the deployment of the United Nations Military Observer Group in India and Pakistan (UNMOGIP) in 1949. Nevertheless, these initial UN missions consisted in the deployment of observers with a narrowly defined role, which was limited to the supervision of a truce in both cases.⁹ However, in the mid 1950s and the 1960s UN missions progressively increased in number and complexity, assuming new roles and more difficult tasks, although always within the limits that the Cold War imposed. As it was mentioned, in this process the role of Secretary-General Hammarskjöld was crucial. It is paradoxical that although the SC is the UN organ that decides the creation, enlargement, reduction, extension, ambit of competence or finalization of the peacekeeping operations, the

⁸ MacQueen, Norrie (2006), *Peacekeeping and the International System*, Oxon and New York, Routledge, pp. 74-78.

⁹ *Ibid.*, pp. 65-67.

more important initial inputs came from the GA and the Secretary-General (SG).¹⁰ This fact reflects the important contribution that the GA and the SG can perform in the maintenance of international peace and security.

Peacekeeping operations were not the only innovation. Other features that reflect the flexibility and ability of the SC to adapt were the enlargement of the Council in 1965, and changes in its working methods. Initially, the Council was composed of eleven members of which five were permanent, but the creation of new states as a consequence of the process of decolonisation notably increased the number of UN members. With the aim of making the SC more representative it was enlarged to fifteen members in 1965. This enlargement had important repercussions in terms of the power its members held. Until then, the UN and the SC had been dominated by Western countries except for the Soviet veto, but the incorporation of the newly independent states, some close to the USSR, and many non-aligned, shifted this trend. As a consequence, the US became the permanent member that began to wield with more frequency the right to veto (until then it had been the Soviet Union).¹¹ This trend, which began in 1970, continued during the following years.¹² At almost the same time, in an attempt to avoid its paralysis by the frequent use of veto, the SC, in another example of adaptation, varied its working method with the establishment of informal consultations among SC members, prior to voting in the chamber. The aim of the consultations was to find the necessary consensus on a draft text, in order to avert the wielding of a veto at the time of casting a vote in the chamber.¹³ Nevertheless, in the course of the consultations the threat of veto still exists. In fact, it is always present.¹⁴ As a result the draft texts on many occasions had to be watered down or written in such a vague way to make them acceptable to all parties. This often made the resolutions that were adopted ineffective or the source of eventual discrepancies.

¹⁰ The United Nations Emergency Force (UNEF) was deployed in 1956 at the initiative of the GA. MacQueen, Norrie (2006), *op. cit.*, pp. 71-72.

¹¹ Roberts, Adam and Benedict Kingsbury (1993), “Introduction: The UN’s Roles in International Society since 1945”, in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *United Nations, Divided World. The UN’s roles in International Relations*, Oxford University Press, Oxford, p. 10; Morphet, Sally (1990), “Resolutions and vetoes in the UN Security Council: their relevance and significance”, *Review of International Studies*, Vol. 16, Number 4, October, p. 347.

¹² Ryan, Stephen (2000), *The United Nations and International Politics*, Basingstoke and London, MacMillan Press Ltd, p. 91.

¹³ Dreding, Juergen (2000), *op. cit.*, p. 75.

¹⁴ Questionnaire to ambassador Inocencio Arias, Spanish representative to the UN between 1997 and 2004, on 25-26 January 2010.

Famous examples illustrating this are: SC Resolution 242 (1967) of 22 November, and more recently, SC Resolution 1441 (2002) of 8 November.¹⁵

It is during the process of informal consultations when some of the non-permanent members can perform a fundamental role in achieving the necessary consensus for adopting resolutions. The alleged inclination of most powers to multilateralism and compromise, plus their tendency to defend international law and order, make them important actors at the time of mustering the required support to adopt resolutions, or when it is necessary to reduce tension between two main rivals. Nevertheless, the capacity of the non-permanent members of the SC to exert any influence will depend on their position in the international context, and on the nature of the divergence. As Holbraad suggests in a bipolar (or dualistic, using his terminology) system, only the aligned middle powers are in a good position to mediate or restrain the great powers:

In some situations such assets [contact and influence with one of the opponents] may be of greater benefit than impartiality in the central issue, not only because they allow the middle power to encourage its great-power ally to enter into negotiation and seek agreement, but also because they can help it to gain the ear of the opposite party.¹⁶

Nevertheless, middle powers lose all capacity to mediate or restrain if the differences are very intense, because when this happens great powers deal with each other directly.¹⁷ However, middle powers can also play the opposite role. This happens when aligned middle powers unquestionably support the initiatives of the leader, in which case middle powers would not be defusing tension, rather the opposite. They would be nurturing the confrontation and hindering the search for compromises. This happened in the Peloponnesian war, and more recently in Iraq.¹⁸

Despite the institutional innovations mentioned above, at the beginning of the 1980s the SC, and the UN, reached a very low point as a consequence of the revival of confrontation between the USSR and the US. The SC again became one of the fora of such rivalry, with the result of its frequent paralysis for the use of veto by the US. For

¹⁵ Byers, Michael (2004), "Agreeing to Disagree: Security Council Resolution 1441 and International Ambiguity", *Global Governance*, Vol. 10, No 2, Apr-June.

¹⁶ Holbraad, Carsten (1984), *Middle Powers in International Politics*, London and Basingstoke, MacMillan Press, p. 123.

¹⁷ *Ibid.*, p. 125.

¹⁸ Ned Lebow, Richard (1996), "Play it Again Pericles: Agents, Structures and the Peloponnesian War", *European Journal of International Relations*, Vol. 2, Number 2, June, pp. 237-238.

example, the SC failed to adopt coercive measures against South Africa after its occupation of Namibia; it became initially deadlocked when dealing with the Israeli invasion of Lebanon;¹⁹ and it was unable to adopt any resolution regarding the US intervention in the Nicaraguan civil war.²⁰ In addition, the beginning of the 1980s represented the years in which US discontent with regard to the UN system in general, probably reached its highest peak. The anti-Western character that the Organisation had been progressively acquiring with the admission of new states, as a consequence of the decolonisation process, was at the root of such discontent. Towards the end of the 1970s, and at the beginning of the 1980s, this discontent had turned to hostility towards the UN system, for political as well as for financial reasons.²¹ The withdrawal from the International Labour Organisation (ILO) in 1978, and from United Nations Educational, Scientific, and Cultural Organisation (UNESCO) in 1980, as well as the withholding of payments, was the most conspicuous consequence of this discontent. Both acts of defiance were attempts at trying to force changes in the budgetary system. Withdrawal from the UN, however, was out of the question.

The New World Order and pressures for Security Council reform

In 1985 the newly appointed leader of the USSR, Mikhail Gorbachev, began a process of reforms that had implications for Soviet foreign policy. Confrontation with the Western bloc that characterised previous years gave way to a new foreign policy of cooperation, which was soon perceived in the SC. In 1986 the permanent members agreed the re-election of the Secretary-General Javier Perez de Cuellar. At the end of that same year the UK representative, Sir John Thompson, initiated the holding of informal consultations on a regular basis, among the permanent members, with the aim of finding an end to the Iran-Iraq war.²² In July 1987 the permanent members for the first time jointly drafted mandatory measures in SC Resolution 598 (1987) of 20

¹⁹ See Chapter 5, p. 108.

²⁰ See Chapter 5, pp. 125-126.

²¹ Taylor, Paul (1991), "The United Nations system under stress: financial pressures and their consequences", *Review of International Studies*, Vol. 17, Number 4, October; Ryan, Stephen (2000), *op. cit.*, p. 93; Parsons, Anthony (1993), "The UN and the National Interest of States", in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *op. cit.*, pp. 114-115.

²² Malone, David M. (2004), "Introduction", in Malone, David M. (ed.), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner Publishers, p. 4; Morphet, Sally (1993), "UN Peacekeeping and Election-Monitoring", in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *op. cit.*, p. 211.

July.²³ In that same year, in the revival of Roosevelt's original idea, the Soviet leader Gorbachev called for a strengthening of the SC as the principal guardian of international security.²⁴ In 1988 informal consultations, which began in 1986, brought to an end the Iran-Iraq war, and the deployment of the United Nations Iran-Iraq Military Observer Group (UNIIMOG) between both countries.²⁵ After this war came the termination of the conflicts in Afghanistan, Cambodia, Angola, Namibia, and Central America. In all of these countries the UN also deployed peacekeeping operations.²⁶ The system of collective security finally began to work as it had been envisaged in the Charter.

The most important test was still to come. It was the Iraqi invasion of Kuwait on 2 August 1990. The SC acted quickly and with determination, and most importantly, united, despite the diversity of its members.²⁷ The same day of the invasion the Council declared the invasion of Kuwait as a breach of international peace, and demanded the withdrawal of Iraqi forces from Kuwait.²⁸ This initial resolution was followed by others that imposed economic sanctions on Iraq, and eventually authorised military intervention to expel Iraq from the annexed country. The success of this operation and the restoration of the status quo ante raised expectations in the SC as the guarantor of international peace and security. It was believed that the system of collective security envisaged in the Charter worked, thanks to the cooperation of the Council members. However, the event provided evidence of the limitations of the system. There are three reasons why the SC acted as it did: It was a conflict between states; it was a clear act of aggression from one country to another; and the aggressor was clearly identifiable. But the SC could not act totally in accordance with the articles of Chapter VII of the Charter. The non-implementation of Articles 43, 45, 46, and 47 led the Council to rely heavily on the leadership and resources of the US,²⁹ as it had happened in the Korean War forty years earlier. In addition, the birth of a 'new world order' announced by President Bush resulted in a general belief that this might have

²³ Parsons, Anthony (1993), *op. cit.*, p. 115.

²⁴ *Ibid.*, p. 116; Malone, David M. (2004), *op. cit.*, p. 5.

²⁵ MacQueen, Norrie (2006), *op. cit.*, p. 136; Malone, David M. *Ibid.*, p. 5.

²⁶ UNGOMAP in Afghanistan; UNAMIC in Cambodia; UNAVEM in Angola; UNTAG in Namibia; and ONUCA in Central America.

²⁷ Dedring, Juergen (2000), *op. cit.*, p. 82.

²⁸ SC Res 660 (1990) of 2 August.

²⁹ Urquhart, Brian (1993), "The UN and International Security after the Cold War", in Roberts, Adam and Benedict Kingsbury, *op. cit.*, p. 83; Parsons, Anthony (1993), *op. cit.*, p.118; Roberts, Adam (2004), "The Use of Force", in Malone, David M. (ed.), *op. cit.*, p. 136.

been dominated by the US, at a time when the US was the only great power. As with the Korean War, doubts emerged again on whether the US had been an agent of the UN or vice versa. Despite these doubts the euphoria occasioned by the revitalised system of collective security, and the fact that the Council was no longer paralysed by the use of veto (only seven vetoes were cast between 1991 and 2000),³⁰ led to an increase in their activity.

From 1991 onwards, the Council's agenda expanded considerably. It began to deal with a wider range of issues that were considered threats to international peace and security, such as disease, poverty, terrorism, environmental disasters, and violations of human rights. It also adopted more resolutions under Chapter VII of the Charter, than it had in the previous forty years. In addition, peace keeping operations grew in number and complexity. These were the years in which Spain began to contribute to peace keeping operations. When UN missions would no longer consist of the deployment of observers or forces of interposition, but they would also include tasks such as the supervision of demobilisation, the disarmament of the parties in conflict, election monitoring, and nation-building, to name some. Enthusiasm for the SC and its unprecedented relevance motivated the organisation of the first SC meeting at the level of Heads of State and government in January 1992. The aim of the meeting was to discuss new directions and activities for the Council and to request the Secretary-General to prepare a report. The report was entitled 'An Agenda for Peace'. This was an ambitious document, imbued with the optimism that dominated during those years. This optimism was not confined to the UN, it extended to the academic world and among policy makers, as Jeffrey G. Gerlach, Paul F. Diehl and Martin Walker show.³¹

This cooperative mood among the permanent members also brought some structural and operational changes to the SC. The main structural change was that the permanent members' advantageous position was reinforced because the elected members lost their capacity to mediate and introduce initiatives, and play the great powers off

³⁰ Wallensteen, Peter and Patrik Johansson (2004), "Security Council Decisions in Perspective", in Malone, David M. (ed.), *op. cit.*, p. 20.

³¹ Gerlach, Jeffrey R. (1993), "A U.N. Army for the New World Order?", *Orbis. A Journal of World Affairs*, Vol. 37, Number 2, Spring; Diehl, Paul F. (1989), "A Permanent UN Peacekeeping Force: An Evaluation", *Bulletin of Peace Proposals*, Vol. 20, No 1, March; Walker, Martin (1993), "Global Taxation. Paying for Peace", *World Policy Journal*, Volume X, No 2.

against each other.³² The understanding and harmony among the permanent five (P5) led to a situation of condominium within the SC, adopting the terminology used by Holbraad. In such a situation the freedom of middle powers are sharply curtailed and secondary powers fall “....down into the ranks of the small states.”³³ Under this condition the initiatives jointly launched by the permanent members left the other members with only three options: To act as followers of such initiatives; to oppose; or to abstain. The first option is the easiest and more comfortable to adopt, but it leaves the initiative to the permanent members. The second option to oppose also offers inconveniences. The exercise of the collective veto is unlikely because of the need to achieve the necessary consensus of seven members to avoid a resolution from being adopted is extremely difficult in light of the often heterogeneous composition of the elected members, and the different interests that guide their behaviour. Furthermore, opposition can have high political and economic costs. The case of Yemen in 1991 is an example. When this country voted against SC Resolution 678 (1991) of 29 November, US financial aid to this country was cut off.³⁴ Moreover, exercise of the collective veto is very unlikely for the intense pressure that the permanent members can exert over members reluctant to support their proposals. Finally, the abstention, for its part, does not influence in any outcome as long as the countries that abstain are not more than six and, like the option to oppose, may imply political or economic costs. Therefore, any understanding among permanent members placed non-permanent members in a position of weakness, resulting in feelings of marginalisation in the decision-making process, which in turn gave way to a growing discontent.

The dissatisfaction of the non-permanent members, and the central role that the SC acquired at the end of the Cold War, resulted in it gaining new and more complex tasks and duties. It realised that welfare matters such as development, disease, human rights, and terrorism, were closely linked to international peace and security. These decisive factors brought reform of the SC back to the top of the agenda of numerous countries. The pressures for reform eased after the enlargement of the SC in 1965. The enlargement itself, the diminishing importance of peace and security issues among

³² Malone, David M. (1997), “The UN Security Council in the Post-Cold War World: 1987-97”, *Security Dialogue*, Vol. 28, Number 4, p. 396.

³³ Holbraad, Carsten (1971), “The Role of Middle Powers”, *Cooperation and Conflict. Nordic Studies in International Politics*, Vol. VI, p. 84 and p.88.

³⁴ Chesterman, Simon (2002), “Legality Versus Legitimacy: Humanitarian Intervention, the Security Council, and the Rule of Law”, *Security Dialogue*, Vol. 23, Number 3, September, p. 302.

most new members of the UN after the decolonisation process,³⁵ and the often paralysis of the SC, for its use as an ideological battlefield between the two rival blocs, had helped to placate temporarily the reformist demands. However, all the circumstances that appeased the reformist movement, ended with the arrival of the ‘new world order’. Furthermore, the potentially more intrusive measures of the SC in the political and security affairs of states, with its more frequent recurrence to coercive measures under Chapter VII of the Charter, also contributed to raising concerns about equity, representation, transparency, and accountability of the SC.³⁶

As a result of this reformist mood the Secretary-General proposed in 1992 some reforms in the aforementioned document “An Agenda for Peace”. These proposals were followed by the formation of the Open-Ended Working Group in 1993, which divided its work into two clusters: One would focus on matters of membership, size, and voting procedures (use of veto), while the second cluster would focus on working methods, transparency, and decision-making procedures.³⁷ The accomplishments in both clusters were uneven, however. Questions related to the first cluster fell for the lack of agreement on aspects such as, the number of new members, the potential candidates, their status (permanent or non permanent), and their prerogatives (whether they should have right of veto or not). The only point of agreement was that the Council should be enlarged. Achievements on matters of the second cluster, by contrast, were more successful. The SC organised missions to gather firsthand information on areas in conflict; it began to hold meetings with the Secretariat and troop-contributing countries to UN missions; and it began to carry out open meetings with other UN members to exchange information, and allow them to participate in the work of the Council.³⁸ Furthermore, in 2001 the SC tried to develop a closer relationship with the Economic and Social Council (ECOSOC), in an attempt to coordinate efforts in conflict prevention and peace-building.³⁹ Moreover, the SC improved communications with the Secretary-General and senior UN officials in

³⁵ Gregg, Robert W. (1988), “The Politics of International Economic Cooperation and Development”, in Finkelstein, Lawrence S. (ed.), *op. cit.*, p. 109.

³⁶ Luck, Edward C. (2006), *UN Security Council. Practice and Promise*, London and New York, Routledge, Taylor & Francis Group, p. 115.

³⁷ Dedring, Juergen (2000), *op. cit.*, p. 88; Groom, A. J. R. (2007), *op. cit.*, p. 287; Luck, Edward C. (2006), *op. cit.*, p. 115.

³⁸ Hulton, Susan C. (2004), “Working Methods and Procedure”, in Malone, David M. (ed.), *op. cit.*, pp. 241-243.

³⁹ *Ibid.*, p. 243.

political, humanitarian, and security aspects of areas in conflict. In addition, under the “Arria Formula”, introduced in 1992, the SC held informal meetings with intergovernmental organisations, Non Governmental Organisations (NGOs), individuals, non-state parties, and UN members not present in the SC.⁴⁰ Furthermore, other measures to increase transparency in the SC were also implemented, such as the organisation of more open meetings, and open briefings in which UN members of the SC could participate. Other meetings were held which were open to all members of the UN, but closed to the public and media,⁴¹ and announcements were recorded in the UN Journal of the informal consultations of the meetings.⁴² These measures, although remarkable, will probably be followed by others in the future. Although the implementation of new measures will depend to a great extent on how important the role of the SC will be in future events. However, all this will probably happen only if structural changes in the SC succeed, but this is a matter that so far has proved to be intractable, as we will discuss below.

The reform of the Security Council

The unprecedented relevance achieved by the SC, as a consequence of the cooperative climate among the permanent members, which triggered the changes mentioned above, diminished at the end of the 1990s. Although the activity of the Council continued to grow, discrepancies among the permanent members about when, where or how to intervene began to emerge. These discrepancies were motivated by the divergent interests of states, or by conflict between new challenges assumed by the SC, and traditional principles of international law, and the UN Charter itself. For instance, the protection of human rights, humanitarian interventions, and the defence of democracy, clashed with the principle of the sovereignty of states, and Articles 2.4 and 2.7 of the Charter. Nevertheless, progressively “exceptions to the principle of non intervention became less exceptional”, in words of Thomas G. Weiss.⁴³ Transition from the concept of juridical sovereignty, to the concept of empirical sovereignty,

⁴⁰ *Ibid.*, p. 244.

⁴¹ *Ibid.*, pp. 245-246.

⁴² Wood, Michael C. (1996), “Security Council working methods and procedure: Recent developments”, *International and Comparative Law Quarterly*, Vol. 45, January, p. 157. This author provides a good list of the changes implemented to improve the transparency of the SC activities.

⁴³ Weiss, Thomas G. (2004), “The Humanitarian Impulse”, in Malone, David M. (ed.), *op. cit.*, p. 39.

explains this increasing interventionism.⁴⁴ The Council's overstretched role provoked by initial optimism to do more was followed by a lack of understanding among the members. This lead to unfortunate, tragic and embarrassing episodes like Somalia in 1993, the former Yugoslavia in 1992-1993, Rwanda in 1994, and Guatemala in 1997.⁴⁵ More recently, intervention in Kosovo in 1998, when Russia and China reacted vehemently against the US and British bombing of Iraq, and Russia opposed NATO leadership in tackling the crisis of Kosovo.⁴⁶ This dispute continued during the following years and reached its highest point between 2002 and 2004, concerning the invasion of Iraq.

Continuous disagreements among the SC members, and especially among the permanent members, had a negative impact on the UN in different ways. First, the permanent members became increasingly reluctant to participate in peacekeeping operations. As a consequence the number of peacekeepers deployed after reaching its peak in 1993, fell during the following years.⁴⁷ Nevertheless, as the demand for peacekeeping continued, the UN and the SC in particular, began more frequently to rely on regional organisations, coalitions of member states, and even individual states, to carry out its tasks.⁴⁸ The initiative, although good in principle, offered uneven results and has been criticized for the passive role that the SC has played on occasions, such as its role in the conflict of the Great Lakes region.⁴⁹ Second, as a result of the frequent disagreements among the permanent members of the Council, and deteriorating relations between Washington and the Secretary-General Kofi Annan,⁵⁰ the US tilted from assertive multilateralism, towards increasing unilateralism. This change was clearly noticeable, for example, in their opposition to the treaty that banned antipersonnel landmines, and in their opposition to the creation of the

⁴⁴ Barnett, Michael (1995), "The New United Nations Politics of Peace: From Juridical Sovereignty to Empirical Sovereignty", *Global Governance*, Vol. 1, Number 1, Winter.

⁴⁵ China delayed the deployment of UN observers to supervise the disarmament process in Guatemala because this country maintained diplomatic relations with Taiwan. Griffin, Michèle (1999), "Blue Helmet Blues. Assessing the Trend Towards 'Subcontracting' UN Peace Operations", *Security Dialogue*, Vol. 30, No 1, March, p. 49; Berman, Eric G. (1998), "The Security Council's Increasing Reliance on Burden-Sharing: Collaboration or Abrogation?", *International Peacekeeping*, Vol. 4, Number 1, Spring.

⁴⁶ Malone, David (1999), "Goodbye UNSCOM: A Sorry Tale in US-UN Relations", *Security Dialogue*, Vol. 30, No 4, December, p. 395.

⁴⁷ Griffin, Michèle (2003), "The Helmet and the Hoe: Linkages Between United Nations Development Assistance and Conflict Management", *Global Governance*, Vol. 9, No. 2, April-June, p. 204.

⁴⁸ Griffin, Michèle (1999), *op. cit.*, p. 44.

⁴⁹ Berman, Eric G. (1998), *op. cit.*, p. 3.

⁵⁰ Malone, David (1999), *op. cit.*, pp. 397-400.

International Criminal Court (ICC) in Rome.⁵¹ Nevertheless, despite these unilateralist outbursts, Washington still sought the Security Council's support to US initiatives, although it did not hesitate to act alone if such support was not achieved. This policy was summarised by the British political scientist Christopher Coker, in the sentence "Multilateral if possible, unilateral if necessary", which inspired Clinton's Administration.⁵² The Bush Administration that followed Clinton's term in office took unilateralism even further. This seemed to affect the activity of the SC, which saw in general a decline in the number of presidential statements and resolutions adopted from 1994 onwards.⁵³ However, it has been argued that this trend does not mean that the SC is losing relevance, but that the matters the Council dealt with were less than in the previous years, because after the end of the Cold War, the SC has become increasingly active in addressing international threats, and the majority of conflicts within states have progressively been solved.⁵⁴

⁵¹ *Ibid.*, pp. 395-396.

⁵² Kagan, Robert (2004), "America's Crisis of Legitimacy", *Foreign Affairs*, Vol. 83, Number 2, March/April, p. 74.

⁵³ www.un.org/Docs/scres/1995/scres95.htm, accessed on 23 January 2010.
www.un.org/Docs/scres/1996/scres96.htm, accessed on 23 January 2010.
www.un.org/Docs/scres/1997/scres97.htm, accessed on 23 January 2010.
www.un.org/Docs/scres/1998/scres98.htm, accessed on 23 January 2010.
www.un.org/Docs/scres/1999/sc99.htm, accessed on 23 January 2010.
www.un.org/Docs/scres/2000/sc2000.htm, accessed on 23 January 2010.
www.un.org/Docs/scres/2001/sc2001.htm, accessed on 23 January 2010.
www.un.org/Docs/scres/2002/sc2002.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_resolutions03.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_resolutions04.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_resolutions05.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_resolutions06.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_resolutions07.html, accessed on 23 January 2010.
www.un.org/Doc/sc/unsc_resolutions08.htm, accessed on 23 January 2010.
www.un.org/Doc/sc/unsc_resolutions09.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/1995/sprst95.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/1996/sprst96.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/1997/sprst97.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/1998/sprst98.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/1999/sprst99.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/2000/prst2000.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/2001/prst2001.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/statements/2002/prst2002.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_pres_statements03.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_pres_statements04.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_pres_statements05.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_pres_statements06.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_pres_statements07.html, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_pres_statements08.htm, accessed on 23 January 2010.
www.un.org/Docs/sc/unsc_pres_statements09.htm, accessed on 23 January 2010.

⁵⁴ As argued in *A more secure world: our shared responsibility. Report of the High Level Panel on Threats, Challenges and Change* (2 December 2004), A/59/565, www.un.org/secureworld/report.pdf, pp. 32-33, accessed on 23 January 2010.

The reformist impulse that began at the beginning of 1990s, continued during the following years, despite increasing US unilateralism and the difficulties mentioned above. The Millennium Summit in 2000 and the sixtieth anniversary of the Organisation in 2005, helped to keep reform of the SC a top issue. The aim was to adapt it to meet the new realities of the twenty-first century. Secretary-General Kofi Annan decided in 2003 to establish the High Level Panel on Threats, Challenges and Change, which among its other aims had the objective of reviewing the functioning of the major UN organs, and recommending ways of strengthening the UN through reform of its institutions.⁵⁵ With regard to the SC, the High Level Panel proposed among other proposals, the improvement of the decision-making process to make the Council decisions more legitimate, and the enlargement of the Council. The idea was to make the Council more representative, and as Secretary-General Kofi Annan pointed out in his Millennium Report, to make it more legitimate in the eyes of the world and better equipped to carry out its responsibilities more effectively.⁵⁶ The recommendations of the High Level Panel, like others in the past, have failed not only because of the resistance from the permanent members to any alteration, which could affect their privileges, but also because of the disagreements among member states and academics "...on what kind of reform is needed and for what purpose."⁵⁷

One of the main arguments of those who support structural change to the SC, is that its legitimacy will be increasingly questioned because no longer represents the community of states.⁵⁸ Current membership ignores the geopolitical, systemic, normative, and economic transformations the world has experienced, since the end of the Second World War.⁵⁹ For example, countries that were great powers in 1945, such as the UK and France, have seen their status diminished, while others are acquiring increasing geopolitical relevance, such as India and Brazil. Second, the defeated countries after the Second World War, Japan and Germany, are now great economic powers and two of the main contributors to the UN budget. Third, the number of countries has multiplied since the creation of the UN as a consequence of

⁵⁵ *Yearbook of the United Nations 2003* (2005), Vol. 57, New York, Department of Public Information United Nations, p. 49.

⁵⁶ Annan, Kofi (2000), "WE the peoples. The Role of the United Nations in the 21st Century", www.un.org/millennium/sg/report/ch6.pdf, accessed on 23 January 2010.

⁵⁷ www.globalpolicy.org/un-reform.html, accessed on 23 January 2010.

⁵⁸ Hurd, Ian (2008), "Myths of Membership: The Politics of Legitimation in UN Security Council Reform", *Global Governance*, Vol. 14, No. 2, Apr-June, p. 199.

⁵⁹ *Ibid.*, p. 199.

decolonization. Finally, concepts like equity and representation have acquired a relevance they did not have at the time of the creation of the UN. Under current conditions, the advocates of reform argue that the SC is losing effectiveness and legitimacy. They suggest several ways to remedy this problem: to enlarge the Council to make it more representative; to eliminate or at least restrict use of the veto to avoid the paralysis of the Council; and to incorporate more member states to the Council decision-making process. However, apart from the incorporation of more members to the decision-making process, progress in the other reforms has not taken place. There are three reasons for this lack of progress: First, opposition from the permanent members to any change that undermine their privileges; second, disagreements among states on what countries should have a seat in the SC, in the case of an eventual enlargement, and whether or not newcomers would have the right to veto; and third, weakness in the arguments in support of such reforms. Since these three reasons are important, we will now offer a more in-depth analysis.

Resistance of the permanent members to see their status and privileges undermined seems obvious. None of the permanent members will accept any reform that will affect their permanence in the SC, and their right to veto. Since any reform of the Charter requires the affirmative vote of the five permanent members, any proposal in this sense is doomed to failure.⁶⁰ Nevertheless, as the position of France and the UK within the SC has been increasingly questioned because of their decline in relative power since the end of the Cold War, both countries have tended to avoid using the veto. But at the same time they have tried to play a very active role in the SC, as a way of justifying their permanence. These two initiatives have sought to relieve the pressure, from those countries that cast doubts upon the merits of both these countries, to remain in the SC. However, as we will explain below, there are also important arguments that justify the permanence of both these countries in the Council. In short, any reform that aspires to succeed must be acceptable to the permanent members.

Another thorny matter is the enlargement of the Council, which seems unlikely at least in the medium term because of disagreements on the election of the candidates. The US supports the admission of Japan, which is the second biggest contributor to the UN

⁶⁰ Article 108 of UN Charter.

budget,⁶¹ but China is reluctant to endorse Japan as a permanent member because of the Japanese invasion of China during the Second World War.⁶² For their part, the non-aligned members consider that the election of Germany would over-represent the European countries, which are already represented by France, the UK, and two other Western European and Others Group (WEOG) states as non-permanent members.⁶³ India is another potential candidate because of its population, economic and military strength, which make it a regional power. But it is very unlikely that the Indian election would be supported by Pakistan, another nuclear power, which holds border disputes that have provoked recurrent clashes between the two countries. China also has reservations about India's candidacy because of Beijing's caution about having a rival Asian power in the Council.⁶⁴

The Organisation of African Unity (OAU) supports enlargement of the SC but up to twenty six members, of which seven would be Africans (two permanent members and five non-permanent members). But there is no agreement among the African states, on what African countries should be incorporated to the Council. South Africa is an economic power and a regional power, but Egypt for its political influence, and Nigeria and Democratic Republic of Congo for their demographic weight, should also be borne in mind. In the Americas, Brazil is a regional power, but it is not likely that Argentina and Mexico, the two other powers in the Latin American states, will acquiesce to Brazil's candidacy. In addition, if the selection of the potential candidates to occupy a seat in the SC seems complicated, the lack of agreement on the number of seats for the SC to be enlarged is another issue in dispute. Several proposals have been offered. For example, the majority of WEOG members support an increase of three to five additional non-permanent members, while the Eastern European states prefer the creation of five non-permanents and four or five permanent members;⁶⁵ the OAU, as we have discussed, defends enlargement to twenty-six members; and the High Level Panel on Threats, Challenges and Change proposed two options: The first one is the

⁶¹ *Yearbook of the United Nations 2004* (2006), Vol. 58, New York, Department of Public Information United Nations, p. 1425.

⁶² Ryall, Julian (22 January 2006), "Japan Pushes for UN Seat", available at www.globalpolicy.org/component/content/article/200/41233.html, accessed on 25 January 2010.

⁶³ Russett, Bruce, Barry O'Neill & James Sutterlin, (1996), "Breaking the Security Council Restructuring Logjam", *Global Governance*, Vol. 2, Number 1, Jan-Apr, p. 74.

⁶⁴ www.globalpolicy.org/component/content/article/200/41189.html, accessed on 25 January 2010.

⁶⁵ Weiss, Thomas G. & Karen E. Young (2005), "Compromise and Credibility: Security Council Reform?", *Security Dialogue*, Vol. 36, No 2, June, p. 146.

addition of six permanent members with no veto, and three non-permanent members elected for a two years term; and the second, enlargement of the SC with eight seats that would be elected for periods of four years, plus one more seat whose term would be of two years.⁶⁶

The number of seats to be created is not the only issue in dispute. The right of veto has also been a matter of controversy. There have been discrepancies on whether the new members of the expanded Council should have the right of veto or not. If the permanent members have been reluctant to an expansion of the SC, they have been even more unwilling to consider the possibility that the new members can have such a right. The permanent members' fierce resistance to reform gave way to the four main aspiring countries' demand for only a permanent seat in the SC. In 2005, the group of four (G4), Brazil, Germany, India and Japan, with the aim of facilitating a compromise to reform of the SC, dropped their demand for veto power for at least fifteen years.⁶⁷ Despite this gesture, however, reform of the SC has reached a deadlock. The renunciation to the right of veto by the G4 has resulted in a timid approach to the position of the "coffee club." This is a group of forty middle powers, which is composed by Australia, Italy, Spain and South Korea, among others, which only supports the expansion of the SC exclusively with non-permanent members.⁶⁸ Its number and composition make the "coffee club" a powerful lobby, without whose support, SC reform is not likely to succeed. During the years that follow efforts in search of a consensus to reform the SC will continue, and new proposals will probably be put on the table.

The disagreements among member states are not the only obstacle to achieving reform of the SC. There are also weaknesses in the reasons argued to justify reform. These weaknesses may contribute to reinforce the reluctance of the permanent members, and hinder the achievement of the necessary consensus among the other UN members. The first weakness has to do with legitimacy, effectiveness and representation. It is often

⁶⁶ www.globalpolicy.org/security-council/security-council-reform/membership-including-expansion-and-representation.html, accessed on 24 Jan 2010.

⁶⁷ Heinlein, Peter (9 June 2005), "UN Security Council Candidates Drop Demand for Veto Power", available at www.globalpolicy.org/component/content/article/200/41208.html, accessed on 24 January 2010.

⁶⁸ www.globalpolicy.org/component/content/article/200-reform/41283.html, accessed on 25 Jan 2010; Deen, Thalif (12 April 2005), "UN Security Council Expansion", available at www.globalpolicy.org/component/content/article/200-reform/41199.html, accessed on 25 January 2010.

argued that at present the SC it is not effective, lacks legitimacy, and it is not representative. However, it is not very clear how enlargement will make the Council more effective. It seems logical to think that if it is difficult for fifteen members to reach a consensus, this task would be much harder in an enlarged Council of, let us say, twenty-two or twenty-six members. The lack of legitimacy, for its part, is linked to the unrepresentative character of the Council. The Open-Ended Working Group reported that many delegations argued that enlargement of the SC would "...increase its legitimacy through bringing the organisation closer to present-day global realities."⁶⁹ However, enlargement will make the Council more representative, but not necessarily more legitimate. What really undermines the legitimacy of the Council is the maintenance of double standards, such as the incapacity of the SC to deal with some matters because of the unwillingness of its members; the attitude of some members when they decide to ignore or bypass the SC; or the attempts by member states to use it as an instrument of their own foreign policy objectives. With regard to the representative deficit of the Council, it must be pointed out that since its origin the Council never meant to be representative, as Roosevelt's original idea of the "Four policemen" clearly shows. Roosevelt's initial conception was that the greatest powers of the moment, the US, Britain, the USSR and China, would be the exclusive preservers of peace within the organisation to be created. Only in a later stage Roosevelt accepted the idea of allocating the maintenance of international security in a council formed by eleven members.⁷⁰ The difficulty of reforming the SC, therefore, rests not only in the disagreements of the UN members on how to reform it, but also in the flaws of some of the arguments used to justify reform.

Conclusion

The United Nations was created out of a desire to prevent world conflagrations like those that afflicted human beings, in the first half of the twentieth century. The increasingly devastating effects of conflicts and especially the invention of nuclear weapons, made the victorious leaders of the Second World War realize that they could not afford to risk another similar conflict, for the fatal consequences it would have on the entire population of the planet. To avoid the repetition of such deep traumatic

⁶⁹ www.globalpolicy.org/component/content/article/200/41363.html, accessed on 25 January 2010; Hurd, Ian (2008), *op. cit.*, pp. 205-206.

⁷⁰ Schlesinger, Stephen C. (2004), *Act of Creation. The Founding of the United Nations*, Cambridge, Westview Press, p. 46.

experiences, the allies promoted the creation of the UN and within it the SC, as the main organ in charge of the maintenance of international peace and security. The creation of the SC was largely inspired from previous mechanisms and organisations of collective security, but for the range of tools and competences that the creators gave it, to carry out its mission, it represents the most sublime and endeavouring of all of them. More than sixty years after its creation, it still continues to be a successful institution. Looking back at all the years, it can be said that to a great extent it has accomplished its objective. It has saved the majority of future generations from the scourge of war, as the Preamble of the Charter says. It has prevented many conflicts, has defused many others, and has helped to alleviate the consequences of war in the majority of cases in which conflict has been unavoidable. In addition, it has allowed many middle and small powers to participate, sometimes with a voice and a vote, other times with only a voice, in the decision-making process of those security matters that have been of their own interest. Of course, there are some who are less optimistic, and would rather focus on those disappointing episodes, in which the SC has not lived up to the expectations of the international community. As in most cases, it is a question of seeing the bottle half empty or half full.

There can be no doubt that throughout its history the SC has experienced ups and downs, depending on the circumstances and the willingness of the permanent members to cooperate. During the Cold War years the SC became the ideological battlefield of the two rivals, the US and the USSR. It was paralysed most of the time because of the continuous use of the veto, which meant that it could not deal effectively with many matters. Despite these difficulties, however, it demonstrated that it was adaptable and flexible, as illustrated by the enlargement of the Council in 1965, and the changes it made to its working methods in which informal consultations were incorporated among its members. The atmosphere of cooperation among the permanent members that followed after the Cold War, caused a revitalisation of the Council, which began to work as the sponsoring powers had envisaged. At the same time the SC began to assume more tasks, and it became more intrusive in the domestic affairs of states.

During this long process, however, the world changed substantially. Firstly, as mentioned above, the defeated countries of the Second World War, Germany and Japan, had become great economic powers, and two of the main contributors to the

UN budget. Secondly, the former colonies have become independent countries, some of which have become regional powers that aspire to play an increasing relevant role in international affairs (for example, India). Thirdly, others such as Brazil and South Africa have reaffirmed leadership in their respective regions. In this new context, the growing relevance of the SC and its more intrusive activities, combined with the defence of democratic principles, which Western countries exert worldwide, have increased the pressure for it to reform. The aim is to make this UN organisation more transparent, and more representative. The image of the SC as an instrument of Western hegemony, among ‘third world’ countries, has also been an important factor, which has notably fuelled the reformist trend. But up to now the reformist attempts have been uneven. Some changes have been achieved in issues that affect transparency and working methods of the SC, but progress with regard to enlargement of the Council, and restraining or abolition the right of veto has been avoided. During future years reformist attempts are expected to continue, although resistance of the permanent members to any formal alteration of the Council will lead, in words of A. J. R. Groom, to “....the strategy of stealth and informal co-option which will increase the efficiency, legitimacy and representivity of the Security Council without challenging the authority of P5 with their permanent membership and the veto.”⁷¹

In Chapter 3, we will describe the early years of the SC, and examine how Spain became one of the first issues the SC had to deal with. This episode is interesting not for the disagreements the issue raised among the SC members, which were less motivated by ideological differences than by procedural ones, but for the far-reaching repercussions, which it had on Spanish foreign policy in the country’s first period in the Council.

⁷¹ Groom, A.J.R. (2007), *op. cit.*, pp. 296-297.

3 SPAIN AND THE EARLY YEARS OF UNITED NATIONS (1946-1955)

Spain was one of the few independent states that did not participate in the San Francisco Conference of 1945. Other countries that were also absent from the Conference were Switzerland, Ireland, and Sweden. Like Spain, the aforementioned countries did not participate in the war effort against the Axis powers, and as a consequence they were not regarded as peace-loving countries. As such, it was considered that none of them should have a place within this new Organisation that was about to be created. Since its main objective would be “to save succeeding generations from the scourge of war,” as the Preamble of the United Nations Charter reads, the inclusion of non-peace loving countries would have been inappropriate. Nevertheless, the situation soon changed for Sweden and Switzerland, who were invited to join the Organisation soon afterwards. Sweden became a member in 1946, while Switzerland declined the invitation because it considered that contravened its position of neutrality. It would not join the Organisation until September 2004. Finally, Ireland became a member in 1955, the same year as Spain, as a result of a “package deal” between the USSR and the US. However, Ireland never suffered the same UN hostility as Spain did. The reason for such animosity rested in the particular circumstances that surrounded Spain. It was then ruled by a dictator, General Francisco Franco, who seized power after three years of civil war (1936-1939), during which he had the decisive military support of the Axis countries. This barred Spain from the UN in consonance with what the sponsoring powers of the UN (USSR, Britain and the US) had agreed at Potsdam, which was that those existing regimes that had enjoyed the Axis support, would not be allowed to enter into the new Organisation.¹ Franco’s regime fell clearly within this category and for that reason Spain was barred from the UN.

Although the military support of the Axis countries for Franco during the Spanish Civil War explains Spain’s exclusion from the UN, it does not explain why Spain became one of the items on the Security Council’s agenda in 1946. The answer to this question is found in what happened during the Second World War. The Franco regime officially maintained Spain’s neutrality in the conflict. Yet, Franco always felt

¹ Previously, in June 1945, the delegations that participated in the Conference of San Francisco approved a resolution that refused Spain’s UN membership for the same reason. Preston, Paul (1995), *Franco. A Biography*, London, Fontana Press, p. 535.

sympathy towards Germany and Italy, not only for the military aid that Franco received from these countries during the Spanish Civil War, but also for the ideological affinities between the Spanish dictator and the German and Italian leaders. Franco was an obsessed anti-communist who would have participated in the Second World War with Germany and Italy, if his *coup d'etat* had not been followed by a civil war, which lasted three years and reduced Spain to exhaustion. Even so Franco did consider taking part in the Second World War with his closest collaborators, which in those years were the Falangists (members of the Falange, the Spanish fascist party). Negotiations between Spain and the Axis powers to explore this possibility were frequent. The historic meeting that Franco and Hitler held in the French town of Hendaye in October 1940 was just one example. Although it is not possible to provide a detailed account of this meeting because documents are missing, and part of the conversation took place without witnesses, Franco's inclination for the Axis powers was not enough to surmount the lack of understanding that seemed to emerge between Franco and Hitler. Franco's demands for military and economic support, and territorial claims in North Africa at the expense of the French Empire, were conditions that Hitler was unwilling to give. Hitler feared that the cession of French colonies to Spain would precipitate an anti-German movement under de Gaulle, which would pave the way to Allied landings.² Furthermore, the course of the war was still favourable to Germany, and Hitler's nearest collaborators reported to him that Spain, due to its military and economic prostration as a consequence of the Spanish civil conflict, would be a liability rather than an asset.³

Despite these discrepancies Franco never hid his sympathies for Hitler.⁴ In fact, as a demonstration of friendship he sent the 'Blue Division' ('La Division Azul') to Germany to help Hitler with his invasion of the USSR. On another occasion during the siege of Berlin by the Red Army, Franco offered one million volunteers to defend the

² Preston, Paul (1995), *Ibid.*, p. 400.

³ *Ibid.*, p. 387.

⁴ When the situation changed after Rommel's defeat in North Africa and the Allied invasion of Italy through Sicily, Hitler's attempts to drag Spain into the conflict failed. This was because of (a) the disagreement on Spanish demands persisted; (b) because Germany's victory in the conflict became unclear for the first time; and (c) because of the continuous Allied pressure to keep Spain neutral. One of the measures adopted by the Allies was the approval of consignments of wheat to Spain to feed the starving Spanish population, but on condition that Spain would remain neutral. These reasons explain why, despite Franco's sympathies towards Hitler, Spain remained neutral.

German capital.⁵ Moreover, he also gave logistic support to the German Navy and the Wehrmacht: Submarines were allowed to fuel in the Canary Islands; German planes were allowed to operate from Spanish airfields against Allied objectives, and those that were forced down on Spanish soil were repaired by Spaniards; Franco also allowed the Germans to carry out inspections of those Allied aeroplanes that for diverse reasons had to land in Spain; and Spain also provided relevant information to Germany about Allied activities. Finally, once the war was over Franco gave refuge in Spain to numerous Nazis that fled from Germany.⁶ Therefore, Spain's participation in the Second World War was substantial despite its official neutrality.

Franco's regime and the post-war years

As a result of Franco's collaboration with the Axis powers during the war, it is not surprising that after the end of the world conflagration, the Spanish dictator had become an enemy of all the victorious powers. On the one hand, the Soviet Union perceived Spain, if not as a threat, at least as a hostile country that had supported Germany in the invasion of its soil. Furthermore, irreconcilable ideological differences separated one from the other. On the other hand, the UK, France and the US saw Spain as an ally of Germany, Italy and to a lesser extent Japan; the enemy countries that had been finally defeated after years of immense suffering, countless loses of human lives, and huge devastation. The electoral swing to the left in France and Britain after the end of the war, intensified the hostility of the governments of these two countries towards Franco's regime, and contributed to Spain's political isolation. In April 1945, the municipal elections held in France gave victory to the left, and even the extreme left. In July of the same year in Britain, the Labour party led by Clement Attlee won the general election, after an electoral campaign which censured the Tory policy in Greece and Spain, and promised to restore democracy in both countries.⁷

The first initiative against Spain came from France. In March 1946 the French Minister of Foreign Affairs, M. Bidault, tried to convince the US and the UK on a joint intervention in Spain, with the objective of overthrowing Franco. However, the three countries did not reach any agreement at the Conference of London (March

⁵ Carrillo, Santiago (1993) (5th ed.), *Memorias*, Barcelona, Planeta, p. 143.

⁶ Preston, Paul (1995), *op. cit.*, pp. 530 and 549-550.

⁷ Gallo, Max (1973), *Spain under Franco. A History*, London, George Allen & Unwin Ltd., p. 153.

1946), and the French proposal was abandoned.⁸ Furthermore, such an intervention would have been in breach of Article 2.7 of the United Nations Charter. Then the French president Bidault, proposed the adoption of joint economic sanctions by France, Britain and the US. But this idea was dismissed by the British government as an ineffectual measure. Britain thought sanctions would not be effective without the collaboration of many other countries, such as Argentina. This country was by then a very good ally of the Franco regime,⁹ which had that year granted Spain a credit of 350 million Argentine pesos, and despatched large quantities of wheat to relieve famine being experienced by the Spanish population.¹⁰ Furthermore, the British government was reluctant to any intervention in Spain because as *The Times* reported:

...the Spaniards, a proud and exclusive people, might resent what could be represented as an attempt to interfere with the right to choose their own form of government, and a diplomatic breach might give new strength to an authority it was hoped to weaken.¹¹

For that reason the British government hoped that Franco's regime would be superseded by the Spanish people themselves, which would lead to a popularly supported democracy.¹² In those years this seemed plausible since many important individuals who had participated with Franco in his *coup d'etat*, supported the reinstatement of the Spanish monarchy. However, Franco gradually got rid of these individuals by removing them from key posts; condemning and ostracising them; and moving them away to appointments outside Madrid or abroad, far from Spain. The position of the US Administration, for its part, was also cautious because it was thought that the adoption of a very hard policy against Franco's regime might encourage the spread of Communism, or trigger another civil war.

Although neither of the French initiatives prospered, international pressure made Franco carry out some political reforms that lessened the fascist and dictatorial profile of his regime. To that effect he tried to detach himself and his regime from the Axis link. He declared with insistence that he never had intentions of taking Spain to war. He dismissed all ministers and collaborators that had more conspicuously supported

⁸ Hughet, M. (2003), "La política exterior del Franquismo (1939-1975)", in Pereira. J. C. (coord.), *La política exterior de España (1800-2003)*, Barcelona, Ariel, p. 501.

⁹ Preston, Paul (1995), *op. cit.*, p. 556.

¹⁰ Gallo, Max (1973), *op. cit.*, p. 172.

¹¹ *The Times* (25 February 1946), "Spanish Dissensions".

¹² *The Times* (24 January 1946), "British policy in Spain".

the Axis powers, and the involvement of Spain in the conflict. He initiated internal reforms to give his regime a monarchical façade to give it an internationally more acceptable profile. With these changes Franco tried to soften his image of dictator and ease hostile international pressure. However, these changes were considered superficial because of continued oppression against those who opposed Franco. This included those who were considered leftists ('rojos'), socialists, or communists, and those who had fought on the Republican side during the Civil War. Executions and life sentences were usual for those people whose only 'offence' was their ideology or having been Republican soldiers. They were accused of constituting a threat to the security of the State.

Franco's repression caused consternation among European politicians, especially those of socialist or communist orientation. This feeling extended to the populations of these countries. They felt dismayed and reacted against Franco's repression with energy and even rage in some cases. In France, demonstrations of protest gained relevance for their frequency and violence. In 1945, a train of Spanish workers coming back from Germany were attacked in the French city of Chambéry, near Grenoble.¹³ This was not an isolated incident. On 25 February 1946, violent demonstrations took place throughout France in protest against the execution of Spanish Republicans who had fought in the French 'Maquis'.¹⁴ Crowds also gathered outside the Spanish embassy in Paris, to protest against the executions. Two days later, in another demonstration, 30,000 people gathered in Paris at a meeting organised by socialist radicals, communists, trade union organisations, and the League of the Rights of Man, in which the speakers demanded the cessation of maritime, as well as land communications with Spain.¹⁵

The anti-Franco movement was also important in Britain, although no violent episodes were recorded. Trade unionists denounced Franco with fervour and demanded that the government adopted measures against the Spanish dictator. However, the British

¹³ Payne, Stanley G. (2000), *The Franco regime 1936-1975*, London, Phoenix Press, p. 344; Pinies y Rubio, Jaime de (2000), *Episodios de un diplomático*, Burgos, Dosssoles, p. 37.

¹⁴ After the Spanish Civil War many of those who could flee and reach the French border later joined the French resistance groups known as the 'Maquis', to fight against the German Army. When the Second World War ended, many of the Spanish Republicans crossed the border into Spain with the aim of organising guerrilla forces to fight against Franco. The 'Maquis' acquired certain relevance in Cataluña and some areas of northern Spain.

¹⁵ *The Times* (27 February 1946), "French anger at Spain".

government considered that too much pressure from outside might consolidate Franco's regime, rather than weaken it. Furthermore, intervention was an option that was ruled out because the UK was overburdened by the sacrifices made during the Second World War. Furthermore, the British government considered intervention in Spain as unlawful.¹⁶ This approach to Franco's regime was considered very soft by the USSR, who accused the UK of supporting "...dying regimes of reactionary elements hated by the mass of the people."¹⁷ Among these "dying regimes", the Soviets also included the Greek, the Syrian and the Lebanese.

In France, continuous social unrest and dissatisfaction of the communist and socialist ministers of the government, who demanded the adoption of effective actions against Franco's repressive regime, resulted in the government's decision to close the border with Spain. However, this measure neither appeased the population, nor the leftist members of the French Government. They demanded the adoption of further measures, such as the breaking of diplomatic relations with Spain. But moderate elements of the French Government, like the then French Minister of Foreign Affairs M. Bidault, and other Socialist Ministers, argued that such a step should be taken only in joint action with the British and American Governments.¹⁸ Finally, the closure of the border became effective at midnight on 28 February 1946.¹⁹ All communications by sea, land and air were suspended, except along the frontier between French Algeria and Spanish Morocco. However, this measure was received with indifference in Spain, a response that did not surprise *The Times* correspondent in Madrid, who in an article wrote:

The ordinary Spaniard received with indifference the news that France had decided to close the frontier. It could hardly be otherwise. Since the Napoleonic invasion the French have been the most unpopular foreigners in a country which is as famous for its collective xenophobia as for the courtesy and pride of its people. Speaking as usual with one voice, General Franco's controlled Press is enabled to do so once more not merely in the name of the nation, but in actual agreement with the bulk of Spanish opinion. The average Spaniard looks upon France as a defeated, disorderly and decadent nation whose Government can be coerced by the combined pressure of sectarian policy and a

¹⁶ Goodwin, Geoffrey L. (1957), *Britain and the United Nations*, London, The Royal Institute of International Affairs and the Carnegie Endowment for International Peace, Oxford University Press, p. 214n.

¹⁷ *The Times* (4 March 1946), "Retention of Russian Army in Persia".

¹⁸ *The Times* (27 February 1946), "French Anger at Spain".

¹⁹ *Ibid.*

misinformed public opinion. Even if he chafes under Falangist rule and realises that the French action is intended for his democratic benefit, he considers it misguided, impertinent and pointless. Most Spaniards are content to withhold their valuable exports, and many would approve if the Spanish Government broke relations with France.²⁰

In the edition of the day before, *The Times* correspondent at Madrid reported:

There is not doubt that the British Government wish to see and end put to the regime as soon as possible. But they will tend to think that too much pressure from outside might consolidate the regime rather than weaken it, and they prefer to wait for clearer evidence of what the majority of Spanish people themselves desire, whether a constitutional monarchy, perhaps only during a transitional period, or an outright republic straightaway.²¹

International pressure on Spain continued after the closure of the French border. Washington sent a note to the British government, in which it was suggested that Britain and France should join the US in expressing:

...their desire to see an end put on the Franco regime and should declare their readiness to support an interim Spanish government which would administer the country until the people could choose their own form of Government and constitution.²²

Moderate, liberal minded and patriotic Spaniards would form this interim government that would be recognised by the 'three powers'. At the same time the note mentioned the possible publication, by the US State Department, of documents that demonstrated Franco's collaboration with Hitler. France joined the initiative, and on 4 March, the three powers released a joint statement in which the US, the UK, and France declared that although there was no intention of interfering in the internal affairs of Spain:

It is agreed that so long as Franco continues in control of Spain the Spanish people cannot anticipate full and cordial association with those nations of the world which have, by common effort, brought defeat to German Nazism and Italian Fascism, which aided the present Spanish regime in its rise to power and after which the regime was patterned.²³

The authors of the joint statement added:

²⁰ *The Times* (28 February 1946), "Spain indifferent".

²¹ *The Times* (27 February 1946), "Ambassador to Report on Spanish Trials".

²² *The Times* (28 February 1946), "Joint Policy on Spain".

²³ *The Times* (5 March 1946), "Three Powers and Spain".

On the contrary, it is hoped that leading patriotic and liberal-minded Spaniards may soon find the means to bring about a peaceful withdrawal of Franco, the abolition of the Falange, and the establishment of an interim or caretaker government under which the Spanish people may have an opportunity of freedom to determine the type of government they wished to have and to choose their leaders.²⁴

On the same day the US State Department released German documents, which had been seized during the war. These documents revealed Franco and Hitler's negotiations that took place during the conflict, and the agreements that they reached.²⁵ The documents plainly contradicted Franco's declarations that he had never tried to participate in the war.²⁶ However, the statement was received in Spain with scepticism. It was considered to be an empty gesture to satisfy public opinion abroad.²⁷ This was because nobody in Spain knew how the interim government, mentioned in the statement, could gain power without foreign intervention. Franco had made it very clear that he would not step down from power. It has been said that in 1945 he had told his brother Nicolas that "if things go badly I will not end up like Mussolini because I will resist until I have shed my last drop of blood. I will not flee like Alfonso XIII."²⁸

Spain on the Security Council's agenda

Pressure concerning what to do about the Franco regime increased. The French government sent a note to London and Washington, in which it was proposed that this matter should be included on the Council's agenda. The USSR supported the French proposal because it meant that Moscow, which had so far played a passive role in the matter, would be able to participate in the decision-making process and exert some influence. The idea, however, was resisted by the US and UK, who both tried to avoid any Soviet involvement.²⁹ They both feared that participation of the USSR could make Spain susceptible to Soviet influence. So London tried to keep this proposal away from the SC agenda, by arguing that it was a matter for the internal jurisdiction of Spain, and any interference in a state's internal affairs was a dangerous precedent for

²⁴ *Ibid.*

²⁵ *The Times* (5 March 1946), "Franco's Letters to Hitler".

²⁶ *Ibid.*

²⁷ *The Times* (6 March 1946), "Spain and the Three Powers".

²⁸ Preston, Paul (1995), *op. cit.*, p. 535.

²⁹ *Ibid.*, p. 553.

the Organisation to establish.³⁰ However, French insistence resulted in an exchange of notes between the French, American, and British governments. The former insisted on bringing the Spanish matter before the SC because France thought that Franco's regime represented a threat to international peace and security. The French government believed that the SC could exert further pressure on Franco's regime by adopting, among other measures, an oil embargo. However, both the American and British governments were cautious. They both judged that "Moderate elements in Spain, although loathing Franco and all he stands for, might resent foreign pressure and foreign interference even more."³¹ Nevertheless, as a concession to France, with the aim of preserving allied co-operation, it was accepted that the matter would be discussed in the Council of Foreign Ministers that would be held soon after, although both the American and British governments made it clear that they would prefer to find a solution through the normal diplomatic channels.³²

While the 'three powers' discussed whether or not to include the matter on the SC agenda, tensions were raised when Franco decided to deploy military forces along the French-Spanish border. His justification was expressed in a note sent to London, in which he reported renewed 'Communist activities' in the frontier.³³ Franco's strategy was to present himself as a fervent anti-communist (something that was true), with the aim of seeking American and British sympathy.³⁴ Franco's act of hostility had two intentions: First, to get the support of the Western powers to counterbalance the foreseeable Soviet pressure upon Spain, in case the matter was discussed in the SC; and second, to guarantee Western support for Spain if tension between the Western powers and the USSR surfaced. Although the Cold War was in its infancy, the incipient rivalry that began to emerge between the two super-powers, and their respective allies, led Franco to believe that a confrontation between the two nascent blocs was just a matter of time. His suspicion was reinforced by Churchill's "iron curtain" speech at Fulton, Missouri, on 5 March 1946. Franco's intention, therefore, was to align Spain in the West.

³⁰ *The Times* (19 March 1946), "Britain and Franco regime".

³¹ *The Times* (27 March 1946), "Latest French Note on Spain".

³² The Council of Foreign Ministers was set up as a consequence of the Potsdam Conference, as a mechanism for the achievement of agreed policies in varied matters. The participants were the American, the British and the Soviet representatives.

³³ *The Times* (25 March 1946), "Spanish Note to London".

³⁴ Franco also disliked the United States, a country that he saw as full of masons, but his loathing for the communists was far greater than his repulsion of the former.

On 8 April 1946 the Spanish question, as it was called, was finally addressed by the UN. It was one of the first matters that the SC dealt with. As expected, once the matter was included on the SC agenda, the initial French initiative against Franco's regime was taken up by the emerging communist bloc. It was Poland, which was used by the USSR as a spearhead, the country that now led the campaign against the Franco regime. Poland's move was perceived by London and Washington as a consequence of the condemnation of Franco's regime by the 'three powers' in the Council of Foreign Ministers. The fears of London and Washington were confirmed, once the Spanish question had been included on the SC agenda, the Soviet Union took control of events.

The Polish representative, Doctor Lange, played an active role and adopted one of the hardest lines against Spain. He supported the strategy of the communist bloc, which was to use the UN as an instrument for Soviet propaganda. This strategy is documented in the words of Alexander Dallin, who in 1962 wrote that:

Moscow had returned to the familiar bipolar images, and it was determined to 'exploit and sharpen' the contradictions it assumed existed within the capitalist camp, conflicts between different 'imperialist' powers, conflicts between colonies and mother countries, and conflicts within every capitalist state. In these efforts, the UN could serve Moscow's ends. Some efforts aimed at identifying the Soviet Union with the leader of progressive causes. Thus, the Soviet and Polish delegations spearheaded the condemnation of Franco Spain. Likewise, in attacking racial discrimination in the Union of South Africa, the Soviet Union sought to depict itself as a champion of humanity and decency.³⁵

Poland's diplomatic offensive against Franco's regime began with the delivery of a note to the Secretary-General, Trygve Lie, in which Poland presented Spain as a threat to international peace and security. In the same note the Polish representative, asked the Secretary-General to take the necessary steps to end the situation. He also requested that the SC should place the Spanish question on its agenda. Once this was achieved on 18 April 1946, he requested that the SC consider the situation arising from the existence of the activities of Franco's regime in Spain, under the following allegations:

³⁵ Dallin, A. (1962), *The Soviet Union and the United Nations*, London, Methuen and Co. Ltd, p. 29.

1. The Franco regime had been put into power with the support of Fascist Italy and Nazi Germany;
2. The Franco regime was an active partner of the Axis in the war against the United Nations;
3. The Franco regime had caused a state of international friction by compelling France to close her border to Spain and by massing troops on the borders of France;
4. The Franco regime had allowed Spain to become a refuge for German assets, for German personnel and for German scientists engaged in pursuits dangerous for the peace of mankind. The Franco government gave refuge and encouragement to a large number of war criminals, Nazi leaders and agents who were using Spain as a base of operation for their activities and for their plans of re-conquest.³⁶

As a result, the Polish representative proposed that the SC should adopt a resolution that declared Spain a danger to international peace and security. At the same time, he asked the SC to request all members of the UN to sever diplomatic relations with Franco's regime. However, not all the representatives in the SC agreed with this proposal. While France and Mexico supported the Polish proposal,³⁷ the majority disagreed. The representative of the Netherlands M. van Kleffens, for instance, defined Poland's arguments as conjectural, and although he had no sympathy for Franco's regime, and thought that "it was shameful that Spain had been reduced to a receptacle for Nazi garbage," he did not believe that the Franco regime constituted a threat to peace and security.³⁸ Furthermore, he considered it a matter that fell within Spain's domestic jurisdiction. The US representative, for his part, warned other representatives that too much pressure on Spain could unleash another civil conflict.³⁹ Washington's aim was to remove Franco's regime from power, and restore a system of democracy but without another civil war.⁴⁰ The British representative believed that there was not enough evidence to cut-off diplomatic relations with Spain. In his opinion, Spain had not been established as a threat to international peace and security.⁴¹ This opinion was shared with the Chinese representative.⁴² The Brazilian representative remarked that

³⁶ *Yearbook of the United Nations 1946-47* (1975), Vol. I, Millwood, New York, Kraus Reprint Co., p. 345.

³⁷ *Ibid.*

³⁸ *The Times* (18 April 1946), "Poland Indicts Franco".

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ *Yearbook of the United Nations 1946-47* (1975), *op. cit.*, p. 346.

⁴² *Ibid.*

although his country did not hold “even the remotest approval of the Franco regime,”⁴³ he considered, like the representative of the Netherlands, that the matter should be considered as an internal affair.⁴⁴ In the meantime, while the matter was being discussed in the SC, Franco continued to play his anti-communist card, even at the expense of increasing tensions. The Spanish Ministry of Foreign Affairs expressed in a note addressed to the British and American ambassadors to Spain, Franco’s fears and anxieties about the communists’ activities in Southern France, near the Spanish border, and accused the USSR of supplying weapons to the communists.⁴⁵

In New York, thus, there was a persistent lack of agreement among members of the SC, on the drafting of a resolution against Franco’s regime. In an attempt to surmount the impasse, Colonel Hodgson, the Australian delegate, proposed the appointment of a sub-committee of enquiry. However, his proposal brought further disagreements among the SC members, this time about the role and scope the sub-committee would play, and about the time the sub-committee should take to assess the situation in Spain. The French representative M. Bonnet, for instance, supported the idea that the sub-committee should report on practical measures that the UN might take. In opposition to this view, the Australian, British and the US representatives argued that the sub-committee could not recommend any action, because that was the task of the SC.⁴⁶ After many debates it was agreed that the function of the sub-committee, as it was finally called, would be limited to the procurement of facts, which would later allow the SC to define whether or not Spain constituted a threat to international peace and security (it was still under discussion whether or not there was evidence of this), although some representatives still had their reservations. The Dutch representative, M. van Kleffens, supported the creation of the sub-committee, as long as this decision did not constitute a precedent. His concern was that in future the SC had to form a sub-committee “...every time a complaint was laid before the Council.”⁴⁷ The Soviet representative Andrei Gromyko, for his part, complained about the constitution of the sub-committee, on the basis of insufficient evidence. He considered the sub-committee another demonstration of inaction that began with Japanese aggression, continued with

⁴³ *The Times* (24 April 1946), “Brazilian View of Franco regime”.

⁴⁴ *Yearbook of the United Nations 1946-47* (1975), *op. cit.*, p. 346.

⁴⁵ *The Times* (20 April 1946), “Spanish Note to U.S. and Britain”.

⁴⁶ *The Times* (26 April 1946), “UNO Council and Franco”.

⁴⁷ *Ibid.*

Mussolini's invasion of Abyssinia, and later Hitler's aggressive behaviour. He argued that inaction in those three cases had encouraged aggression.⁴⁸

Nevertheless, at the end of April 1946, the sub-committee was finally established, when a draft resolution satisfying the majority of SC members, was adopted by ten votes in favour, and the Soviet abstention.⁴⁹ Gromyko's abstention was a way of demonstrating his disagreement on the constitution of the sub-committee, but without blocking the decision. This raised for the first time the issue on whether the abstention of a permanent member, constituted a veto or not: Article 27.3 of the Charter states that decisions on all other matters, which are not procedural, shall be made by an affirmative vote of nine members, including the concurrent votes of the permanent members. This article suggests that the permanent members must cast an affirmative vote in order to adopt a resolution, but the Council's interpretation deemed that this requisite was not necessary. As a consequence, the resolution was considered as adopted. Nevertheless, the Soviet representative made it clear that his abstention should not be taken as a precedent.⁵⁰

Great expectations were made of the sub-committee, which was composed by the representatives of Australia (Chairman), Brazil, China, France and Poland. However, divisions among the members of the SC were just reproduced in the sub-committee. After hearing the declarations of important Spanish politicians, such as Dr. Giral, the Prime Minister of the Spanish Republican government in exile, and Aguirre, President of the Basque government in exile; and after examining documents presented by Britain, the USSR and the US, among other countries, the sub-committee remained divided.⁵¹ On one side, France and Poland supported strong actions against Spain. On the other, China and Brazil defended a moderate approach. The Australian representative remained undecided.⁵² Nevertheless, at the end the sub-committee decided that, despite the fascist nature of Franco's regime, and the fact that his regime was established with aid received from Hitler and Mussolini:

⁴⁸ *Ibid.*

⁴⁹ SC Res 4 (1946) of 29 April.

⁵⁰ *The Times* (30 April 1946), "Council Vote on Spain".

⁵¹ *The Times* (24 May 1946), "Complaints Against Franco Spain"; *The Times* (29 May 1946), "UNO Hearings on Spain"; *The Times* (1 June 1946), "British Information about Spain".

⁵² *The Times* (29 May 1946), "UNO Hearings on Spain".

In the opinion of the Sub-Committee the Security Council could not, on the present evidence, make the determination required by article 39. No breach of the peace had yet occurred. No act of aggression had been proved. No threat to the peace had been established. Therefore, none of the series of enforcement measures set out in Articles 41 and 42 could at the present time be directed by the Security Council.⁵³

However, as the sub-committee considered Franco's regime a matter of "international concern" and a "potential menace,"⁵⁴ the sub-committee finally concluded that Franco's regime was "likely to endanger the maintenance of international peace and security,"⁵⁵ and that the SC was empowered, under Chapter VI of the Charter (Article 36.1),⁵⁶ to recommend appropriate procedures or methods of adjustment in order to improve the situation.⁵⁷ The sub-committee also suggested that the SC should endorse the principles of the declaration made on 4 March 1946 by the US, the UK and France;⁵⁸ and urged the SC to transmit to the General Assembly that if the conditions of the declaration were not satisfied, the GA should recommend the termination of diplomatic relations with Franco's regime by the member states.⁵⁹

The recommendations of the sub-committee did not convince all the members of the SC. Differences among them still persisted. Sir Alexander Cadogan, the British representative still doubted that Franco's regime constituted a threat to international peace and security.⁶⁰ M. van Kafflens, the representative of the Netherlands, argued that he did not support the sub-committee recommendations because it was the SC which had primary responsibility to take action.⁶¹ The US delegation, for its part, looked for a softening of the sub-committee's recommendations. However, it was Andrei Gromyko, the Soviet representative, who strongly disagreed to the point that he vetoed the sub-committee's recommendations. There are two reasons why he disagreed: Unlike the sub-committee, he did consider Spain a real threat to

⁵³ *Yearbook of the United Nations 1946-47* (1975), *op. cit.*, p. 347.

⁵⁴ *The Times* (3 June 1946), "UNO and Franco Regime".

⁵⁵ *Yearbook of the United Nations 1946-47* (1975), *op. cit.*, p. 348.

⁵⁶ Article 36.1 of the Charter reads as follows: "The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment".

⁵⁷ *Yearbook of the United Nations 1946-47* (1975) *op. cit.*, p. 348.

⁵⁸ In this declaration the three countries stated that there should be a peaceful withdrawal by General Franco, that the Falange should be abolished, and that there should be an interim government that allowed the Spanish people to determine freely the type of government they wished to have.

⁵⁹ *Yearbook of the United Nations 1946-1947* (1975), *op. cit.*, p. 348.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

international peace and security, and not merely a potential threat; and he thought that the SC and not the GA should make the decision regarding the severance of diplomatic relations.⁶² The Soviet veto of the sub-committee's recommendations took the Spanish matter back to where it started from; all the members of the SC were opposed to Franco's regime, but they could not agree on the means to bring it down.

While the sub-committee's report did not seem to have a great impact on Spanish public opinion, as *The Times* correspondent in Madrid reported,⁶³ the lack of agreement in the SC did not discourage Dr. Lange, the Polish representative who, on 24 June 1946, at the forty-eighth meeting of the SC, insisted that the original resolution still stood as before.⁶⁴ So he submitted a draft text in which he requested that the SC members reconsider the steps that he had proposed. The Polish proposal was put to another vote and was rejected.⁶⁵ However, the Polish representative, not satisfied with the outcome, still demanded that the SC should not drop its interest in the Spanish question. For this purpose, he proposed the adoption of a resolution to keep the issue on a list of matters with which the SC was seized.⁶⁶ In addition, he proposed the creation of another committee, this time with three members, whose task would be to draft a text agreeable to the Council.⁶⁷ However, the committee, comprised this time of Sir Alexander Cadogan (Britain), Dr. Evatt (Australia), and Dr. Lange (Poland), was incapable of reaching any agreement.⁶⁸ To overcome a state of deadlock the British and Australian representatives took the initiative, by drafting a text that was submitted to the SC for adoption.⁶⁹ At that moment both were totally unaware that the draft resolution would lead to the longest, angriest, and most confusing session that the Council had held so far. As an account of the facts will now show.

After discussing the draft resolution, the USSR representative, Gromyko, maintained that the Polish proposal should be voted on before the Anglo-Australian one, because

⁶² *Ibid.*, *op. cit.*, p. 349.

⁶³ *The Times* (3 June 1946), "Spain Indifferent to UNO Report".

⁶⁴ *Yearbook of the United Nations 1946-47* (1975), *op. cit.*, p. 349.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*, pp. 349-350.

⁶⁷ *Ibid.*, p. 350.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

he considered it an independent proposal.⁷⁰ However, the President of the Council, Doctor Castillo Najera (Mexico), thought that the draft resolution of the committee was an amendment of the original Polish proposal. This opinion was supported by nine votes of the members of the Council, the Soviet and Polish representatives voting against. As a consequence the SC President announced that the draft resolution had been adopted.⁷¹ But at that moment the Soviet and French delegates pointed out that part of the resolution had a procedural character, and another part was a question of substance.⁷² However, as the SC President said that the whole resolution was of a procedural nature, Gromyko then requested a vote on the preliminary question. This meant that the Council members would have to vote whether they considered the resolution of a procedural or substance nature. They did so, and the result was eight votes in favour of considering the Anglo-Australian proposal as a matter of procedure, one abstention (Poland), and two votes against (the Soviet Union and France).⁷³ Thus, the amended or draft resolution was vetoed and as a consequence, not adopted.⁷⁴ The French and Soviet votes against, provoked a strong and hot protest by Dr. Evatt, the Australian representative. He complained about the wish of the overwhelming majority being ignored.⁷⁵ This was the first double veto in the Council's history. The confusion that surrounded this episode and the vehement debates, which took place in the SC, attracted the attention of the international press. The correspondent of *The Times*, who followed the events, reflected well the confusion that surrounded the episode. He reported that:

The confusion was such at the close of the six hour sitting of the Security Council of the United Nations yesterday that it is not certain what was voted and what was not. The temperature was soaring into the nineties and tempers were irate. Today members of the delegations were in consultation on what, in fact, the Council did decide, and as the official record of the proceedings does not make the position clear it is likely that the question will be raised with the President either privately or at the next meeting.

The only certain thing is that the case of Franco Spain remains on the agenda.⁷⁶

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ Bailey, Sydney D. and Sam Daws (1998) (3rd ed.), *The Procedure of the UN Security Council*, Oxford, Clarendon Press, p. 242.

⁷⁵ *The Times* (27 June 1946), "Angry Scene in UNO Council".

⁷⁶ *The Times* (28 June 1946), "UNO confusion over Spain".

Once the Soviet representative succeeded in denying the procedural character of the Anglo-Australian proposal, which allowed him to veto it, the SC proceeded to adopt the Polish proposal. This requested that Spain should be kept under continuous observation. To that effect, the Spanish question was included in the list of matters with which the SC was seized.⁷⁷ However, because there was no agreement among the SC members on what to do about Franco's regime, combined with other problems, the Spanish question was put to one side. It seemed it would be one of those matters, which would remain dormant on the Council's agenda. But the Polish representative, in an attempt to avoid the Spanish question losing momentum, on 30 October 1946, at the seventy-eighth meeting of the SC, made a proposal. He proposed the transfer of the issue to the GA because of all the interest that the Spanish question had raised among the UN members.⁷⁸ A few days later, on 4 November, the SC unanimously adopted the SC Resolution 10 (1946) of 4 November. This took the matter off the Council's list, and all documents regarding the issue were placed at the disposal of the GA. From then on, the Franco regime lost the opportunity to participate in the SC discussions with regard to the Spanish question, in accordance with Article 32 of the Charter.⁷⁹

It remains unanswered why Franco's regime did not take advantage of provisions contained in that Article, although three hypotheses can be mentioned here. The first one is Franco's disbelief in the new international organisation. Perhaps the dictator thought the UN would be weak as it was the League of Nations, and no action would be taken against him. The second one is Franco's conviction that the rivalry, which was emerging between the two super powers, and the formation of incipient blocs around them, would play in his favour. The third one, although unlikely, was that as Spain had not participated in the San Francisco Conference, neither Franco nor the people around him were familiar with the Charter of the UN. Therefore, they were unaware of the possibilities that the Charter offered.

⁷⁷ *Yearbook of the United Nations 1946-47* (1975), *op. cit.*, p. 350.

⁷⁸ *Ibid.*, p. 351.

⁷⁹ The article 32 of the United Nations Charter states the following: "Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without a vote, in the discussion relating to a dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations."

Spain on the General Assembly's agenda

Once the Spanish question was removed from the Security Council's agenda, the legal obstacle that prevented the General Assembly from debating and adopting recommendations on this matter disappeared. But it was not long until the United Nations members started to talk of the dislike of Franco's regime. In December 1946 the General Assembly, in Resolution 39 (I) of 12 December, recommended that "...the Franco Government of Spain be debarred from membership in international agencies establish by or brought into relationship with the United Nations....", and that "...the Member States of the Organisation recall from Madrid their ambassadors and Minister plenipotentiary accredited there." The resolution made it clear that these measures were against Franco's regime, not the Spanish people. This was the second resolution adopted by the GA with regard to Franco's regime. The first one, adopted in February 1946, before the matter was discussed in the SC, recommended that the members of the UN should act in accordance with the letter and spirit of the declarations of San Francisco and Potsdam; and it recalled that at the Potsdam Conference the governments of the US, UK and Soviet Union stated that they would not support a request for admission to the UN of the present Spanish government, because it had been founded with the support of the Axis powers.⁸⁰ A majority of the UN members followed the General Assembly's recommendations and withdrew their ambassadors and representatives. Only Switzerland, the Vatican and Portugal did not follow the recommendation because they were not UN members at that time. Nevertheless, such a measure was not an obstacle for the British and Argentinean renewal of the commercial agreements, which they had contracted with Spain. The US also rejected the adoption of further measures, and among the Latin American and Arab states there was no common position. By contrast, the Scandinavian countries adopted a hostile policy against Franco's regime, especially Norway. The result was the almost absolute political and economic isolation of Spain.

However, the fear of expansionism by the USSR during the years that followed the Second World War, and the US efforts to contain the spread of communism, changed the perception that Washington had of Franco's regime. The Soviet domination of the

⁸⁰ GA Res 32 (I) of 9 February 1946.

European countries liberated by the USSR during the Second World War,⁸¹ subsequent events in Iran in 1946,⁸² in Greece in 1947,⁸³ the Berlin blockade in 1948,⁸⁴ and the triumph of the communist revolution in China in 1949, all resulted in a reassessment of US policy towards Spain. Although Franco's regime was a product of the Axis powers, this was considered a secondary issue, once Spain was seen as an important stronghold against the advance of communism. In addition to Franco's open criticism of communism, the two years campaign of Jose Felix de Lequerica, Franco's envoy to Washington, helped to change the US perception on Spain.⁸⁵ These two decisive factors contributed to a change in attitude towards Franco. This shift was soon proved to be favourable. Although Spain was not included in the Marshall Plan, the first US loans from private US banks arrived in Spain in 1949.⁸⁶ This loan was followed by another one from the US in 1950. The following year, Stanton Griffis arrived in Spain as a US Ambassador.⁸⁷ It was the first one after four and a half years.⁸⁸ The US shift towards Franco's regime was quickly transmitted to the UN. The same year of the appointment of the US ambassador to Madrid, Peru and the Dominican Republic re-opened the Spanish issue at the fifth session of the GA.

In a completely different tone from that of the last session in which the Spanish question was debated, the GA adopted Resolution 386 (V) of 4 November 1950. This resolution confirmed that the specialised agencies of the United Nations were technical and largely non-political, and they were established to benefit the people of all countries. Consequently, the GA declared that the specialised agencies were "...free to decide for themselves whether the participation of Spain in their activities is desirable in the interest of their work." At the same time the GA revoked the recommendation for the withdrawal of ambassadors and ministers from Madrid. This resolution was of great significance since it allowed Spain access to many international organisations. In

⁸¹ Ulam, Adam B. (1974) (2nd ed.), *Expansion and Coexistence. Soviet Foreign Policy 1917-73*, New York, Praeger Publishers, p. 389.

⁸² Avery, Peter, Gavin Hambly and Charles Melville (eds.) (1991), *The Cambridge History of Iran. From Nadir Shah to the Islamic Republic*, Volume 7, Cambridge, Cambridge University Press, pp. 244-251.

⁸³ Bell, P.M.H. (2001), *The World Since 1945. An International History*, London, Hodder Arnold, and New York, Oxford University Press, p. 74 and pp. 77-79; Young, John W. and John Kent (2004), *International Relations Since 1945. A Global History*, Oxford and New York, Oxford University Press, pp. 70-72.

⁸⁴ Bell, P.M.H. (2001), *op. cit.*, pp. 91-94; Young, John W. and John Kent (2004), *op. cit.*, pp. 92-93.

⁸⁵ Preston, Paul (1995), *op. cit.*, pp. 580-581.

⁸⁶ *Ibid.*, p. 587.

⁸⁷ Gallo, Max (1973), *op. cit.*, p. 205.

⁸⁸ Payne, Stanley G. (2000), *op. cit.*, p. 383.

1951 Spain became a member of the World Health Organisation (WHO); in 1952 a member of the United Nations Educational, Scientific, and Cultural Organisation (UNESCO); and the following year a member of the International Labour Organisation (ILO).⁸⁹ At the same time diplomatic delegations started to return to Spain, and relations between Spain and the other states began to normalise. In 1953 a bilateral agreement was signed between Spain and the US. Under this agreement, Spain authorised the establishment of US bases on Spanish territory in exchange for economic and military support. This was another important step towards acceptance of Franco's regime. Integration in the international community of states continued in 1955, when Spain was finally accepted as a member of the UN.⁹⁰ However, the integration process did not end with Spanish membership of the UN. The incorporation of Spain into different multilateral organisations continued during the years that followed.⁹¹

Conclusion

The events described above had important repercussions for Spanish foreign policy. Although years of ostracism officially ended with the US military agreement, despite Spain's admission to the UN and other international organisations, the country continued to be relatively isolated during the decades that followed. The bilateral agreement between Spain and the US was very limited in scope. It was not a treaty of mutual defence, but simply a leasing contract in which Washington offered some financial and military assistance in exchange for US bases on Spanish territory. This meant that the US did not have any obligation to get implicated in any potential conflict in which Spain could get involved. The relative isolationism of Spain was also apparent with regard to the European countries. The disdain that the European democracies felt for the Spanish dictatorship provoked the exclusion of Spain from the different Euro-American project, which emerged after the Second World War. Spain was not a recipient of the Marshall Plan, and it remained outside the Council of Europe for political reasons. Similarly, Spain was not invited to participate in the creation of the European Atomic Energy Community (EURATOM), and it was not

⁸⁹ *Ibid.*, p. 417.

⁹⁰ GA Res 995 (X) of 14 December 1955.

⁹¹ In 1958 Spain became a member of the International Monetary Fund (IMF), the World Bank, and the Organisation for Economic Co-operation and Development (OECD).

invited to join neither the European Economic Community (EEC), nor the North Atlantic Treaty Organisation (NATO).

Spain's political isolationism during Franco's regime helps us to understand Spanish policy during the first term the country was a member of the SC. The ostracism that Spain suffered in Europe became as source of opportunities. Franco's regime tried to break its relative international isolationism by approaching the Latin American, African and Arab countries with some success. This policy of cultivating the Muslim world has been described by Halstead as conceptually brilliant.⁹² The policy was also greatly influenced by the mentality and personality of Franco and his alter ego, the Admiral and vice-president Carrero Blanco. Franco hated Judaism and saw the Arab countries as, "...conservative, traditional monarchical regimes that opposed the 'godless' teachings of communism and the rootless secularism of Western liberalism."⁹³ For his part, Admiral Carrero Blanco hated communism, freemasonry, liberalism and, above all, Judaism.⁹⁴ However, the main reason for this approach to the Arab, Latin American and African countries was an attempt to break Spain's isolation. The success of this policy placed Spain in a middle position between the Latin American, African and Arab countries, which gave Franco political recognition, and Spain's European neighbours, which refused to recognise Franco's regime but were the country's main trading partners, belonged to the same bloc in the context of the Cold War, and were linked by historic and geographical reasons. As we have discussed, Spain successfully exploited this particular position at the time of its arrival in the SC in 1969. The period of détente between the two blocs that began in that same year, also played an important part in Spain success.

In the following chapters, we shall examine how Spanish foreign policy developed in 1969 to 1970 and the three other periods in which Spain was a member in the SC: 1981-1982, 1993-1994, and 2003-2004. This will give us not only an understanding of Spanish foreign policy over the last 35 years, but also it will enable us to decide

⁹² Halstead, Charles R. (1980), "Spanish Foreign Policy, 1936-1978", in Cortada, James W. (ed.), *Spain in the Twentieth-Century World. Essays on Spanish Diplomacy 1898-1978*, London, Aldwych Press, pp. 83-84.

⁹³ Fleming, Shannon (1980), "North Africa and the Middle East", in Cortada, James W. (ed.), *Spain in the Twentieth-Century World. Essays on Spanish Diplomacy 1898-1978*, London, Aldwych Press, p. 133.

⁹⁴ Gilmour, David (1985), *The Transformation of Spain. From Franco to the Constitutional Monarchy*, London, Quartet Books Limited, p. 68.

whether or not Spain is a multilateral power and an observant of international law. We shall also describe how Spain has performed in the SC and compare this with how states behave by referring to our discussion in Chapter 1.

4 SPAIN IN THE SECURITY COUNCIL: UNDER DICTATORSHIP (1969-1970)

In 1969 when Spain acceded to the Security Council (SC) the country was still ruled by General Franco. Nevertheless, the dictatorship of the 1940s, and the beginning of the 1950s was unlike that of the 1960s. The increasing complexity of the challenges that faced Spain, changing international circumstances, and the economic and social transformations in the country between 1955 and 1969, resulted in an evolutionary change in Franco's regime. The Falange, the Spanish fascist party, remained as one of the pillars of the dictatorship, but lost influence in the years after the Second World War. By the end of the 1960s, technocrats occupied key posts within the bureaucracy, and members of Opus Dei had become the dominant 'family'.¹ The new 'family' had gained the favour of Franco and carried out measures of economic liberalisation, which allowed for impressive economic growth in Spain during the 1960s, to the point that Spain had become a modern and industrialised country by 1969. Only Japan experienced greater economic progress during the same period.² Spain also went through important political changes, which had an impact on the Ministry of Foreign Affairs. In 1957, Fernando Maria de Castiella, a Falangist, who later became a Christian Democrat, was appointed as minister of foreign affairs. During his twelve years in office, he established guidelines that inspired Spanish foreign policy during the last years of the dictatorship, and the democratic governments that followed, with the exception of the Conservative party's term in office (1996-2004).³ His successor, Gregorio Lopez Bravo, followed the guidelines set up by his predecessor, but at the same time he brought Spain closer to the USSR and the Eastern bloc countries, and restored relations with the US, which had become strained as a result of the foreign policy followed by his predecessor, Fernando Maria de Castiella.⁴ As we shall discuss below, this policy strengthened Spain's position as a mediator and bridge builder in the SC. The move towards the USSR and the Eastern bloc, and the improvement of

¹ Franco's regime was never monolithic. It was composed of different 'families', which acquired and lost relevance within the regime as circumstances changed.

² Payne, Stanley G. (2000), *The Franco regime 1936-1975*, London, Phoenix Press, p. 463.

³ These guidelines were: A hardening of the relations with the US with regard to the American bases in Spain; approach to the Third World countries; opposition to Israeli policies in the Middle East; support of decolonisation; the maintenance of close relations with Cuba; the claim over Gibraltar. Pollack, Benny with Graham Hunter (1987), *The Paradox of the Spanish Foreign Policy. Spain's International Relations from Franco to Democracy*, London, Pinter Publishers, p. 48.

⁴ *Ibid.*, pp. 48-50.

Spain's relationship with the US, were possible because of Franco's increasing physical and intellectual decline, resulting in his greater reliance on his collaborators. In fact, the year that Spain occupied a seat in the SC for the first time, coincided with the beginning of what Payne called the "Twilight of the regime"⁵ and Preston "The long goodbye."⁶ Foreseeing his end, in 1969 Franco appointed Prince Juan Carlos as his successor.⁷ Nevertheless, despite his decrepitude, Franco still supervised Spain's foreign policy, and the maintenance of internal order and the suppression of leftists and separatist movements, remained under his direct control.

Spain's election to the Security Council

The election of Spain to a seat in the SC in 1969 seems surprising considering the events we described in the previous chapter. Despite the changes mentioned above, although opposition to Franco's regime had subsided, the extremes of the dictatorship had not been forgiven by the Western European and Others Group (WEOG), the regional group within the UN that elected the regional members to the SC. A reduction in opposition to Franco's dictatorship is apparent by the increase in trade between Spain and the Western European countries.⁸ However, the continued exclusion of Spain from the main political, economic and military European projects, such as the EEC, NATO, and EURATOM, were further evidence that Franco's regime had not been forgiven. The political rejection that Franco's regime still aroused among some of the Western European countries, was a factor that the Spanish Ministry of Foreign Affairs used to delay Spain from running for a seat in the SC. It was decided Spain would rather wait for two more years.⁹

However, there were other reasons for such caution. The traditional good relationship with Portugal had given way to frictions over Spain's colonial policy in Africa. Spanish support of the decolonisation process and the fact that Spain had granted independence to its African colonies jeopardised Portuguese colonial policy, which sought to keep Guinea, Angola and Mozambique as Portuguese provinces.¹⁰ Spain's relationship with the UK was also problematic due to frictions concerning the

⁵ Payne, Stanley G. (2000), *op. cit.*, p. 543.

⁶ Preston, Paul (1995), *Franco. A biography*, London, Fontana Press, p. 744.

⁷ *Ibid.*, p. 742.

⁸ Pollack, Benny with Graham Hunter (1987), *op. cit.*, p. 134.

⁹ Pinies y Rubio, Jaime de (2000), *Episodios de un diplomático*, Burgos, Dossobles, p. 95.

¹⁰ Nogueira, Franco (1963), *The United Nations and Portugal*, London, Sidgwick and Jackson, p. 92.

Gibraltar issue. During the years prior to the election, Spain carried out intense diplomatic pressure in the UN, especially in the Committee of Twenty-Four. This Committee forced the adoption of the General Assembly (GA) Resolutions requesting the administering power, the UK, to put an end to the colonial situation in Gibraltar.¹¹ Finally, the GA Resolution 2429 (XXIII) of 18 December 1968 established the deadline to decolonise Gibraltar on 1 October 1969. Another important hindrance was the fact that there were already two WEOG candidates, Italy and Finland, which had expressed their intention to run for a seat in the SC. As the quota of the WEOG is two members, the inclusion of Spain would mean that the candidates could not be endorsed by the group and, as a consequence, they would have to face an open election in the GA. This situation involved serious risks because if the three candidates did not achieve the necessary votes in the GA, the group could be left with no representation in the SC, although this situation has never happened.

It was the Spanish representative Jaime de Pinies who pressed for Spain to run for a seat in the SC, this was in spite of the Spanish Ministry of Foreign Affairs reservations. But Jaime de Pinies did not disobey the Ministry's instructions.¹² He thought membership in this organ was a necessary step for the country to acquire the political weight that Spain deserved within the UN.¹³ His point of view, thus, confirms Malone's affirmation when he said that countries seek a seat in the SC to underscore their national prestige.¹⁴ Nevertheless, despite this initial disagreement between the Spanish representative and the Spanish Ministry, once Spain stood for a seat in the SC both took part in intense diplomatic activity, with the aim of gathering the necessary support for Spain to be elected. Letters and communications were sent to different countries requesting their support, sometimes at the last moment. For example, the Ecuadorian government sent a letter to the Italian government confirming its support for the Italian candidate. Then the Ecuadorian government received a letter from the Spanish government requesting their support for the Spanish candidate. The Ecuadorian government destroyed the former letter of support for the Italian candidate

¹¹ GA Res 2231 (XXI) of 20 December 1966; GA Res 2353 (XXII) of 19 December 1967.

¹² Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 95.

¹³ *Ibid.*, p. 95.

¹⁴ Malone, David M. (2000), "Eyes on the Prize: The Quest for Nonpermanent Seats on the UN Security Council", *Global Governance*, Vol. 6, Number 1, Jan-Mar.

and sent another in which it expressed support of the Spanish candidate.¹⁵ The Peruvian government reacted in a similar fashion. The Secretary-General of Foreign Affairs in the Peruvian Ministry of Foreign Affairs, Javier Perez de Cuellar, promised to support Spain in spite of the Italian government's initial request for Peruvian support.¹⁶ The support of the Latin American, Arab and African countries, with which Spain maintained good relationships, was fundamental to gaining the necessary support in case that the WEOG candidates went to open election in the GA.¹⁷ Nevertheless, the support of the African states was on the condition that Spain would support Zambia, another country running for a seat in the SC.

The situation was different in Europe. The Western democracies disliked Franco's regime, and there were additional reasons. Portugal, as mentioned above, was hesitant in giving its support to Spain.¹⁸ France claimed it was impossible for them to support Spain because such a decision would worsen the frictions it was currently having with Italy, the other candidate to a seat in the SC, with regard to the British candidacy to the European Economic Community (EEC).¹⁹ Belgium and the Netherlands were blunter and they declined to support the Spanish candidate. Moreover, the Belgian government expressed its disapproval of the fact that Spain was looking for support outside the WEOG group for its candidate.²⁰ Finland, the other WEOG candidate, had the support of the Nordic countries. And Britain strongly opposed the Spanish candidate because of the disagreement between the two countries over the Gibraltar issue. It seemed evident that candidates could not be endorsed by the members of its geographical group, and as mentioned above, the contestants would have to go to an open election in the GA. However, the possibility of a trade off with the UK (Spanish support for the British candidate for a seat in ECOSOC, in exchange of British support

¹⁵ Letter of the Spanish *Charge of Affairs* in Ecuador, Federico Arayalde, on 24 May 1968 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 9448, expediente 4.

¹⁶ Letter of the Spanish Ambassador to Peru, Manuel Alabart, in May 1968 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 9448, expediente 2.

¹⁷ Mexico was an exception among the Latin American countries because it never recognised the Franco regime.

¹⁸ Letter of the Spanish Ambassador to Portugal on 20 February 1968 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 9448, expediente 4.

¹⁹ Letter of the Spanish Ambassador to France, Pedro Cortina, on 6 April 1968 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 9448, expediente 4.

²⁰ Letter of the Spanish Ambassador to The Netherlands on 25 April 1968 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 9448, expediente 4.

for the Spanish candidates seat in the SC),²¹ the determination of the Spanish representative, and more important, the withdrawal of Italy due to domestic political problems, made the endorsement of Spain and Finland possible. But if Italy had not withdrawn her candidate, the Spanish representative would have been willing to take the three candidates to an open election in the GA. He was convinced that Spain would achieve the necessary majority to be elected with the support of the Latin American, Arab, and some African states, plus other countries that these countries could encourage to support Spain.

There can be no doubt that the election of Spain to a seat in the SC was a diplomatic triumph for Franco's regime. As mentioned in Chapter 1, presence in the SC confers status, recognition and legitimacy, which is what the Franco regime was seeking.²² In addition, the election of Spain and Finland changed considerably the composition of the SC with regard to previous periods. For the first time in the history of this organisation only three members of NATO would be present in the chamber, the US, the UK and France.²³ This fact was interpreted as a signal that Western interests would receive less attention in the SC.²⁴ Nevertheless, as we know the US was and is a superpower and therefore would ensure its interests were addressed. However, Westerners' loss of influence was not due to Spanish presence in the SC. It had begun in 1965, the year of the enlargement of the SC, as a consequence of the pressure exerted by the non-aligned countries.²⁵ Since the enlargement, the SC began to pay increasing attention to issues that were of concern to the non-aligned and Third World countries. Their numerical superiority allowed them considerable and even decisive influence and a great bargaining capacity. For instance, the countries that were in the SC with Spain in 1969 were, besides the P5, Algeria, Colombia, Finland, Hungary, Nepal, Pakistan, Paraguay, Senegal and Zambia. This meant that four countries out of ten non-permanent members were non-aligned (Algeria, Nepal, Senegal and Zambia). This number increased the following year in which six countries out of ten non-permanent members were members of the non-aligned movement. The increasing

²¹ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 96.

²² Chapter 1, p. 10.

²³ *Rand Daily Mail* (4 November 1968), "Security Council has anti-West look".

²⁴ Estabrook, Robert H. (26 November 1968), "Lineup is changing in Security Council", *The Washington Post*.

²⁵ Morphet, Sally (1995), "The influence of states and groups of states on and in the Security Council and General Assembly, 1980-94", *Review of International Studies*, Number 21, p. 438; Chapter 2, p. 24.

presence and influence of the non-aligned members throughout the 1970s gave them an opportunity to seize the initiative in the SC, as well as in the GA.²⁶ They often drew attention to issues of interest to themselves, and got such issues and votes incorporated onto the SC and GA agendas.²⁷

Thus Spain's presence in the SC did not have an influence on the growing attention that the Council took on matters of concern to the non-aligned and Third World countries. However, Spain's inclusion left the Western powers in a clear minority position within this organisation. Evidence that the Western countries were placed in a disadvantaged position is provided by an examination of the Council's agenda. The main issues discussed in 1969 to 1970 constituted top matters for the non-aligned and Third World countries. For example, the Palestinian question, apartheid in South Africa and the decolonisation process, which in 1969 had not reached a conclusion. Within Europe, Britain was probably the most concerned about Spain's inclusion in the SC, and this was because of the Gibraltar issue. Franco had tried to get Gibraltar back, and he employed various stratagems in that aim. First, he severed access to Gibraltar by closing the fence that separated the Spanish territory from the Rock. His aim was to suffocate the economy of the British colony, since the majority of its labour force came from Spain. Then, he offered Gibraltarians Spanish nationality and the opportunity to transfer all their business and belongings to Spain.²⁸ Moreover, he tried to discourage cruise liners from calling at Gibraltar with the aim of reducing the flow of tourists to the colony. Finally, he tried to make the airport of Gibraltar commercially unusable.²⁹ After these initiatives it was feared that the next step might be the invasion of Gibraltar. Then Spain could immediately call for a cease fire in the SC, with the support of its Afro-Asian allies.³⁰ Together with the Latin Americans, this would constitute eight members, and this would be enough to exert a collective veto. This would prevent the adoption of measures against Spain. However, the fears of Britain and the other Western countries were not fulfilled. The Spanish representative did not go to the SC in search of a confrontation with Western powers. In contrast, Spain's policy in the SC was focused on the search for compromises, defence of

²⁶ Morphet, Sally (1990), "Resolutions and vetoes in the UN Security Council: their relevance and significance", *Review of International Studies*, Vol. 16, Number 4, October p. 353.

²⁷ *Ibid.*, p. 354.

²⁸ *The Times* (5 July 1969), "Franco's offer to people of Gibraltar".

²⁹ Lewis, Roy (3 July 1969), "Integration mood grows in Gibraltar", *The Times*.

³⁰ *Ibid.*

international legality, and respect of the SC Resolutions. It could not have been otherwise in a country pursuing recognition and prestige, within the international community and especially among Western countries.

The Security Council's agenda (1969 to 1970)

Although the main function of the SC is the maintenance of international peace and security there are other matters, which fall under its competence, but are not strictly related to collective security. This includes the election of members to the International Court of Justice (ICJ), the admission of new members, and the adoption of its working languages. It was during this period that the SC decided to adopt Spanish as a working language. These latter functions will only be referred to in subsequent chapters if they are relevant to the present study. We will concentrate mainly on the most significant matters that pose a threat to international peace and security. In the period from 1969 to 1970, the matters on the Council's agenda were the situation in the Middle East; the issues related to the decolonisation process; the problem of apartheid in South Africa; the situation in Northern Ireland; the problem of aerial hijackings; the election of members of the ICJ; and the question of periodic meetings of the SC.

The Middle East

The Security Council's involvement in the Middle East was as a consequence of the Arab-Israeli conflict, which began in 1947, when Britain involved the UN after London realized that it could not impose a settlement in Palestine.³¹ Since then, UN involvement has been constant and significant: The first mediator in UN history, Count Folke Bernadotte, was despatched to the Middle East; the first peacekeeping mission was deployed in the same area; and the first UN specialised agency was also established in that region.³² The involvement of the SC in the Middle East conflict continued during the following years. In 1973, Hiscoks affirmed that "There is no part of the world in which the Security Council has been so frequently involved as the

³¹ Tessler, Mark (1994), *A History of the Israeli-Palestinian conflict*, Bloomington and Indianapolis, Indiana University Press, p. 258.

³² Jones, Bruce D. (2004), "The Middle East Peace Process", in Malone, David M. (ed.) (2004), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner, p. 391.

Middle East.”³³ UN involvement in the Middle East has continued up until now, although involvement of the SC in the peace process in the last two decades has on occasions been secondary.³⁴ In the period from 1969 to 1970 the SC also took an interest in Middle Eastern affairs. This was because of the persistent clashes between Israel and its neighbouring countries in the territories that Israel had occupied, after the war in 1967: The Golan Heights, the Sinai Peninsula and the West Bank. A truce was never totally respected and frequent military skirmishes on both sides occurred.³⁵ Numerous letters addressed to the SC from the parties in conflict blamed each other for violating the cease-fire.³⁶ The situation was so unstable that any incident, such as the partial destruction of Al Aqsa Mosque in Jerusalem in 1969, could again spark the outbreak of open hostilities.

The SC was forced to consider the situation due to the increasing intensity of the military skirmishes.³⁷ Jaime de Pinies, the Spanish representative, was clearly supportive of the Arabs. In the case of Jordan he blamed Israel for the violation of the cease-fire. He reminded Israel of the prohibition on occupying territories by force. He justified the attacks on Israel by saying that Israel did not suffer attacks by terrorists, but by people who have been expelled from their territory, and reacted violently against such injustice.³⁸ He also played an important role in achieving the adoption of the SC Resolution 265 (1969) of 1 April. The first draft, which was an initiative of Pakistan, Zambia and Senegal, had the support of eight members (five Afro-Asian, two socialists and Spain), but it was opposed by the US, Paraguay and Colombia. Miguel Solano Lopez, the Paraguayan representative, argued that his opposition was based on the fact that the draft did not mention certain parts of the SC Resolution 248 (1968) of 24 March and SC Resolution 256 (1968) of 16 August.³⁹ Further negotiations followed to include in the draft what Miguel Solano Lopez demanded, in an attempt to obtain the Paraguayan support. With the favourable vote of Paraguay,

³³ Hiscoks, R. (1973), *The Security Council*, London, Longman, p. 133.

³⁴ See Chapter 6, pp. 142 and 144.

³⁵ *The Times* (10 March 1969), “Egypt’s chief of staff killed by shell in Suez fighting”; *The Times* (15 March 1969), “Israel attack on guerrilla base”; *The Times* (9 April 1969), “Arab guerrillas carry out rocket attack on Israel port”.

³⁶ UN document S/9006; UN document S/9065; UN document S/9083; UN document S/9089; UN document S/9023; UN document S/9033; UN document S/9041; UN document S/9383.

³⁷ UN document S/9113; UN document S/9114; UN document S/9385; UN document S/9387.

³⁸ Intervention of the Spanish representative in the SC on 29 March 1969, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 10843, expediente 11; *Yearbook of the United Nations 1969* (1972), Vol. 23, New York, Office of Public Information United Nations, p. 190.

³⁹ *Yearbook of the United Nations 1969* (1972), *op. cit.*, pp. 191-192; UN document S/PV.1473 (OR).

the draft would have the nine votes needed to get it passed, unless the US decided to veto it. During the course of the negotiations, the Spanish representative gained the support of France, which in turn was followed by support from China and Finland.⁴⁰ With the support of eleven members, the draft had the necessary back up to be adopted and was put to the vote. The US, Britain, and Colombia abstained. Paraguay also abstained in spite of mentions to SC Resolution 248 (1968) and 256 (168) being included. The draft was adopted as SC Resolution 265 (1969) of 1 April. The Spanish achievement was warmly welcomed by the Jordanian government and praised by the Iraqi press.⁴¹

The adoption of this resolution was very important for the Spanish representative because it ended the previous two years of paralysis within the SC, with regard to this issue. In the opinion of Jaime de Pinies, such deadlock was caused by US pressures over the two Latin American, Ethiopian and Japanese representatives, and the support of the other two Western countries to US positions, which had prevented the adoption of any resolution on the matter. The new composition of the Council with members more reluctant to yield to US pressures, helped to avoid the stalemate. However, if the Spanish representative succeeded in gaining the support of France, this was to a great extent because of the political circumstances surrounding the country at the time. Although France was pro-Arab, Paris was concerned by the increasing Jewish pressure and, more important, abstained in an attempt to detach the country from the US on the matter. The French intention was to maintain its political independence in the peace negotiations on the Middle East that would begin the following day among the big four powers (Britain, France, the US and the USSR). The US and Britain abstained at the moment of voting on SC Resolution 265 (1969) of 1 April, which condemned Israel for the attacks on Jordan. It was hoped that the avoidance of political obstructionism would ease the achievement of an agreement for a lasting peace in the area. However, the negotiations were doomed to failure when the Israeli government

⁴⁰ Letter of the Spanish representative to the UN on 2 April 1969 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 10843, expediente 11.

⁴¹ Letter of the Jordan Ministry of Foreign Affairs in April 1969 to the Spanish Embassy in Jordan, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 10843, expediente 11; Letter of the Spanish Ambassador to Iraq on 10 April 1969 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 10843, expediente 11.

expressed its rejection of any agreement in which Israel and the Arab countries did not participate.⁴²

The SC Resolution 265 (1969) of 1 April was not the only resolution that condemned Israel in 1969. On 26 August, the Council adopted SC Resolution 270 (1969) of 26 August without a vote, in which the Council condemned the Israeli air attack on villages of Southern Lebanon, at the same time that all violations of the cease-fire were deplored. Previously, on 3 March, the SC had unanimously adopted SC Resolution 267 (1969), which censured the Israeli actions taken to change the status of Jerusalem. In September the SC adopted Resolution 271 (1969) of 15 September, motivated by arson of Al Aqsa mosque, a place of high religious significance to Muslims. Although Israel communicated that it was an accident, the representatives of Pakistan and Hungary (Aga Shahi and Jozsef Tardos, respectively) linked the incident to the Israeli occupation of Jerusalem, and the Israeli attempts to change the status of the City.⁴³ Others, such as the US and British representatives did not go so far. The US argued that it was the act of an individual alone, and the UK that it had not been demonstrated that there was any state complicity in the act. The Spanish representative considered that the incident was spurred by the Israeli occupation of Jerusalem, and supported SC Resolution 271 (1969) of 15 September for the inadmissibility of acquisition of territory by force, and for Israel's defiance of SC Resolutions.⁴⁴ Colombia, Finland, the US and Paraguay abstained. In this case, as in the case of SC Res 267 (1969) of 3 March, Spain acted as an upholder of international legality. However, it is not clear whether this defence of international law and the authority of the SC are genuine or it is based on the fact that in this occasion law was on Arab's side, which was the party with which Spain's sympathies lay. There are other occasions in which Spain also was observant of international law.⁴⁵ However, there are also other occasions in which Spain's interest hindered such observance. The case of the aggressions of Portugal against Zambia, Senegal and Guinea are examples.⁴⁶ This

⁴² *The Times* (31 March 1969), "Israel will reject four-power solution".

⁴³ UN document S/PV.1507 (OR); UN document S/PV.1509 (OR).

⁴⁴ *Yearbook of the United Nations 1969* (1972), *op. cit.*, p. 218; UN document S/PV.1484 (OR); UN document S/PV.1512 (OR).

⁴⁵ As in SC Res 264 (1969) of 20 March or SC Res 269 (1969) of 12 August, with regard to South Africa's occupation of Namibia. See this Chapter, pp. 78-79.

⁴⁶ See this Chapter, p. 87.

mixture of results, and the lack of clear evidence, suggests that in the case of Middle East, the Spanish defence of international law could be bolstered by self-interest.

The SC met again in 1970 at the request of Lebanon and Israel following Israeli invasion of the Lebanon.⁴⁷ On this occasion the Spanish representative took a more active role in the SC. He proposed the adoption of two resolutions. The first requested the withdrawal of all Israeli forces from Lebanese territory, as an interim measure for the seriousness of the act, and the flagrant Israeli violation of Article 2.4 of the Charter. This forbids the threat or use of force against the territorial integrity of states.⁴⁸ The draft text, however, did not obtain initially the necessary support among the SC members. The US representative opposed by arguing that the text was not impartial. In his opinion, it failed to mention Lebanese acts of aggression against Israel. Consequently, he proposed to add a sentence requesting the cessation of all military operations in the area. The USSR, for its part, reacted to the US attempt to amend the Spanish draft with its own amendment. It suggested adding a sentence requesting a halt of Israeli aggression against Lebanon. However, the proposals of both representatives were rejected. In order to avoid deadlock, both the US and the USSR accepted the Spanish draft as a solution of compromise. The Spanish draft was unanimously adopted without amendments as SC Resolution 279 (1970) of 12 May.⁴⁹

Israeli lack of compliance, despite the adoption of the resolution, led to the adoption of two more resolutions. On 19 May the Council adopted Resolution 280 (1970) of 19 May, with the abstentions of Colombia, Nicaragua, Sierra Leone, and the US. By this resolution the Council, among other things, deplored the failure of Israel to abide by SC Resolution 262 (1968) of 31 December and 270 (1969) of 26 August; condemned Israel's military action, and considered taking further measures to make Israel comply with the above mentioned resolutions. SC Resolution 280 (1970) was followed by another, also proposed by the Spanish representative, which demanded the complete withdrawal of Israel's forces from Lebanese territory.⁵⁰ The resolution was adopted with the abstention of the US representative, who did not support it because in his opinion it had been presented in haste. Two days later, the Secretary General reported

⁴⁷ UN document S/9794; UN document S/9795.

⁴⁸ UN document S/9800.

⁴⁹ *Yearbook of the United Nations 1970* (1972), Vol. 24, New York, Office of Public Information United Nations, p. 230.

⁵⁰ UN document S/9928 adopted as SC Res 285 (1970) of 5 September.

that the authorities of Lebanon had informed United Nations Truce Supervision Organisation (UNTSO) Chief of Staff that the Israeli forces had withdrawn from the Lebanon.⁵¹

There are three conclusions that can be drawn from this episode. First, the Spanish representative's performance fits within the model of behaviour considered as multilateral. The Spanish representative acted as a facilitator and as a catalyst.⁵² His performance as a facilitator allowed him to get the necessary support for the adoption of SC Resolution 265 (1969) of 1 April. He also acted as a catalyst when he successfully proposed the adoption of SC Resolution 279 (1970) of 12 May and SC 285 (1970) of 5 September, which demanded the withdrawal of Israel's armed forces from the Lebanon. It is necessary to mention, nevertheless, that the Spanish representative's success was due to a great extent on the willingness of the great powers, not to hinder the negotiations in which they were engaged to achieve a peace settlement in the area. The composition of the SC also contributed to this success.

Second, the defence of international law and the Council's authority was also a principle that guided Spanish policy in the SC. For instance, as we have discussed above, the Spanish representative declared the inadmissibility of acquisition of territories by force. He also invoked Article 2.4 that prohibits the use of force. And he opposed the use of force against the territorial integrity of states. Spanish support for the Arab/Palestinian cause through the vindication of international law, might lead us to consider whether Spain's defence of international legality is genuine or only instrumental. In other words, did Spain oppose Israel because Israel did not respect international law, and did not abide by SC resolutions, or because Spain maintained good relations with the Arabs? Was the defence of international law an instrument used by Spain to manifest explicitly the friendship of Franco's regime with the Arab countries? As we shall discuss, Spain's defence of international law on other occasions allows us to say that the observance of international law was genuine in most instances, although this has not always been clearly evident.

Finally, the third conclusion that can be highlighted is Spain's relationship with the Latin American countries. This relationship could be good, as was shown by the

⁵¹ UN document S/9929.

⁵² See Chapter 1, p. 3.

support that they gave to the Spanish candidates to the SC, and the International Court of Justice (ICJ). However, the Latin American countries, when voting, generally aligned themselves with the US. This is because US influence over the Latin American countries is more important than the good relationship between these countries and Spain. At least, in those matters of high interest for the US, such as the events in the Middle East.

The question of passenger aircraft hijacking

Although there were previous hijackings, an increase in this type of risk to innocent travellers, led Britain and the US to request a meeting of the SC to consider the hijacking of civil aircrafts by members of the Popular Front for the Liberation of Palestine (PFLP).⁵³ The immediate objective of these terrorist hijackings was to demand the liberation of PLO members, jailed in Switzerland, West Germany and Britain. However, the broader context of these actions was the conflict in the Middle East.⁵⁴ The SC adopted by consensus the soft Resolution 286 (1970) of 9 September without a vote, because the text had already been agreed in extensive consultations before the meeting.⁵⁵ The role of Spain in these consultations is not clear, but it seems plausible that the Spanish representative could have simply played a marginal role in this episode. There are two contradictory reasons which support this: First, Spain's opposition to this kind of actions; and second, Spain's sympathy for the Palestinian cause.

Decolonisation

Although the main imperial powers of the time, France and Britain, had granted independence to the majority of their colonies, during the 1950s and the 1960s, the process of decolonisation had not finished when Spain became a member of the SC in 1969. There were remnants of the British Empire still waiting to gain independence. Portugal was reluctant to grant independence to its possessions in Africa, and South Africa refused to abandon Namibia. In addition, the situation in Southern Rhodesia

⁵³ UN document S/9931; *The Times* (7 September 1970), "Hijackers strike four times"; Wilsworth, David (7 September 1970), "Man killed in gun duel as jet flies over North Sea", *The Times*; *The Times* (10 September 1970), "British jet joins desert haul".

⁵⁴ Martin, Paul (7 September 1970), "Guerrillas blow up jumbo jet after dash to Cairo", *The Times*; Martin, Paul (9 September 1970), "Fate of 174 hostages depends on one girl", *The Times*; Martin, Paul (12 September 1970), "Air hostages being moved to Amman", *The Times*.

⁵⁵ UN document S/PV.1552 (OR).

was still a ‘hot issue’. This was because of its unilateral declaration of independence; its regime of apartheid, which the white minority imposed on the country; and the war that Rhodesians maintained with the liberation movements sheltering in neighbouring countries. It is not surprising that decolonisation became a salient issue in the SC agenda during this period, particularly among the Third World countries, but also among the European colonial powers and developed countries in general. Decolonisation was also of importance to Franco’s regime due to the particular circumstances surrounding Spain.

Franco’s regime was supportive of decolonisation. In 1956, Spain granted independence to Spanish Morocco, following the path established by France who granted independence to Morocco, in the same year. In 1968 Spain granted independence to Equatorial Guinea, and in 1969 independence was granted to Ifni.⁵⁶ The remaining Spanish territory in Africa, Western Sahara, had to wait for independence until 1975. Thus, Spanish opposition to decolonisation in the SC would have been incoherent following Spain granting independence to its African territories, and because of Franco’s campaign in the UN, in support of decolonisation of Gibraltar.⁵⁷ Furthermore, opposition to decolonisation would have harmed the good relationship that Spain maintained with some of the African and Arab countries. We discussed above, how Franco tried to break Spain’s isolation from its European neighbours by approaching these countries. Nevertheless, Franco’s personal feelings also played an important part in Spain’s approximation to the Arabs.⁵⁸ Finally, another reason explaining Spain’s support of decolonisation is that Spain could not have afforded, for political, military and economic reasons, a war against liberation movements, such as Portugal was experiencing in its colonies.

These circumstances explain why Jaime de Pinies, the Spanish representative, gave his support to SC Resolution 278 (1970) of 11 May, which endorsed the report of Vittorio Winspeare Guicciardi, the Secretary-General’s personal representative, with regard to Bahrain. Bahrain was a British protectorate, which had always been considered by Iran

⁵⁶ Martinez Carreras, Jose U. (2003), “El Africanismo Español”, in Pereira, Juan Carlos (coord.), *La política exterior de España (1800-2003)*, Barcelona, Ariel, pp. 362-368; Vilar, Juan B. (2000), “La descolonización Española en África”, in Tusell, Javier, Juan Aviles and Rosa Pardo (eds.), *La política exterior de España en el siglo XX*, Madrid, Biblioteca Nueva, Universidad Nacional de Educación a Distancia, pp. 391-410.

⁵⁷ See this Chapter, p. 65.

⁵⁸ See Chapter 3, p. 61.

as a part of its territory.⁵⁹ When Britain decided to put to an end to the protectorate in 1971, Bahrain was claimed by Iran,⁶⁰ but the Arab countries were opposed to such claim. In a successful example of what the former Secretary-General Javier Perez de Cuellar called ‘quiet diplomacy’, when he referred to the good office functions of the Secretary-General,⁶¹ the then SG U Thant, with the consent of the UK and Iran,⁶² appointed Vittorio Winspeare Guicciardi as his personal representative. It was his mission to travel to Bahrain to assess public opinion about either the country’s annexation to Iran or whether it should be an independent country. Guicciardi’s report concluded that “the overwhelming majority of the people of Bahrain wish to gain recognition of their identity in a fully independent and sovereign State free to decide for itself its relations with other states.”⁶³ Spain’s support of the resolution, therefore, was consistent with its support of decolonisation, the wishes of the population of Bahrain, and the parties in dispute, which had agreed to be bound by the outcome. Opposition would have left Spain isolated in the SC, and it would have created unnecessary friction with the Arab countries. Two outcomes that Franco’s regime always tried to avoid.

However, given Bahrain’s similarities with Gibraltar, support for Bahrain’s independence seemed to contradict Spain’s policy regarding Gibraltar. This policy was based on abstaining from supporting any resolution, or making any declaration, which could contradict Spanish policy followed in the UN, in pursuance of the decolonisation of Gibraltar. To avoid this, the Spanish representative resorted to an ingenuous reasoning, which was that Bahrain was a sovereign Arab state, subject to the protection of Britain. As a result, the UK was not an administering power, but a protective one, and therefore it was not a case of decolonisation. The reason for this conclusion was “...the GA had not stated its view on Bahrain when considering

⁵⁹ Avery, Peter, Gavin Hambly and Charles Melville (eds.) (1991), *The Cambridge History of Iran*, Vol. 7, Cambridge, Cambridge University Press, p. 399; Parsons, Anthony (1993), “The UN and National Interest of States”, in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *United Nations, Divided World. The UN's Roles in International Relations*, Oxford, Oxford University Press, pp. 108-109.

⁶⁰ Franck, Thomas M. and Georg Nolte (1993), “Secretary-General’s Good Offices Function”, in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *op. cit.*, p. 147.

⁶¹ Perez de Cuellar, Javier (1993), “The role of the UN Secretary-General”, in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *op. cit.*, p. 133.

⁶² *The Times* (30 March 1970), “Teheran approves UN mediation on Bahrain”.

⁶³ UN document S/9772.

territories to be decolonised, either with reference to the principle of self-determination or the principle of territorial integrity.”⁶⁴

Not all the cases of decolonisation were resolved as smoothly as the case of Bahrain. Namibia, for instance was far more complicated and placed Spain in an uncomfortable position within the Council. Namibia was an ex-German colony known as South West Africa, which was occupied by South Africa during the Great War. In 1920 the League of Nations placed the colony under British mandate, but effective administration was entrusted to South Africa. However, the South African government exceeded the competences, which the League had granted, and initiated a process of assimilation with the aim of turning Namibia into another province of South Africa. In 1948, the white minority that ruled South Africa extended apartheid legislation to Namibia. This legislation was opposed by the population of Namibia, who complained to the UN. However, as Namibia did not become a UN trust territory after the creation of the UN, successive South African governments ignored the General Assembly’s recommendations and the SC resolutions, which condemned the process of assimilation. South Africa argued that they had followed the mandate of the League of Nations, and not the UN rules for a trust. Consequently, the assimilation process was continuing when Spain began its two years term in the SC in 1969.

Spain disagreed with the policy followed by the South African government in Namibia. Accordingly, Spain supported SC Resolution 264 (1969) of 20 March. This considered the presence of South Africa in Namibia as illegal, called upon the South African government to withdraw from the territory, and condemned it for refusing to comply with the General Assembly’s recommendations and SC resolutions. However, the Spanish government, like the US, British, and French governments, were reluctant to adopt any measure against South Africa under Chapter VII of the Charter for economic and military reasons. Nevertheless, the Spanish representative did not make an explicit declaration in that sense to avoid any confrontation with the non-aligned members (mainly Africans and Arabs). This wariness allowed the Spanish representative to act once again as a ‘bridge’ between those countries, which plainly refused to adopt any measure against South Africa under Chapter VII (France, Britain

⁶⁴ Jensen, Erik (1985), “The Secretary-General’s Use of Good Offices and the Question of Bahrain”, *Millennium: Journal of International Studies*, Vol. 14, Number 3, London, London School of Economics, p. 344; UN document S/PV.1536 (OR).

and the US), and those that wished to invoke the Chapter (Zambia, Algeria, Pakistan, India and Senegal).⁶⁵ The occasion to act as a facilitator arose under the Spanish Presidency, during the course of meetings discussing the refusal of South Africa to comply with SC Resolution 264 (1969) of 20 March. As a result of Spain's mediation, the representatives of Zambia, Algeria, Colombia, Pakistan, Senegal and Paraguay, co-sponsored a watered down draft resolution that omitted any reference to sanctions, but left the door open to further measures. However, Finland, France, Britain and the US still abstained.⁶⁶ Nevertheless, deadlock of the SC was avoided and the SC expressed its condemnation of South Africa for its non-compliance with SC Resolution 264 (1969) of 20 March.

On subsequent occasions, when the SC considered the question of Namibia, the Spanish representative continued his equidistant position between the group of countries that opposed any resource to coercive measures, and those who supported them. In January 1970 the SC adopted SC Resolution 276 (1970) of 30 January, with the abstentions of France and Britain, which, among other things, reaffirmed previous resolutions, declared South African acts on behalf of or concerning Namibia as illegal, and appealed to all States, especially those with economic interests in Namibia, to refrain from any dealings with the South African government. To that effect the SC decided to establish an *Ad hoc* sub-committee,⁶⁷ to which all states should provide the relevant information and assistance that it might require. In addition, it would study how SC resolutions could be implemented in view of South African non-compliance. Spain supported the resolution and informed the *Ad hoc* sub-committee in due course.⁶⁸ The information provided by the Spanish representative contained some reservations, however. Following instructions from the Spanish Minister of Foreign Affairs, the Spanish representative failed to mention the military cooperation Spain had maintained with South Africa, and he did not mention the delegation that Iberia, the Spanish airline, had in Johannesburg. There were fears that it could be considered as an official representation in South Africa, since the airline belonged to the State.⁶⁹

⁶⁵ *Yearbook of the United Nations* 1969 (1972), *op. cit.* p. 682-683; Pinies y Rubio, Jaime de (2000), *op. cit.*, pp. 197-200.

⁶⁶ SC Res 269 (1969) of 12 August.

⁶⁷ UN document S/9632.

⁶⁸ UN document S/9863.

⁶⁹ Letter of the Spanish Ambassador to the United Nations to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 9261, expediente 1.

The Council adopted two more resolutions that year with regard to Namibia. The first was SC Resolution 283 (1970) of 29 July, which among other things, reaffirmed the arms embargo against the government of South Africa; requested all States to refrain from any relations with South Africa, which could imply any recognition of the authority of the government of South Africa over Namibia; called upon all states to refrain from maintaining diplomatic, economic and commercial relations with Namibia, which could implicitly or explicitly imply any recognition of the authority of South Africa over Namibia; and decided to re-establish the *Ad Hoc* sub-committee to study further recommendations to achieve the effective implementation of the SC resolutions, which had been ignored by South Africa. The second was SC Resolution 284 (1970) of 29 July in which the SC, following the recommendation of the *Ad Hoc* sub-committee, requested the ICJ to give an advisory opinion about the legal consequences for states of the continued presence of South Africa in Namibia notwithstanding SC Resolution 276 (1970) of 30 January.

In conclusion, Spain supported the South African withdrawal from Namibia and the constitution of this territory as an independent country. However, Spain's willingness to avoid frictions with South Africa as well as with the Afro-Asian countries, which requested the adoption of strong actions against South Africa, placed Spain in an uneasy position. If the Spanish representative pressed for coercive measures, he would get support from the Afro-Asian countries, with which Spain was interested in maintaining a good relationship. However, such decision would have generated frictions with South Africa and more importantly, with the South African allies, the US, Britain and France. By contrast, if Spain tilted too much towards the South African positions, frictions with the Afro-Asian countries could emerge, with disastrous political consequences for Spain. After all, the support of the Afro-Asian countries was important for a successful outcome in Spain's campaign in the UN, which was in favour of decolonisation of Gibraltar. At the same time, Spain's position offered the Spanish representative an important advantage, which was the possibility of acting as a facilitator to achieve the necessary consensus to pass SC Resolution 269 (1969) of 12 August, which avoided paralysis within the SC. The clear opposition of the US, Britain and France to support coercive measures against South Africa, would have forced them to use the veto if Spain had been unable to convince the Afro-Asians to drop any mention of Chapter VII of the Charter. But the position of the Spanish

representative, reinforced by the fact that he occupied the Presidency of the Council at that time, avoided deadlock. It was during the course of consultations, firstly with the non-permanent members, and then later with the permanent members, that the Spanish representative became aware of the need of softening the wording if a resolution was to be adopted.⁷⁰ This episode illustrates how non-permanent members with preference for multilateralism, and predilection for consensual solutions, can play an important role as bridge-builders in the SC, when the circumstances are propitious.

Another decolonisation case that became a thorny issue for Spain was the question of Southern Rhodesia and Portuguese non-compliance with SC resolutions over this issue. Southern Rhodesia was a British self-governing colony that in 1965 proclaimed a Unilateral Declaration of Independence (UDI), and introduced an apartheid regime, which ensured the economic and political control of the territory by the white minority who lived there. The UDI placed Britain in a difficult position because it faced two alternatives, both of which were unacceptable: The use of force to crush the rebellion or to acquiesce with the new situation.⁷¹ As an alternative, the British government opted for the application of economic sanctions over its colony.⁷² At the same time Britain took the matter to the SC to try to persuade its members to follow suit. However, SC members were reluctant to adopt such a measure. The Afro-Asian countries considered that proposal insufficient, proposing instead the use of force as the only alternative.⁷³ The US, for its part, was sceptical of the efficacy of sanctions, and others doubted the wisdom of using for the first time the mandatory provisions of Chapter VII of the Charter under circumstances, which made their enforcement virtually impossible.⁷⁴ Nevertheless, despite all reservations and doubts, the SC finally adopted SC Resolution 232 (1966) of 16 December, which for the first time in UN History invoked Articles 39 and 41 of the Charter.

In 1968, at the request of thirty-six African states, the SC again discussed the situation in Southern Rhodesia because of the failure of the measures adopted in SC Resolution

⁷⁰ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 198.

⁷¹ Parsons, Anthony (1993), "The UN and National Interest of States", in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *op. cit.*, p. 107.

⁷² Good, Robert C. (1973), *U.D.I. The International Politics of the Rhodesian Rebellion*, London, Faber & Faber, p. 20.

⁷³ *Ibid.*, p. 204.

⁷⁴ *Ibid.*, p. 205.

232 (1966).⁷⁵ On this occasion, the SC adopted Resolution 253 (1968) of 29 May in which the Council, again under Chapter VII, tightened the sanctions against Southern Rhodesia, and called upon states to report to the Secretary General on the measures adopted to implement the resolution. As mentioned above, Spain was favourable to decolonisation, but UDI was an unacceptable form of decolonisation because of the apartheid system imposed by the white minority. Thus, Spain complied with the resolution, and imposed economic sanctions against Southern Rhodesia. This was reflected in the progressive loss of trade between Spain and the British colony. In 1965, the year of the proclamation of UDI, Spanish imports from Southern Rhodesia amounted to 3,333 thousand US dollars, one year later this decreased to 2,278, it dropped to 156 in 1967, and to zero in 1968.⁷⁶ Spanish exports followed the same pattern. In 1965 Spanish exports to Southern Rhodesia were 193 thousand US dollars, in 1966 they dropped to 31 thousand, and in 1967-1968 they were non-existent.⁷⁷

The year that Spain acceded to the SC, the question of Southern Rhodesia remained a top issue on the SC agenda. A lack of any negotiated settlement to end the apartheid regime, and the ineffectiveness of the SC sanctions, ended by breaking the fragile consensus that had been achieved among the SC members. An increasing number of Afro-Asian countries considered the condemnation of Portuguese policy with regard to Southern Rhodesia, and the extension of economic sanctions against South Africa and the Portuguese colonies, if these two countries continued their non-compliance with the SC resolutions. This was something, however, that Spain would not support. Franco's regime was trying to overcome the frictions that had arisen between Portugal and Spain over their different approach to decolonisation. Support of any resolution, which would target either Portugal or the Portuguese colonies, would have definitely poisoned the excellent relationship that Franco had maintained with Salazar, the Portuguese leader, since the beginning of the Spanish Civil War. Furthermore, such proposals contained in the drafts or the resolutions were contrary to the "Iberian Pact", the Treaty of Friendship and Non-aggression, which both countries had signed in 1939, and reaffirmed in 1942. Franco could not afford to put this Treaty at risk, which

⁷⁵ UN document S/8454.

⁷⁶ UN document S/9252/ADD.1.

⁷⁷ *Ibid.*

with the bilateral agreement of 1953 between the US and Spain, constituted the two pillars over which Spain based its link to the Western defence system.⁷⁸

This explains why Spain abstained on the draft resolution sponsored by the Afro-Asian members of the SC, Algeria, Nepal, Pakistan, Senegal and Zambia.⁷⁹ The draft censured the assistance given by Portugal and South Africa to the white minority government of Southern Rhodesia, and proposed the extension of sanctions envisaged in SC Resolution 253 (1968) of 29 May, to the South African and Portuguese colony of Mozambique. However, as the Spanish representative disagreed with the apartheid regime and favoured decolonisation, he suggested a separate vote on each paragraph, which mentioned South Africa, Portugal and Mozambique,⁸⁰ but his proposal was rejected.⁸¹ As a consequence, he had no other choice but to abstain. He was not the only one. The representatives of Colombia, Finland, France, Paraguay, Britain and the US also abstained.⁸² The draft, therefore, was not adopted because it failed to achieve enough support.

In 1970, Ian Smith's regime declared Southern Rhodesia an independent republic. This act resulted in the UK and African countries request for a meeting of the SC.⁸³ The Council members had in front of them two draft texts, one from Britain and one from the African countries,⁸⁴ but neither gained enough support. The British draft because it was considered too soft. And the African draft, because it condemned South Africa and Portugal for their assistance to Ian Smith's regime, and for extending the sanctions contained in SC Resolution 253 (1968) of 29 May to South Africa and Portugal, was likewise rejected. As on the previous occasion, Spain could not support the African draft resolution because of its reference to Portugal. However, in this occasion, the sponsoring members of the draft resolution accepted the Spanish demand to vote separately on those paragraphs that were related to Portugal. The acceptance of the Spanish demand created a new situation, because it meant that the main text could have enough support within the Council. This time Colombia was also closer to Spain

⁷⁸ Portugal was a member of NATO.

⁷⁹ UN document S/9270.

⁸⁰ UN document S/PV.1481 (OR).

⁸¹ *Yearbook of the United Nations* 1969 (1972), *op. cit.*, p. 120.

⁸² *Ibid.*, p. 132.

⁸³ UN document S/9675; UN document S/9682.

⁸⁴ UN document S/9676 and Rev.1; UN document S/9696 and Corr.1,2.

and seconded the Spanish representative, in several procedural questions.⁸⁵ There were attempts by Britain and the US to adjourn the meeting, with the aim of having time to convince the Spanish representative to join their cause. But the British-American initiative failed because of opposition by the Afro-Arabs. However, after manoeuvres of different SC members, neither the paragraphs voted on separately, nor the main text obtained the required majority. The paragraphs voted on separately at the Spanish request, only gained the favourable vote of seven members (eight abstained),⁸⁶ and the main resolution was defeated by the votes of the USSR, China, Spain, Burundi, Poland, Nepal, Sierra Leone, Zambian and Syria, the abstention of Colombia, Finland, France and Nicaragua, and the veto of Britain and the US. Spanish support was crucial, and forced Britain and the US to use their right of veto to prevent the adoption of the resolution.⁸⁷

In an attempt to avoid the deadlock caused by the Anglo-American veto, the representative of Finland proposed the adoption of an alternative text. This still condemned the South African and Portuguese policies of collaboration with Southern Rhodesia. As on previous occasions, Spain abstained, but on this occasion the text was adopted as SC Resolution 277 (1970) of 18 March, with the support of the other fourteen SC members. The Spanish representative, despite of his efforts, could not avoid the isolation of Spain. The African representatives, after the Anglo-American veto, did not dare to invoke the “Uniting for Peace” resolution and transfer the issue to an urgent session of the General Assembly to break the SC deadlock.⁸⁸ The invocation of the “Uniting for Peace” resolution was the option that better suited the interest of the Spanish representative, because it had avoided the Finnish proposal, and therefore, Spain’s isolation in the SC.⁸⁹ Likewise, the African representatives dared neither to oppose nor to abstain when the Finnish alternative text was put to the vote.⁹⁰ The African support of the Finnish proposal was perhaps motivated by their frustration of closing the debate ‘empty handed’, but the African support gained the approval of the

⁸⁵ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 235.

⁸⁶ *Yearbook of the United Nations 1970* (1972), *op. cit.*, p. 161.

⁸⁷ Knipe, Michael (19 March 1970), “US veto used to back Britain”, *The Times*.

⁸⁸ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 238.

⁸⁹ The “Uniting for Peace” resolution was a tactic used to circumvent the SC when it gets deadlocked by the veto. The “Uniting for Peace” resolution authorises the GA to make recommendations on matters of international peace and security in cases of threats to the peace, breaches of the peace, or acts of aggression. It was used for the first time in November 1950 during the Korean War (1950-1953). See Chapter 2, pp. 22-23.

⁹⁰ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 238.

Asian and Communist representatives, and Spain was left alone. Spain's abstention gained sympathy from the African states, and Zambia declared its intention to establish diplomatic relations with Spain, because in the opinion of the Zambian representative, Spain was a country that understood the African states.⁹¹ However, it had the opposite effect with the Western countries, especially Britain.

The SC met twice in November 1970 to discuss the situation in Southern Rhodesia. On 10 November, the five Afro-Asian members of the SC proposed the adoption of a draft text. The draft text requested the UK not to grant independence to Southern Rhodesia, it urged all states to implement fully SC resolutions, and not to grant any form of recognition to the illegal regime of Southern Rhodesia.⁹² As the draft text did not mention Portugal or its colonies, the Spanish representative voted in favour of it. It got the support of eleven more members. But it was not adopted because of the British veto (the US and France abstained). This lack of agreement resulted in a number of negotiations in search of an acceptable text to satisfy all the parties. A week later an alternative text was presented to the members and it was adopted unanimously: SC Resolution 288 (1970) of 17 November. Once again, Spain supported the resolution because there was no mention of Portugal and its colonies. Although it is not clear what role Spain played either in the drafting, or in the coalition building process to muster the necessary support for its adoption.

The question of Southern Rhodesia was not just another case of decolonisation for the African states. It was special because of the attempts of the white minority to establish an apartheid system, where they would rule over the majority of the Rhodesian population. This example of decolonisation attracted a great amount of attention and raised expectations amongst the African and Asian countries. In June 1969, nearly sixty states requested a meeting of the SC to deal with this matter.⁹³ The case was also special for Spain due to the implications it would have on its neighbouring country, Portugal. The Portuguese attitude placed Spain in a position that was not fully understood by the Western countries, especially Britain. Spain had always supported decolonisation, and the case of Southern Rhodesia was no exception, although Spain disagreed with the apartheid regime imposed by the white minority in the colony.

⁹¹ *Ibid.*, p. 239.

⁹² UN document S/9976.

⁹³ UN document S/9237.

However, in this case Spain's support for decolonisation was strongly determined by the country's policy of 'good neighbour' with regard to Portugal. This attitude was confused with Spain's alignment with the Afro-Asian-Arab states, and the country's detachment from the Western countries.⁹⁴ This misunderstanding motivated the first secretary of the British Embassy in Spain, to visit the Spanish Foreign Ministry with the task of expressing the British government's surprise over the importance Spain gave to their friendship with the Afro-Asian countries, over the Anglo-Spanish good relationship.⁹⁵ However, this was not the case. Spain had tried to make this clear by requesting that the SC members should vote separately for each of the paragraphs of those resolutions, which involved Portugal and its colonies. In fact, in the paragraphs in which Portugal and its colonies were left out, Spain's position coincided with that of the other Western countries.

According to former Ministry of Foreign Affairs Fernando Moran (1982-1985), the then new Spanish Ministry of Foreign Affairs Gregorio Lopez Bravo, tried to implement a neo-liberal, technocratic and modernising foreign policy.⁹⁶ Spain's opposition to the apartheid regime established in South Africa could be considered as a part of this process of modernisation of the Spanish foreign policy. Nevertheless, Spain's support of those SC resolutions condemning the apartheid regime was conditional. Spain's support was given as long as there was no mention of Portugal, as one of the countries who did not comply with the arms embargo against South Africa, which was established in SC Resolution 181 (1963) of 7 August and SC Resolution 182 (1963) of 4 December. This fact allowed Jaime de Pinies, the Spanish representative, to support the adoption of SC Resolution 282 (1970) of 23 July, which condemned the violations of the arms embargo, and called upon states to strengthen the blockade of arms trade. Although not explicitly mentioned, Portugal was one of the countries which did not comply with the arms embargo, and was interested in the flow of weapons to South Africa being maintained. This was because South Africa supported the Portuguese Army in its fight against the guerrillas in Angola and Mozambique.⁹⁷

⁹⁴ Knipe, Michael (19 March 1970), "US veto used to back Britain", *The Times*.

⁹⁵ Letter of the Spanish Ministry of Foreign Affairs on 2 April 1970 to the Head of State, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 9261, expediente 1.

⁹⁶ Pollack, Benny with Graham Hunter (1987), *op. cit.*, p. 49.

⁹⁷ UN document S/9867.

Spain's approach to the complaints of Zambia, Senegal and Guinea against Portugal was similar to the cases of Southern Rhodesia and South Africa. Portugal's reluctance to grant independence to its African colonies Angola, Mozambique and Guinea-Bissau was for political and economic reasons,⁹⁸ and led to the formation of guerrillas and liberation movements in these territories, which sought shelter in the neighbouring countries, Zambia, Senegal and Guinea, with their acquiescence. The aim of the Portuguese attacks and military incursions into these countries was to destroy the guerrilla bases. These attacks motivated complaints to the SC.⁹⁹ The attacks were systematically denied by the Portuguese representative to the UN or defined as acts of self-defence.¹⁰⁰ Like other issues regarding decolonisation, the complaints of Zambia, Senegal and Guinea gained the attention of the Afro-Asian group of countries, and raised great expectations among them, as the large numbers of countries, which requested to participate in the SC meetings, shows.¹⁰¹ Nevertheless, no matter how important this issue was for the Afro-Asian countries, Spain abstained in the SC resolutions [SC Resolution 268 (1969) of 3 July, SC Resolution 273 (1969) of 9 December, SC Resolution 275 (1969) of 22 December and SC Resolution 290 (1970) of 8 December], which censured, condemned, and deplored the Portuguese actions against Zambia, Senegal and Guinea; and called upon Portugal to desist from violating the sovereignty and territorial integrity of those states. Only the SC Resolution 289 (1970) of 23 November was adopted unanimously, after every explicit reference to Portugal was dropped.¹⁰² Spain this time, unlike the case of Southern Rhodesia, was not alone in its abstention. Spain was joined by France, Britain and the US, which also abstained, and they were joined by China and Colombia in the case of SC Resolution 275 (1969) of 22 December.

The abstentions of the Spanish representative, with regard to the complaints of Zambia, Senegal and Guinea, show the equidistant position that Spain tried to

⁹⁸ Davidson, Basil (1984), "Portuguese-Speaking Africa", in Crowder, Michael (ed.), *The Cambridge History of Africa*, Vol. 8, Cambridge, Cambridge University Press, p. 762.; Newitt, Malyn (1995), *A History of Mozambique*, London, Hurst & Company.

⁹⁹ UN document S/9331; UN document S/9513; UN document S/9541; UN document S/9528; UN document S/9554; UN document S/9987; UN document S/9988; UN document S/10003.

¹⁰⁰ UN document S/9989; UN document S/10014; UN document S/10024; UN document S/PV.1486 (OR); UN document S/PV.1516 (OR); UN document S/PV.1522 (OR); UN document S/9989; UN document S/9870; UN document S/9871; UN document S/10014; UN document S/10024.

¹⁰¹ *Yearbook of the United Nations* 1969 (1972), *op. cit.*, pp. 143-145; *Yearbook of the United Nations* 1970 (1972), *op. cit.*, pp. 192-194.

¹⁰² UN document S/9990 and UN document S/9990/Rev.1.

maintain between Portugal and the African States. This was an attempt to avoid frictions with any of the sides in the dispute. Spain could have given stronger support to Portugal by voting against the resolutions, but that option would have undermined the credibility of Spain as a country favourable to decolonisation, and interested in maintaining a good relationship with the Afro-Asian states. On the other hand, a more determined defence of the African states position could have impaired the efforts, which Franco's regime was making, to restore Spain's relationship with Portugal. This relationship had gone through low moments because of the divergent approach of the two countries to decolonisation. By choosing the 'middle way', Spain had to depart from its long-established clear support of decolonisation. Nevertheless, such a situation did not seem to have harmed the relationship that Spain maintained with the Afro-Asian group of states. They still considered Spain to be a European country sympathetic to African states and interests. At the same time, Spain's abstention prevented another diplomatic clash with the Western countries, especially Britain. After the episode of Southern Rhodesia, Britain perceived that Spain once again, was closer to the Afro-Asians, with the aim of getting their support at the UN concerning the issue of Gibraltar.¹⁰³

The troubles in Northern Ireland

Good timing in the SC is an important factor that representatives must bear in mind. Adopting a particular position too quickly with regard to any subject discussed in the Council can be as bad as adopting a position too late. If a representative takes a determined position too quickly, it can get isolated in defence of that position. More importantly, if a non-permanent representative reacts too late, he can become the ninth vote, which is the key vote that allows the adoption, or not, of a resolution. When this happens, the representative in question draws the attention of all the members. This can put him under intense pressure from those representatives who want him to vote either in favour or against a particular matter, which is being voted on. In such circumstance, representatives will usually try to delay the voting by requesting an adjournment, with the hope of getting extra time to convince that representative of adopting a particular position. Even the permanent members try not to get isolated in order to avoid the use of their right of veto. And when they do not have any other

¹⁰³ Pinies y Rubio, Jaime de (2000), *op. cit.*, pp. 239-240.

choice but to wield the veto, permanents try not to do it in isolation. The case of the joint US-British veto, when discussing the question of Southern Rhodesia, is an example.

The sense of an opportunity can also be very useful to defuse potentially dangerous situations. The case of Northern Ireland is one example. When the Spanish representative was President of the SC, the Irish representative to the UN requested a meeting of the SC to consider the situation in the six counties of Northern Ireland. This was concerning an outbreak of disturbances, which the Royal Ulster Constabulary was unable to control.¹⁰⁴ As a result, the British government deployed military units on the streets.¹⁰⁵ Despite the presence of the British Army, social unrest continued to a “crescendo” during the next weeks.¹⁰⁶ The presence of the British Army was considered unacceptable by the Irish government. This encouraged the Irish representative to the UN to propose the deployment of UN peace-keeping forces instead.¹⁰⁷ The Spanish representative, who held the presidency in the SC, was aware of the dangerous precedent that a discussion of this nature by the SC could set. He decided to hold the meeting two days later, after he had assessed the opinions of the other SC members, about whether such a meeting was appropriate.¹⁰⁸ Nevertheless, as the majority seemed favourable to convening the meeting, the Spanish representative put aside his reluctance and did so. He called the meeting on 20 August 1969, with the aim of adopting the agenda.

Once in the chamber, the British representative, Lord Caradon, was vehemently opposed to the meeting, argued that the Northern Ireland riots were domestic affairs for Britain to deal with. Needless to say the British representative was opposed to the inclusion of the matter on the Council’s agenda. Nevertheless, as the majority wished to hold a meeting, he finally acquiesced, and he even accepted the request of the Irish Ministry of Foreign Affairs to address the SC. This was unprecedented because it was the first time a non-member of the SC had participated in the sessions in which the SC

¹⁰⁴ UN document S/9394.

¹⁰⁵ *The Times* (21 April 1969), “British Army units to guard key points in Northern Ireland”; *The Times* (26 April 1969), “More British troops going to Ulster”.

¹⁰⁶ *The Times* (14 July 1969), “Ulster mob attempts to burn police”; *The Times* (4 August 1969), “Petrol bombs used in new Ulster riot”; Chartres, John (5 August 1969), “Ulster rioters leave a mile of wreckage”, *The Times*; *The Times* (14 August 1969), “Shooting in Ulster as rioting spreads”.

¹⁰⁷ UN document S/9394.

¹⁰⁸ Pinies y Rubio, Jaime de (2000), *op. cit.*, pp. 206-207.

met to adopt the agenda. It is important to distinguish between meetings to discuss the agenda, which until that time had been held by SC members only, and meetings to discuss matters that had already been included on the agenda, in which the participation of members which do not belong to the SC, or even the UN, is allowed.¹⁰⁹

However, in a somewhat flexible and unprecedented interpretation, the Spanish representative, Jaime de Pinies, argued that the word ‘question’ means any subject being discussed.¹¹⁰ Following that reasoning, the Spanish representative understood that, as the SC agenda was going to be discussed, the participation of the Irish Minister of Foreign Affairs was possible according to Article 37 of the Provisional Rules of Procedure.¹¹¹ After the speech of the Irish Minister of Foreign Affairs, there was a heated debate on whether or not the issue should be included on SC agenda. During the course of the debate the Zambian representative requested an adjournment because he thought the discussion had reached a stalemate. Before the Zambian representative’s proposal could be discussed, the Spanish representative reacted quickly, and decided to postpone the meeting without adopting a decision. This took everybody by surprise and the Spanish representative recalled in his memoirs that Lord Caradon, the British representative, remained in his seat and said: “I want to kill the agenda”, to which Jaime de Pinies, the Spanish representative, answered: “there is nothing to be killed because there is no agenda.”¹¹² Secretary-General U Thant, who was sitting next to the Security Council President, told Pinies that never had the mallet been used with such speed and opportunism.¹¹³ The SC never discussed the matter again.

The opportunistic reaction of the Spanish representative avoided the possibility of the inclusion on the SC agenda, of a matter which could have set up a dangerous precedent. The Spanish representative was probably aware of this risk, which explains

¹⁰⁹ Articles 31 and 32 of the UN Charter.

¹¹⁰ Pinies y Rubio, Jaime de (2000), *op. cit.*, pp. 205-210.

¹¹¹ Article 37 of the Provisional Rules of Procedures of the SC states that: “Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.”

¹¹² Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 210.

¹¹³ *Ibid.*

the way he reacted. If the question of the troubles in Northern Ireland had been added to the SC agenda, it would have opened the door to include other matters, which belonged to the domestic jurisdiction of states. Let us think, for instance, of the situation of those regions within states, which have more or less strong separatist movements, like the Basque Provinces in Spain, Corsica in France, or Quebec in Canada. It could be argued that the door had already begun to open, from the moment the SC accepted on its agenda the question of apartheid in South Africa. Whether or not apartheid in South Africa constituted a precedent is arguable. But even assuming it was a precedent, member states would try to use all means possible to keep the South African case as the exception, while at the same time they would delay allowing domestic issues onto the agenda, for as long as possible.

The election of members of the International Court of Justice

In Chapter 1, we explained that the SC is a source of status, recognition and legitimization for states. In the case of Spain the prestige and recognition granted by the SC was reinforced by two additional diplomatic successes. The first success was the election of the Spanish jurist Federico de Castro, as a member of the International Court of Justice (ICJ). Spain participated in the ballot as a member of the SC. The ICJ is composed of fifteen members of different nationalities, who are elected by the General Assembly and the SC in independent but simultaneous elections. The candidates, to be elected, must gain an absolute majority of votes in the GA and the SC.¹¹⁴ If after three ballots, seats still remain unfilled, a joint conference of six members, three appointed by the GA, and three by the SC, will choose the candidates to fill the vacant seats by an absolute majority. The candidates so chosen will have to be confirmed by the GA and the SC in ballots held independently of one another.¹¹⁵ The relevant role of the SC in the election of the judges confers those countries present in the SC more influence, something that is important because elections are usually disputed.¹¹⁶

In the election of the Spanish jurist, the competitive feature of the electoral process was not an exception, especially for Spain, who found opposition from the Western

¹¹⁴ Article 10.1 of the Statute of the International Court of Justice.

¹¹⁵ Article 12.1 of the Statute of the International Court of Justice.

¹¹⁶ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 241. For a detail account of the election process of members of the ICJ, see articles 2-15 of the Statute of the ICJ.

European and Other States (WEOG) members, in a campaign orchestrated by Italy, a country which supported Stavropoulos.¹¹⁷ In view of the lack of support among the WEOG members, in a similar manoeuvre to that of the election of Spain to the SC, the Spanish representative looked for support outside his group. The presence of Spain in the SC facilitated contacts.¹¹⁸ The Spanish representative easily gained the support of the Africans, Asians and Latin Americans in the SC. In addition, the USSR and China also offered their support. He also secured the support of the Africans, Asians the Latin Americans in the GA. In view of all the support Spain gathered, the WEOG members proposed the Spanish representative another ‘gentlemen’s agreement’, similar to the one made three years earlier.¹¹⁹ However, as the agreement was not respected on that occasion, and this time Spain did not need the support of the WEOG members, the Spanish representative refused. On 27 October 1969, voting took place simultaneously in the GA and the SC, and the Spanish candidate, Federico de Castro, was elected in both organs on the first ballot.

The election of the Spanish jurist could draw attention for the fact that a Spaniard was elected as a member of the ICJ, when Spain was a dictatorship. At this time the rule of law and democratic freedoms were non-existent. However, there are two reasons once discussed, which make the election less surprising. First, there was an increasing divergence between Spain’s domestic and its international politics. From the 1960s onwards, the Spanish government tried to offer an image of a liberal and tolerant political regime, determined to modernise the economy and open the system to alternative ideas.¹²⁰ On the domestic front, by contrast, Franco’s regime was backward looking. This explains why, as mentioned above, Spain approached the Eastern European countries and the USSR while at the same time the Spanish Communist party was forbidden, and leftist members were prosecuted. This disparity was to a great extent due to the fact that Spain’s foreign policy was increasingly delegated to technocrats, while their domestic politics was still under the direct control of Franco

¹¹⁷ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 243.

¹¹⁸ *Ibid.*, p. 244.

¹¹⁹ In 1966, there were two WEOG candidates, the Spanish candidate Antonio de Luna, and the Swedish candidate Sture Petren. The WEOG members agreed that if one of the two candidates was elected either in the GA or the SC, the other would withdraw from the contest for a seat in the ICJ. The Spanish candidate was elected in the SC, but neither was elected in the GA. As a result of a ‘gentlemen’s agreement’, the Spanish representative requested that Sweden withdrew its candidate, but the Swedish candidate refused. Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 242.

¹²⁰ Pollack, Benny with Graham Hunter (1987), *op. cit.*, p. 50.

and his closest collaborators. Second, and more important, the lack of democratic credentials has never been an obstacle for a country to have a national as a member of the ICJ. The ICJ only rules on the relations among states, not on individuals' rights and freedoms. This explains why countries such as China or Sierra Leone currently have judges as members of the ICJ.¹²¹

The question of periodic meetings of the SC was another opportunity for Spain to reinforce its recognition and prestige as a result of the country's presence in the SC. The holding of periodic meetings of the SC, although established in the Charter, had never been put into practice.¹²² In 1970, the representative of Finland proposed the holding of such a meeting.¹²³ The aim was to reinforce the authority of the SC and make it a more effective instrument for the maintenance of international peace and security.¹²⁴ The first meeting coincided with the Spanish presidency of the SC and, as with other UN events, drew the attention of the international press. Not only for the historical moment, but also for the relevance of the personalities who attended this first meeting. International attention placed Spain and its Minister of Foreign Affairs, who presided over the meeting, in the spotlight. The meeting was attended by the Ministers of Foreign Affairs of China, Colombia, Finland, France, Nepal, Nicaragua, Britain, Poland, the USSR and the US, plus the permanent representatives to the UN of Burundi, Sierra Leone and Zambia. Thus the SC is not only a source of legitimisation, it can also offer its members diverse opportunities to reinforce their status and recognition.

Conclusion

The rejection of Franco's regime which arose among the Western European members of the Security Council, after the Second World War, continued until mid 1970s. The lack of support of the WEOG countries to Spain in its campaign for a seat in the SC first, and in the election of the Spanish jurist to the ICJ later, showed that the Western countries had not forgotten the origins of the Spanish dictatorship. This political isolationism pushed Franco's regime to search for legitimacy and recognition beyond the countries of Spain's geo-strategic ambit. Franco's approach towards the African,

¹²¹ www.icj-cij.org/court/index.php?p1=1&p2=2&p3=1, accessed on 25 December 2010.

¹²² Article 28.3 of the UN Charter.

¹²³ UN document S/9759.

¹²⁴ UN document S/9835.

Arab and Latin American states satisfied this objective. Spain's success in this strategy was to a great extent because of the perception that these countries had of Spain, as a different European power. This image, which had its origins in the isolationism imposed on Spain by the Western powers, was later reinforced by the foreign policy of Franco's regime. This policy, of approaching the African and Arab states, is noticeable in the SC at the time of dealing with those matters of particular sensibility to the Afro-Arab countries, such as the conflict in the Middle East and decolonisation. Nevertheless, in those decolonising process in which Portugal was involved, Spain's support of Portugal inhibited more decisive support of the Afro-Asian group of countries.

In the case of the Latin American countries, Spain's close relationship was justified by their common cultural heritage, and the special allegiance Spain had for its former colonies. However, this special relationship, in the majority of cases, was an exercise in pure rhetoric. Although the Latin American countries supported Spain in its campaign to join the SC, and in the election of the Spanish candidate to the ICJ, in matters of high interest to the US, Washington's influence upon them was noticeable, such as in matters regarding the Middle East¹²⁵ and Southern Rhodesia.¹²⁶ Another important conditioning factor of Spain's policy in the SC was Gibraltar. Spain was always careful not to contradict, by declarations or actions, the initial successful campaign in the UN in support of the decolonisation of Gibraltar. The case of Bahrain reflects well this strategy.¹²⁷ In other cases where Spain's position in support of decolonisation was blunter, such as the case of Namibia or the case of Southern Rhodesia, the Spanish partisanship for decolonisation is not seen as being contradictory with the defence of Spain's position with regard to Gibraltar. The reason is that the case of Gibraltar is considered as a case of restitution, and therefore, the principle of territorial integrity of states applies.

Despite these limitations, Spain's position as an in between country, placed Jaime de Pinies, the Spanish representative to the UN, in a somewhat privileged position within the SC. On occasions, he could play the role of catalyst or facilitator between the Western countries on one hand, and the African, Arab and Latin American countries

¹²⁵ See this Chapter, pp. 70-72.

¹²⁶ See this Chapter, pp. 83-84.

¹²⁷ See this Chapter, pp. 77-78.

on the other. The Spanish representative's initiatives for the Council to adopt SC Resolution 279 (1970) of 12 May and SC Resolution 285 (1970) of 5 September, are examples of Spain's role as a catalyst;¹²⁸ and the Spanish representative's ability to gather the required support to adopt SC Resolution 265 (1969) of 1 April¹²⁹ and SC Resolution 269 (1969) of 12 August,¹³⁰ are examples of Spain's representative acting as a facilitator. This role of catalyst or facilitator was complemented by Spain's obedience to the Council's authority and international law.¹³¹ For example Spain supported SC Resolutions 267 (1969) of 3 March and 271 (1969) of 15 September, which reaffirmed the inadmissibility of the acquisition of territories by force;¹³² the rejection of terrorist practices in the case of passenger aircraft hijacking;¹³³ and the defence of Article 2.4 of the Charter, which forbids the threat or use of force against the territorial integrity and political independence of any state.¹³⁴ Thus, we can claim that Spain is a multilateralist country, and an upholder of international law.¹³⁵

The examples mentioned above, highlight the importance that Spain and other non-permanent members in general, can play in the SC to achieve the adoption of resolutions. Although in most cases the price for achieving the necessary consensus is the adoption of resolutions whose wording has been so watered down, which the texts become excessively soft or difficult to implement. In spite of this, the performance of Spain and other non-permanent members helped the SC to avoid a situation of paralysis. They also helped the SC to develop as an effective policy making and standard setting organisation through its resolutions and declarations. This is a very important function, which should not be minimised because, as Finkelstein says, "...what is decided by UN organs can be important even when visible consequences do not soon ensued...."¹³⁶

¹²⁸ See this Chapter, p. 74.

¹²⁹ See this Chapter, pp. 70-71.

¹³⁰ See this Chapter, pp. 78-79.

¹³¹ UN document S/PV.1484 (OR).

¹³² See this Chapter, p. 72.

¹³³ See this Chapter, p. 75.

¹³⁴ See this Chapter, pp. 70 and 72.

¹³⁵ See Chapter 1, pp. 2-3.

¹³⁶ Finkelstein, Lawrence S. (1988), "Comparative Politics in the UN System", in Finkelstein, Lawrence S. (ed.), *Politics in the United Nations System*, p. 451.

5 SPAIN IN THE SECURITY COUNCIL: TRANSITION TO DEMOCRACY (1981-1982)

The economic and political conditions in Spain at the start of the country's second term of membership in the SC were very different from those that existed during the country's first period of membership. The country was in transition to democracy after the death of General Franco in 1975. The Constitution of 1978 was a milestone in this process because it established a democratic regime attuned to its Western neighbouring countries. Spain's democratic constitution actually opened the doors to Europe. In 1977, the Spanish government requested opening of negotiations for membership of the European Economic Community (EEC), which was accepted the following year.¹ Leopoldo Calvo Sotelo, the successor of Adolfo Suarez as Prime Minister, gained authorisation from the Spanish Parliament to request the admission of Spain into the North Atlantic Treaty Organisation (NATO), resulting in Spain's membership of NATO on 30 May 1982.² The Spanish government's request to become a member of NATO generated fierce criticism from the main opposition party, the Socialist party (PSOE), led by Felipe Gonzalez.³ The proposal raised so much anxiety that the Prime Minister Leopoldo Calvo Sotelo, defined the months of his brief mandate (February 1981 to October 1982), and the following years until 1986, as those of the 'Atlantic Polemic'.⁴

Although membership in the EEC and NATO was the priority, the Spanish government did not ignore membership into other international multilateral organisations. One was the UN Committee of Disarmament. Spain had participated in the works of this Committee in previous years. Fernando Benito, the Spanish Ambassador to the International Organisations at Geneva, recommended increasing Spain's participation in the plenary sessions and the different working groups during 1981.⁵ The reason for such interest was the Extraordinary Session of the General Assembly on Disarmament the following year, where the members would discuss the

¹ The formal admission, after intense and long negotiations, was in 1986.

² Calvo Sotelo, Leopoldo (1990) (1st ed.), *MEMORIA VIVA de la transicion*, Barcelona, Plaza & Janes/Cambio 16, p. 124.

³ Wigg, Richard (25 April 1981), "Spanish Premier points the way to Nato membership", *The Times*.

⁴ Calvo Sotelo, Leopoldo (1990) (1st ed.), *op. cit.*, p. 123.

⁵ Letter of the Spanish Ambassador to the International Organisations at Geneva on 24 February 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signature 20509, expedientes 1, 4 and 11.

rotation of the non-permanent members, and the eventual enlargement of the Committee of Disarmament. It was Spain's ambition to be part of the Committee of Disarmament, and to that effect, it was considered a positive step to play a more active role in the work of this Committee.⁶ The inclusion of Spain on the Committee of Disarmament was also seen by the Spanish Ambassador to the UK as a positive step, because it would improve Spain's relationship with the UK.⁷ Although Gibraltar is not explicitly mentioned, it is possible that the diplomats and policymakers perceived that improved relations between the two countries would facilitate the return of the Rock of Gibraltar, in future negotiations.⁸ Moreover, after years of political marginalisation, it was thought that Spain's inclusion on the Committee of Disarmament would provide an opportunity for Spain to make a contribution to the formation of Western policy on the matter.⁹ This was possible because membership offered an opportunity to speak, be heard, and with varying degrees influence in the course of the negotiations.¹⁰ However, Spain, perhaps because of the years of isolation, did not have a specific policy to follow, nor the necessary human and economic resources to carry out a more active role on this subject, as the high-ranking officials admitted.¹¹

This lack of a definite policy raises an interesting question, why did the Spanish government consider the issue of disarmament and Spain's incorporation onto the Committee a priority? After all, there were other important matters such as human rights and economic questions. Not forgetting the reasons discussed above, there are others that will be added. One reason is that the Spanish Foreign Ministry recognised that questions of disarmament and limitation of armaments were both of increasing importance for any country's foreign policy.¹² Furthermore, public opinion in most

⁶ *Ibid.*

⁷ Telegram of the Spanish Ambassador to the UK on 6 May 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20509, expedientes 1, 4 and 11.

⁸ The Spanish government also expected that the entrance of Spain into NATO would facilitate the negotiations for the return of Gibraltar to Spain. Arenal, Celestino del and Francisco Aldecoa (1986) (eds.), "Speech of the Prime Minister, Don Leopoldo Calvo Sotelo, in the opening session of the NATO summit in Bonn on 10 June 1982", *España y la OTAN. Textos y Documentos*, Madrid, Tecnos, p. 243.

⁹ Telegram of the Spanish Ministry of Foreign Affairs on 11 May 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20509, expedientes 1, 4 and 11.

¹⁰ Note on the Committee on Disarmament on 6 April 1981, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20509, expediente 1, 4 and 11.

¹¹ Informative document of the Spanish Ministry of Foreign Affairs on 27 September 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21947, expediente 7.

¹² *Ibid.*

countries showed an increasing interest on such issues,¹³ a consequence probably of the negotiations on disarmament between the US and the USSR. Towards the end of the 1970s these negotiations culminated in the signature of the SALT II Treaty in 1979. Another factor to consider was that in the early 1980s there was a new period of tensions following the deployment of new Soviet and US missiles on European soil. Therefore, great expectations were placed on the Committee of Disarmament. All of these reasons explain why Spain's membership and participation in the activities of the Committee of Disarmament was considered so important. However, Spain's plans were frustrated by the reluctance of the two superpowers to enlarge the Committee of Disarmament.¹⁴ As an intermediate solution, a less ambitious enlargement was decided, which would probably include Norway and Finland, but not Spain.¹⁵ This option led the Spanish Foreign Ministry to campaign for the status of permanent observer for Spain.¹⁶ The Committee, nonetheless, was not working at its best. The new atmosphere of confrontation between the two superpowers¹⁷ affected the working of the Committee of Disarmament. In fact, the Spanish Ambassador to Geneva reported to the Spanish Ministry of Foreign Affairs, that the Committee of Disarmament had ended its winter period of sessions, with no practical results.¹⁸ From New York, Jaime de Pinies, the Spanish representative to the UN, reported that the Commission of Disarmament also could not reach any agreement.¹⁹ In the same fashion, the Spanish representative to the UN informed the Spanish Ministry that the 'ad hoc' Committee for the World Conference on Disarmament, created by the GA,

¹³ *Ibid.*

¹⁴ Telegram of the Spanish Ambassador to the USSR on 6 May 1981 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20509, expedientes 1, 4 and 11; Telegram of the Spanish Minister of Foreign Affairs on 11 May 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20509, expedientes 1, 4 and 11; Telegram of the Spanish Ambassador to the US on 19 May 1981 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20509, expedientes 1, 4 and 11.

¹⁵ Telegram of the Spanish Ministry of Foreign Affairs on 9 September 1982 to the Spanish representatives to the UN, International Organisations at Geneva, and NATO, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21947, expediente 7.

¹⁶ *Ibid.*

¹⁷ Young, John W. and John Kent (2004), *International Relations Since 1945. A Global History*, Oxford and New York, Oxford University Press, pp. 515-516; Bell, P.M.H. (2001), *The World Since 1945. An International History*, London, Hodder Arnold, and New York, Oxford University Press, pp. 335-353.

¹⁸ Telegram of the Spanish Ambassador to Geneva on 30 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21947, expediente 6.

¹⁹ Report of the Spanish delegation to the UN on 18 May 1982 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21947, expediente 9.

had a “languid life.”²⁰ The adverse international circumstances relating to questions of disarmament encouraged the Spanish representative to the UN to argue, that Spain should occupy one of the seats on the recently created Committee of Disarmament.²¹

Paradoxically, the efforts of Spain to become integrated into the different regional and international multilateral organisations coincided with an acute economic crisis, which had important repercussions for Spain’s foreign policy. The cuts in public expenditure during 1981 and 1982, and the devaluation of the Spanish currency as a consequence of the economic downturn, meant that Spain was unable to pay its contributions to the regular United Nations budget on time.²² Furthermore, Spain’s contribution to different UN missions deployed in diverse areas of conflict was put on hold. The Spanish Ministry of Foreign Affairs warned the Spanish representative to the UN, that the Spanish economic crisis made an increase in the country’s contributions to International Organisations very difficult.²³ The budgetary problems were sometimes critical, and they affected Spain’s contributions to organisations such as the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the United Nations Children’s Fund (UNICEF), the Food and Agriculture Organisation (FAO), or the World Health Organisation (WHO).²⁴ The economic difficulties and the domestic political fragility during Spain’s transition to democracy, did not place the country in a good position to campaign for a seat in the SC. Article 23.1 of the Charter prescribes that the General Assembly will elect the non-permanent members of the SC taking into consideration “... in the first instance to the contributions of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organisation, and also to equitable geographical distribution.” In spite

²⁰ Report of the Spanish Ambassador to the UN on 21 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21947, expediente 5.

²¹ Report of the Spanish Ambassador on Disarmament matters in the Second General Assembly of the UN on Disarmament on 23 July 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21947, expediente 8.

²² On 23 September 1981 the Spanish Foreign Ministry informed the Spanish representative to the UN that Spain owed more than 1 million US dollars to the ordinary budget of the UN. The debt could not be paid because the balance of the account destined to pay the different International organisations was at zero from May 1981. Letter of the Spanish Ministry of Foreign Affairs on 23 September 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signature 20509, expediente 1, 4 and 11.

²³ Telegram of the Spanish Ministry of Foreign Affairs on 25 November 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signature 20509, expediente 6.

²⁴ Informative note of the Chief Director of Payments to International Organisations, Severina Feijóo Barrero, on 29 January 1981, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20509, expediente 1, 4 and 11.

of all the problems the Spanish government took the opportunity to campaign for a seat in the SC, for a second time.

Spain's election to the Security Council

Spain's presence in the SC was not an initial objective of the Spanish government. It could be argued that during those years the country's domestic situation and the economic crisis required the Spanish government's full attention, but there was an interest in the candidacy for president of the General Assembly.²⁵ However, although the Spanish initiative to appoint the Spanish representative to the UN as a president of the General Assembly was initially welcomed, it was soon opposed by the government of West Germany, which wanted this post for its representative, Rudiger Von Wechmar. As a result of Spain's political insecurity, the weakness of the Spanish government of those years, and the country's wish to avoid frictions, which could hinder negotiations for Spain's admission to the EEC, made Spain yield to German pressure. As compensation, the Spanish government requested Germany's support within the Western European and Others Group (WEOG) in their campaign for a seat in the SC.²⁶ However, the important support Spain wanted from Germany was not easy to achieve because of the candidacy of Malta.²⁷ In short, there were three candidates (Ireland, Malta and Spain) for the two seats in the SC. A similar situation happened the first time that Spain had to compete for a seat in the SC. If none of the three candidates withdrew, the three would have to go to an open election in the GA. To overcome this situation, the Spanish government carried out an intense world-wide diplomatic campaign with the aim of gathering the necessary support, which would guarantee the election of Spain. There are several reasons why Spain wanted to be elected: First, Spain wanted compensation for withdrawing from campaigning for the presidency of the GA in favour of Germany. This was described by the Spanish Minister of Foreign Affairs as a 'sacrifice' to keep unity within WEOG.²⁸ Second, the Spanish government was searching for recognition for the new Spanish democracy. As mentioned in Chapter 1, the SC is a source of international recognition, and after

²⁵ Pinies y Rubio, Jaime de (2000), *Episodios de un diplomático*, Burgos, Dosssoles, p. 287.

²⁶ *Ibid.*, p. 287.

²⁷ Telegram of the Spanish Ambassador to Germany on 12 September 1980 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

²⁸ Letter of the Spanish Minister of Foreign Affairs on 16 September 1980 to the US Secretary of State Edmund S. Muskie, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20569, expediente 11.

the isolation of previous decades, Spain's new policymakers were seeking political recognition for their new democracy. Third, and this is a hypothesis, the aim was to place Spain in an influential position ready for the election of Secretary-General (SG) the following year.²⁹

Although a small country, Malta's campaign was extremely competitive, especially as the country had never been on the SC before.³⁰ Spain, like in the previous period, had the support of the majority of the Latin American countries and some of Arab and African countries. In addition, unlike the first time, on this occasion Spain had the support of its group, the WEOG. However, Spain did not manage to get support from Italy because of the Maltese community, which lived there. Although all this support that Spain initially obtained was not enough to reach the majority of two thirds of the voting members of the GA, it gave Spain a good starting point. Amongst the Latin American countries, Spain gained thirteen votes; within the Asian group, it obtained the support of Japan.³¹ Syria and Jordan also supported Spain, with the promise from Jordan that the Arab countries would campaign in favour of Spain. Spain also gained support from Senegal, and within the communist bloc, from Poland.³² On 24 September, Spain gained the support of New Zealand.³³ Fiji and Papua would vote neither for Malta nor for Ireland because they had no diplomatic relations with these countries.³⁴ Australia declared its support for Spain and its willingness to campaign in Spain's favour within its area of influence. This meant that Spain would have the support of Fiji, Papua, Samoa and the Salomon Islands.³⁵ On 29 September Spain

²⁹ The Secretary General is elected by the General Assembly upon the recommendation of the Security Council.

³⁰ Telegram of the Spanish Ambassador to Japan on 12 September 1980 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

³¹ Japan supported Spain if Spain in turn voted in support of Japan to the SC. Telegram of the Spanish Ministry of Foreign Affairs on 22 September 1980 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

³² Telegram of the Spanish Ministry of Foreign Affairs on 20 September 1980 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

³³ Telegram of the Spanish Ambassador to Australia on 24 September 1980 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

³⁴ *Ibid.*

³⁵ The postponement of the election of new non-permanent members of the SC was providential for Australia's support to Spain. Initially, the election in the GA would be before the Australian elections. As a consequence, Canberra informed Spain that Australia could not support Spain because the Australian government would lose the support of the important Maltese community, which populated the country. However, the postponement of the balloting in the GA to a date after the Australians elections, freed Canberra of any electoral compromise, and they finally supported the Spanish candidacy. Telegram of the Spanish Ministry of Foreign Affairs on 9 October 1980 to the Spanish

gained the support of Barbados by establishing diplomatic relations with this country. In addition, Spain promised to vote for Barbados in the election of UN members for the United Nations Development Program (UNDP).³⁶

Spain was slowly but steadily gathering support. Then, on 7 October 1980 the Spanish representative reported to the Spanish Foreign Ministry, that Spain had the support of approximately one hundred countries. That was more than enough because with the support of seventy-five countries, Spain would reach the required majority. Nevertheless, the Spanish representative recommended that Madrid should not relax, because some countries can change their vote at the last minute, others miss the ballot, and there are always votes that are declared invalid for different reasons.³⁷ So Spain continued the campaign. On 7 October Spain gained the support of India, a key regional actor, who could gain influence on the votes of its neighbouring countries Bhutan, Myanmar and Nepal. However, there was a pay-off involved. Spain had to give support to the Indian Nahendra Sing, who wanted a seat on the International Court of Justice (ICJ) in the election of the following year.³⁸ Washington also campaigned in favour of Spain at Spain's request.³⁹ In spite of all this support, the campaign was intense, and the result was uncertain to predict. On the day of the balloting itself, the diplomatic campaigning gave way to tricks and manoeuvres. In particular Jaime de Pinies, the Spanish representative to the UN, reported to the Spanish Ministry of Foreign Affairs that New Zealand did not keep to the promises reached previously with Spain, and instead manoeuvred in favour Ireland, but finally ended up voting for Spain.⁴⁰ All together, Spain gained one hundred and nine votes, Ireland gained one hundred and seven and Malta gained seventy-four. As a result, Spain and Ireland would occupy the seats reserved in the SC for the WEOG countries, while Malta was left out.

Ambassador to Australia, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11; Telegram of the Spanish Ministry of Foreign Affairs on 9 October 1980 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

³⁶ Telegram of the Spanish representative to the UN on 29 September 1980 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

³⁷ Telegram of the Spanish representative to the UN on 6 October 1980 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signature 20969, expediente 11.

³⁸ Telegram of the Spanish Ministry of Foreign Affairs on 7 October 1980 to the Spanish Ambassador to Thailand, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

³⁹ Informative note of the Spanish Ministry of Foreign Affairs on 16 October 1980, *Archives of the Spanish Ministry of Foreign Affairs*, Signature 20969, expediente 11.

⁴⁰ Telegram of the Spanish representative to the UN on 20 October 1980 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

As mentioned above, although the seat in the SC was not the initial intention of the Spanish government, it was anyway a very important diplomatic achievement for Spain. It gave the country the legitimacy, authority and recognition, which the SC confers to its members. If the first time Spain's presence in the SC served to legitimise Franco's regime, on this occasion it provided legitimacy and recognition of the new democratic system, which was still in the process of consolidation. In fact, the Spanish representative to the UN could only express his satisfaction for the importance this outcome had for Spain's position within the international community.⁴¹ The presence of Spain in the SC in the period of 1981 to 1982 was the first time that a democratic Spain played a role on the international scene, not as some had argued when the country held the presidency of the European Council in 1989.⁴² In addition, the support that the WEOG members offered Spain was also important, not only because it helped to facilitate the election, but more importantly, because it was one important sign of their recognition and acceptance of a democratic Spain. The legitimacy Spain gained would have probably not been so important if the country had succeeded in its initiative of running for the election of the presidency of the General Assembly. The electoral process also shows how competitive the elections are, even though one of the candidates was a small country. Here we are referring to Malta. This country had reached a high international profile during those years, thanks in great measure, to the personality of the Maltese Prime Minister, Dom Mintoff,⁴³ and Malta's significant role in the negotiations of the Law of the Sea (LOS) some years earlier. It was the Maltese representative to the UN, Arvid Pardo, who in 1967 proposed in the GA the creation of an international regime for the seabed and the ocean floor beyond the national jurisdiction of states and their consideration as a 'common heritage of mankind'.⁴⁴ Such was the salience acquired by Malta in the negotiations of LOS that

⁴¹ Telegram of the Spanish representative to the UN on 21 October 1980 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20969, expediente 11.

⁴² Montes, J. (1999), "L'Espagne et l'Union européenne à l'aube du XXI siècle", *Defense Nationale*, diciembre, quoted in Fernandez Pasarin, Ana Mar (2007), "Las presidencias españolas del Consejo de la Unión Europea", in Morata, Francesc and Gemma Mateo (eds.), *España en Europa, Europa en España [1986-2006]*, Barcelona, Fundacio CIDOB.

⁴³ *Malta Today* (18 April 2010), "Mintoff shows off his 'non-aligned manhood' and threatens to break relations with Israel", in <http://archive.maltatoday.com.mt/2010/04/18/t13.html>, accessed on 25 December 2010.

⁴⁴ Ram, P. Anand (1982), "Freedom of the Seas: Past, Present and Future", in Rafael Gutierrez Girardot *et al.* (eds.), *New Directions in International Law: Essays in Honour of Wolfgang Abendroth*, Frankfurt/New York: Campus Verlag, pp. 215-233, reprinted in Caminos, Hugo (ed.) (2001), *Law of the Sea*, Aldershot, Dartmouth Publishing Company, p. 274; Shabtai, Rosenne (1996), "Geography in

in 1981, it became one of the country candidates to host the headquarters of the Sea-Bed Authority.⁴⁵ The electoral competitiveness for a seat in the SC was so extreme, that the candidates used different strategies to succeed. Spain was not an exception to these practices. Like the first time, it was a trade off between diverse countries, although this time Spain's bargaining capacity was greater due to the support of its group, the WEOG. The electoral process also shows how important it is for a country which wants a seat in the SC to maintain diplomatic relations with as many states as possible, at the time of requesting support. To conclude, Spain's election to the SC gave a clear signal that Spain had gained the recognition it sought as a new democratic state, while at the same time giving the country an important opportunity to increase its relevance in the international community.

The Security Council's agenda (1981-1982)

The status and recognition that the SC confers to its members were emphasised by the increasing relevance that the SC itself acquired as an instrument for the maintenance of international peace and security. Proof of the growing importance of the SC is the expansion of its activities with regard to previous years, such as an increase in the number of meetings; a broadening of the matters discussed; and the growing number of resolutions adopted. Nevertheless, it has to be said that this expansion in its workload, did not necessarily imply an increase in its effectiveness. Although this trend in the enlargement of the SC agenda would become more evident in the years to come, from the 1980s there is already a clear movement in that direction. During 1981 to 1982, the SC held one hundred and forty-nine meetings and adopted 44 resolutions, whereas during 1969 to 1970 the SC convened one hundred times and adopted 29 resolutions. With regard to the matters considered during this period, they were a mixture of old issues, some of which appeared in the previous section, while others were of recent incorporation as a consequence of the appearance of new scenarios of conflict. However, as discussed in Chapter 4, only the most relevant matters will be considered.

International Maritime Boundary-Making", *Political Geography*, 15, pp. 319-334, reprinted in Caminos, Hugo (ed.) (2001), *Law of the Sea*, Aldershot, Dartmouth Publishing Company, p. 227.

⁴⁵ *Yearbook of the United Nations 1981* (1985), Vol. 35, New York, Department of Public Information United Nations, p.133.

The Middle East

In spite of the important diplomatic achievement of the Camp David Accords of 1979 between Israel and Egypt, the Middle East continued to be a very unstable region as a consequence of the conflicts between Israel and the Palestinians. It is no surprise that the Middle East continued to be a top issue on the Security Council agenda, when Spain returned to the SC in 1981. Spain's policy with regard to the Middle East had not experienced any major changes, since the year in which Spain left the SC. Spain continued to support the Palestinian cause at the same time as it opposed Israel's actions. This continuation is explained by the inertia of the previous government. It can also be explained by the sympathy that Prime Minister Adolfo Suarez felt for the Palestinian cause. Not forgetting the good relationship, which Spain maintained with the majority of Arab countries.

Spanish opposition to Israel became more rational and less emotional. Under Franco's regime, opposition to Israel was greatly influenced by the personal antipathy of Franco and his closest collaborator, Admiral Carrero Blanco, towards the Jews. But feelings were to a great extent put aside with the arrival of democracy. Hostility against Israel was based on a more rational or pragmatic reasons, such as Israel's continuous violations of international law and lack of respect for the SC resolutions. The guidelines established by the Spanish government with regard to Israel seem to support this idea. Spain would condemn Israel for its actions but always within limits. Therefore, Spain would never support any resolution, which defined Israel's actions as war crimes. Such an accusation could imply they were like those carried out by the Nazis during the Second World War, and this could justify the request for more 'Nuremberg trials'. Spain would never vote in favour of any resolution that declared Israel a non-peace loving country because such a charge would open the door to Israel's eventual eviction from the UN. This would be a measure, which contradicted the principle of universality in the UN advocated by Spain. Furthermore, Madrid could never support any resolution, which condemned the different peace initiatives for the region because such a step would not only implicitly undermine the Camp David Accords, but it would go against Spain's stand in favour of any peace initiative.

in the pursuance of a definitive and lasting peace in the Middle East.⁴⁶ This attitude, in combination with Spain's closeness to other Western countries, and Spain's constant defence of the authority of the SC, placed Spain in an even better position than in the previous period (1969 to 1970) to play the role of 'bridge builder' in the Middle East conflict. Nevertheless, the beginning of the period known as a 'renewed cold war' or a 'return to confrontation'⁴⁷ between the two superpowers, restrained significantly the possibility that Spain could play such a role successfully.

The crisis between Israel and the Lebanon during 1981 and 1982 however, did allow Spain to play the role of catalyst, facilitator and upholder of international law. In 1981, tension in the border between Israel and Lebanon remained high because of the outbreak of hostilities between PLO fighters⁴⁸ and the 'de facto' forces⁴⁹ in Southern Lebanon.⁵⁰ Members of the United Nations Interim Force in Lebanon (UNIFIL)⁵¹ were not immune from the hostilities, and suffered provocation, harassment and military offences, which sometimes ended in casualties.⁵² The initial reaction of the Security Council was the release of a presidential statement on 19 March 1981,⁵³ which did not satisfy the Spanish representative.⁵⁴ However, the increased intensity of the aggressions, and the concerns of several countries about the continuation of

⁴⁶ Telegram of the Spanish Ministry of Foreign Affairs on 17 September 1982 to the Spanish permanent representative to the International Organisms in Geneva, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 1.

⁴⁷ Bell, P.M.H. (2001), *op. cit.*, p. 335; Young, John W. and John Kent (2004), *op. cit.*, p. 482.

⁴⁸ Initially, the PLO was established in Jordan, but after its expulsion by the Jordan Army, PLO members fled to Israel, Syria and mainly the Lebanon. In fact, the PLO headquarters were set up in Beirut.

⁴⁹ Christians supported by Israel.

⁵⁰ UN document S/14354; UN document S/14355; UN document S/14381; UN document S/14394; UN document S/14398; UN document S/14586; UN document S/14591; UN document S/14594; UN document S/14600; UN document S/14601; UN document S/14602; UN document S/14603; UN document S/14609.

⁵¹ Israel had invaded the Lebanon in 1978 and occupied all the southern part of the country as a response to the attack carried out by a Palestinian commando in Israel, which resulted in many victims. The aim of the occupation was the capture of those commandos based in southern Lebanon. But Beirut took the matter to the SC citing as proof that the Lebanese government had no connections with them. The SC adopted Resolutions 425 (1978) of 19 March and 426 (1978) 19 March, which, among other things, requested the withdrawal of Israel from the Lebanon, and established UNIFIL with a triple objective: Confirming the Israeli withdrawal, restoring international peace and security, and assisting the government of the Lebanon to restore its authority in the area.

⁵² UN document S/14407.

⁵³ UN document S/14414.

⁵⁴ The Spanish representative argued that Presidential statements are grotesque when the aggressions are so evident and only damage the reputation of the SC. Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 292.

hostilities⁵⁵ resulted in SC holding several more meetings throughout 1981 and 1982. During this period Spain played the role of facilitator and catalyst. However, Spain was not always very successful because of the assertive policy of the Reagan administration. Reagan's policy constrained the capacity of the SC to adopt resolutions for the often US exercise, or threat of exercise, of its right of veto.

The first Spanish initiative took place in July 1981. As hostilities continued, Bangladesh requested the intervention of the Secretary-General,⁵⁶ and the non-aligned countries demanded the adoption of mandatory sanctions against Israel, for its attacks and non-compliance with the Security Council and General Assembly resolutions.⁵⁷ However, the adoption of coercive measures against Israel was opposed by the US. Jaime de Pinies, in a joint initiative with the Irish and Japanese representatives, requested the adoption of a less ambitious but more feasible resolution, which requested an immediate cessation of all armed attacks. The text, which had been agreed with the non-aligned countries, and other members of the Council, was unanimously adopted as SC Resolution 490 (1981) of 21 July. This resolution proved to be effective because it eased the tension in the area. During the following six months the area remained predominantly calm in spite of sporadic exchanges of fire, or by some of the PLO attempts to infiltrate weapons and personnel into United Nations Interim Force in Lebanon (UNIFIL) lines.⁵⁸

In 1982, however, open hostilities broke out when Israel invaded the Lebanon with the acquiescence of the US.⁵⁹ The invasion started intense diplomatic negotiations in the SC throughout twenty-one meetings, which started on 5 June at the request of the Lebanon,⁶⁰ and continued until 18 October. During these meetings, Spain again played the role of catalyst and facilitator. Spain acted as a catalyst and facilitator for several possible reasons: Spain's approach to the countries of the Eastern bloc during the previous years, which culminated with the establishment of diplomatic relations with

⁵⁵ European Council, UN document S/14421; Japan, UN document S/14436; Argentina, UN document S/14447; Egypt, UN document S/14450 and UN document S/14450/Corr.1; Uruguay, UN document S/14472.

⁵⁶ UN document S/14614.

⁵⁷ UN document S/14618.

⁵⁸ UN document S/14789; UN document S/14869.

⁵⁹ Telegram of the Spanish Ministry of Foreign Affairs on 11 June 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁶⁰ UN documents S/15161; UN documents S/15162.

the USSR in 1977;⁶¹ Spain's traditional good relationship with the moderate Arab countries; Spain's efforts to restore good relations with the US, since the appointment of Gregorio Lopez Bravo as Minister of Foreign Affairs; Spain's more moderate policy towards Israel; and Spain's good relations with Panama, a non-aligned country, which carried out a quite active role in the SC, during Spain's term in the SC. This relationship had strengthened since Spain supported Panama in its claim for the return of the Canal.⁶² These reasons probably made Spain a reliable and acceptable interlocutor for all the parties. In fact, it was through conversations with the Panamanian representative, the Western, and the communists, that the Spanish representative achieved the necessary support to pass a resolution, which condemned Israel for its non-compliance with SC Resolution 508 (1982) of 5 June and SC Resolution 509 (1982) of 6 June, which had appealed to all cessation of hostilities from both parties, and the withdrawal of Israeli forces to the internationally recognised boundaries of the Lebanon.

However, although there was no mention of coercive measures, the diplomatic efforts of the Spanish representative to gain US support failed.⁶³ Mediation between the non-aligned and the US did not succeed because of the veto of the US representative, who argued that the draft resolution lacked sufficient balance to accomplish the objectives of ending the cycle of violence.⁶⁴ Jaime de Pinies, the Spanish representative, described this argument as "extremely poor."⁶⁵ Nevertheless, he did not blame the US representative, who in his opinion was a reasonable person, but the intransigence of the Reagan Administration.⁶⁶ Nevertheless, the US representative contributed to policymaking as a member of the Cabinet in Washington.⁶⁷ So the single US veto revealed the increasing isolationism of the US, within the UN and the SC, with regard to the Middle East conflict.⁶⁸ Furthermore, the obstructionist practises of the US created a sentiment of frustration among the Arabs, non-aligned and Third World countries, which considered seeking the suspension of Israel from the General

⁶¹ Pollack, Benny with Graham Hunter (1987), *op. cit.*, p. 63.

⁶² *Ibid.*, p. 87.

⁶³ Telegram of the Spanish representative to the UN on 9 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁶⁴ UN document S/PV.2377 (OR).

⁶⁵ Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 338. (My translation).

⁶⁶ Telegram of the Spanish representative to the UN on 9 June 1982 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁶⁷ Leapman, Michael (27 March 1981), "A cool lady facing UN realities", *The Times*.

⁶⁸ Pysariwsky, Zoriana (28 June 1982), "US further isolated at the UN", *The Times*.

Assembly.⁶⁹ This option was not totally implausible because there was a precedent with South Africa. However, unlike South Africa, the suspension of Israel would cause the UN irreparable damage because Washington could decide to withdraw from the UN. This is what the political adviser of the US Embassy in Madrid warned the Spanish Ministry of Foreign Affairs.⁷⁰

Despite this setback the Spanish representative continued with his mediation efforts. On 29 July 1982, he introduced a humanitarian draft resolution to alleviate the plight of the citizens of Beirut, as Israeli troops had the capital under siege. The resolution was adopted by the SC with the non-participation of the US in the voting.⁷¹ In addition, at the beginning of August the Spanish representative held numerous meetings with other representatives to express his vehement disagreement about waiting for Israel's authorisation to deploy UN observers in and around Beirut, to monitor the situation.⁷² The Spanish representative considered Israel's attitude as unacceptable because deployment had been decided unanimously, and therefore Israel should be forced to comply with the resolution if reluctant to do it voluntarily.⁷³ Moreover, the authorisation of Israel questioned, in his opinion, the sovereignty, territorial integrity, and independence of the Lebanon.⁷⁴ This raises the question, how it is possible to talk about independence, territorial integrity, and sovereignty of a country invaded by a foreign army? This declaration can only be interpreted as an assertion of Spain's support for the Lebanon.

At the beginning of August the Spanish representative took the initiative again, and cosponsored a draft resolution with the representative of Jordan. The text condemned Israel for its non-compliance with SC resolutions, and reiterated the Council's demand for a ceasefire. They also decided to meet again within the next three hours to consider the report of the Secretary General, after which the SC would adopt effective

⁶⁹ Pysariwsky, Zoriana (10 June 1982), "US vetoes criticism of Israel", *The Times*; Telegram of the Spanish representative to the UN on 21 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁷⁰ Telegram of the Spanish Ministry of Foreign Affairs on 16 June 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁷¹ SC Res 515 (1982) of 29 July.

⁷² SC Res 516 (1982) of 1 August.

⁷³ Telegram of the Spanish representative to the UN on 3 August 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁷⁴ *Ibid.*

measures under Chapter VII of the Charter.⁷⁵ In the Spanish representative's intervention in the SC meeting on 4 August, he described the authorisation of Israel for the deployment of UN observers as "...an act of mockery of the Council" and added that "The Israeli war machine must be brought to a halt; a stop must be put to such arrogance." This is the reason why the Spanish representative hoped the draft resolution he co-sponsored with Jordan would be adopted unanimously by the Council.⁷⁶ However, the US representative threatened to veto it for her opposition to any condemnation of Israel, and any mention of Chapter VII of the Charter. To avoid deadlock of the Council, the Spanish representative once again acted as a facilitator between the US on one hand, and Jordan and the Lebanon on the other. After intense negotiations in the corridors and informal consultations, a softened version of the text was put to the vote, and was adopted as SC Resolution 517 (1982) of 4 August. It gained fourteen votes in favour and one abstention. The US representative decided not to support it in spite of the changes. Deadlock, at least, had been avoided.

In spite of this resolution, Israel continued with its offensive in the Lebanon, even against civilian buildings.⁷⁷ However, the situation on the diplomatic front changed substantially. Frictions between Israel and France emerged, and the US attitude towards Israel became more assertive. The diplomatic shift allowed the agreement to deploy a multinational force of US, French and Italian troops to pacify the area. The fact that the USSR had requested a meeting and proposed a draft resolution was also an important factor. This could have been interpreted as a Soviet warning that further Israeli actions could lead to an escalation of the conflict. In these changing circumstances the SC adopted unanimously SC Resolution 518 (1982) of 12 August. This demanded that all the parties in the conflict should observe previous SC resolutions, Israel's cooperation in the deployment of UN observers, and the lifting of all restrictions on the city of Beirut. The Secretary-General reported that this time the ceasefire had been respected by both parties, and requested the extension of UNIFIL for two more months.⁷⁸ Spain agreed with the deployment of the multinational force

⁷⁵ UN document S/15343.

⁷⁶ UN document S/PV.2388 (OR).

⁷⁷ Telegram of the Spanish Ministry of Foreign Affairs on 6 August 1982 to the Spanish Ambassadors to the UN, Jeddah, Damascus, Kuwait, Jordan, Algeria, Egypt and NATO (Brussels), *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁷⁸ UN document S/15362; UN document S/15357.

and considered its participation if the Lebanon so requested it.⁷⁹ The deployment of the multinational force, and the simultaneous withdrawal of the Israeli forces, resulted in the situation progressively returning to the ‘status quo ante.’

Spain once again played the role of facilitator, catalyst, and upholder of international law within the SC between the Arab and non-aligned countries on one side, and the Western countries on the other. But with uneven results because of the unconditional US support for Israel. The Spanish representative, sometimes on his own and other times forming coalitions with representatives of like-minded countries, succeeded on several occasions to avoid any deadlock in the Council. The efforts of the Spanish representative as a catalyst, facilitator, ‘bridge builder’, and upholder of international law, were hindered by the frequent differences with the US, and yet the Spanish Foreign Ministry reported that such differences did not harm the good relationship Spain had with the US.⁸⁰ Rather the opposite, the good relationship between both countries allowed for a constant and frank exchange of information, which was very useful from the point of view of the Spanish Ministry of Foreign Affairs.⁸¹ The fact that the closest allies of the US in the Council, Britain and France, still maintained a good relationship with the US, despite the fact that both often aligned with Spain and left the US isolated, indicated that the differences between Spain and the US did not affect the relationship between both countries. The signature of the Friendship, Defence and Cooperation Treaty between the US and Spain on 2 July 1982 seems to ratify the good relationship between the two countries, despite their differences in the SC with regard to the Middle East.

The Israeli invasion of the Lebanon was not the only matter discussed by the SC, in which Spain played the role of facilitator, catalyst and defender of international law. Israel’s endeavours to annex the occupied territories (the Golan Heights and the West Bank) also gave Spain the opportunity to play such roles. Spain was strongly opposed to any action or measure, which sought the integration of those territories in Israel for

⁷⁹ Telegram of the Spanish representative to the UN on 21 September 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 1; Telegram of the Spanish Ministry of Foreign Affairs on 7 December 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 3.

⁸⁰ Telegram of the Spanish Ministry of Foreign Affairs on 8 September 1982 to the Spanish representative to NATO in Brussels, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 4.

⁸¹ *Ibid.*

being contrary to international law, the principles of the Charter, and the relevant resolutions of the SC and the GA.⁸² For these reasons the Spanish representative supported SC Resolution 497 (1981) of 17 December. In 1982 the SC became deadlocked, when the US threatened to veto the Syrian and Jordan draft resolutions, which requested the adoption of coercive measures against Israel.⁸³ However, the US was not the only country opposed to compulsory sanctions. Zaire and Panama were also against coercive measures.⁸⁴ As a consequence, neither the Syrian nor the Jordan drafts resolutions were put to the vote. In an attempt to overcome the impasse, the Spanish representative began a number of multilateral meetings between Syria, Zambia, the Western countries, Panama and the other non-aligned countries. His aim was to find a common position, which would allow the drafting of a resolution acceptable to all the SC members.⁸⁵ His aim was to muster as much support as possible for an emergency General Assembly session in case the softened text was vetoed by the US.⁸⁶ He was successful and finally a text, which condemned Israel and decided that all the member states should consider applying measures against Israel, under Chapter VII, was put to the vote.⁸⁷ Although the draft resolution had the support of nine members (Guyana, the USSR, Jordan, Panama, Poland, Togo, Uganda, Zaire and Spain), it was not adopted because of the US veto.⁸⁸ Spain voted in favour of the draft resolution, in spite of the pressure the US put on the Spanish representative to oppose it or abstain from voting.⁸⁹ The pressure the US put on Spain was not solely motivated because Spain was the only Western country which supported the draft

⁸² UN document S/PV.2317 (OR); Telegram of the Spanish representative to the UN on 3 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 7.

⁸³ Telegram of the Spanish representative to the UN on 5 January 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 9.

⁸⁴ Telegram of the Spanish representative to the UN on 8 January 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 9; Telegram of the Spanish representative to the UN on 11 January 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 9.

⁸⁵ Telegram of the Spanish Ministry of Foreign Affairs on 19 January 1982 to the Spanish Ambassador to the UK, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 9; Informative note of the Spanish Ministry of Foreign Affairs on 12 January 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 11.

⁸⁶ Telegram of the Spanish representative to the UN on 19 January 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Minister of Foreign Affairs*, Signatura 21949, expediente 9.

⁸⁷ UN document S/14832/Rev.1.

⁸⁸ France, Britain, Ireland, Japan and Panama abstained.

⁸⁹ Informative note of the Spanish Ministry of Foreign Affairs on 7 January 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 11; Informative note of the Spanish Ministry of Foreign Affairs on 15 January 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 11; Report to the Spanish Secretary of State of Foreign Affairs on 20 January 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21949, expediente 11.

resolution, but also because Spain's vote was the decisive vote, which could stop the US from wielding the veto. Had Spain voted against, the draft resolution would not have had enough support for its adoption (eight votes) and the US would not have needed to use the veto. Finally, another draft resolution, which denounced the Israeli measures carried out in the West Bank and the Gaza strip, was also supported by Spain and vetoed by the US representative.⁹⁰

The Israeli attack on a nuclear reactor in Iraq, and the conflict between Iraq and Iran, were other occasions in which Spain played the role of bridge builder, and upholder of international law. In the case of Israel's attack on the nuclear reactor, which took everybody by surprise, even the US,⁹¹ Spain once again showed its inclination towards the Arabs. Spain was clearly opposed to such an attack despite the announcement that declared that the plant had been designed to produce atomic bombs targeted on Israel.⁹² Spain dismissed this claim by arguing that this was impossible because the reactor was internationally supervised by IAEA,⁹³ and this organisation had never registered any violations to safeguards.⁹⁴ It was Spain's belief that any aggression was related to the internal political circumstances in Israel.⁹⁵ For all of these reasons, the Spanish representative defined Israel's act as a clear violation of international law and 'absolutely unacceptable'.⁹⁶ The Arab countries and the non aligned countries, unsurprisingly, demanded the adoption of a SC resolution, which condemned the attack, imposed sanctions upon Israel under Chapter VII of the Charter, the payment of compensation for the damages caused, and the eventual expulsion of Israel from the UN. However, the US was bluntly opposed to any mention of Chapter VII, and the eventual expulsion of Israel. Nevertheless, the US was willing to negotiate a draft resolution, which would satisfy both the US and the Arab countries, because the US representative did not want to give the USSR the impression that the Western bloc

⁹⁰ UN document S/14943.

⁹¹ Telegram of the Spanish Ministry of Foreign Affairs on 10 June 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

⁹² UN document S/14510; UN document S/14532.

⁹³ Telegram of the Spanish representative to the UN on 8 June 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

⁹⁴ UN document S/14509.

⁹⁵ Telegram of the Spanish Ambassador to Syria on 12 June 1981 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21514, expediente 2.

⁹⁶ UN document S/PV.2282 (OR).

was divided.⁹⁷ The US did not want to get isolated in the SC because deadlock in the SC caused by the US veto would have generated more frustration among the Arab countries, and would have further alienated the US from the Arab countries.

To prevent the US from being isolated, the US representative Jeane Kirkpatrick set out to the Spanish representative the terms, which the draft resolution should contain, to make it acceptable to Washington.⁹⁸ After a number of consultations, the Spanish representative agreed on a text accepted as SC Resolution 487 (1981) of 19 June. This strongly condemned the attack of Israel, recognised the right of Iraq and other countries to establish programmes of technological and nuclear development for civil purposes, requested Israel to place its nuclear facilities under the safeguards of the IAEA, and recognised the entitlement of Iraq to receive compensation. Although the Arab countries and several members of the SC considered the resolution as weak for not containing any mention of sanctions against Israel under Chapter VII of the Charter, (Uganda, Tunis, the USSR, or the Germany Democratic Republic),⁹⁹ all finally agreed with the draft. This was because the Spanish representative, Jaime de Pinies, managed to convince the Iraqi representative to accept the wording of the resolution by arguing that the fact that Washington had condemned the attack represented a serious blow to Israel and to its relationship with the US. Spain also considered the wording as soft, but the Arab countries, especially Iraq, considered the resolution as weak for not containing any mention of sanctions.¹⁰⁰ Pinies, however, managed to convince them that they should support the resolution because Washington had condemned the attack, and this was a serious blow to Israel's interests and relationship with the US.¹⁰¹

The Spanish representative's role in the SC was important with regard to the Middle East. He played the role of facilitator and catalyst, sometimes on his own and other

⁹⁷ Telegram of the Spanish Ministry of Foreign Affairs on 17 June 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

⁹⁸ Telegram of the Spanish representative to the UN on 17 June 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

⁹⁹ Telegram of the Spanish representative to the UN on 19 June 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2; Telegram of the Spanish Ministry of Foreign Affairs on 19 June 1981 to the Spanish Ambassador to Iraq, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

¹⁰⁰ Telegram of the Spanish Ministry of Foreign Affairs on 19 June 1981 to the Spanish Ambassador to Iraq, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

¹⁰¹ Telegram of the Spanish representative to the UN on 18 June 1981 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

times in coalition with other representatives of like-minded states. The Spanish Foreign Ministry and the Spanish representative were both responsible for Spain's foreign policy. The former gave the instructions for achieving successful draft resolutions, and delegated to the latter the task of acting in a way that would achieve consensus in the SC.¹⁰² It was, therefore, as a result of the Spanish representative's negotiations that deadlock in the SC was on occasions avoided, and the SC could discharge its responsibilities, as happened with SC Resolution 487 (1981) of 19 June and SC Resolution 517 (1982) of 4 August. On those occasions of impasse because of the US veto, the Spanish representative contributed to bringing opposing sides together, and acted as an upholder of international law through his speeches and declarations inside and outside of the SC chamber. Spain's behaviour is an example of the important role that non-permanent members can acquire in giving an air of respectability and legitimacy within the SC. Often the non-permanent members can build consensus amongst other members of the SC, in a way that discourages permanent members from exercising the veto, which may lead to frustration and disbelief in the main organisation responsible for the maintenance of international peace and security.

The Iraq-Iran War (1980-1988)

Spain also played an important role of mediator between both countries because it maintained a good relationship with both sides. Thus, the official position of Spain was one of neutrality. Nevertheless, this was not an obstacle for Spain to provide military assistance to Iraq through third countries.¹⁰³ Spanish military aid to Iraq was probably ignored by Iran because the Iranian authorities appreciated Spain's neutrality, and declared their interest in Spain's participation in the reconstruction of the country, once the conflict was over.¹⁰⁴ Spain's neutrality, their good relationship with the Arab countries, and the presence in the SC, placed Spain in a very good position to act as a mediator between both sides. In fact, Iraq requested Spain on two occasions to bring the matter to the SC, and adopt a resolution requesting the cessation

¹⁰² Telegram of the Spanish Ministry of Foreign Affairs on 17 June 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20514, expediente 2.

¹⁰³ Informative note of the Spanish Ministry of Foreign Affairs on 27 May 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹⁰⁴ *Ibid.*

of hostilities, while guaranteeing the territorial integrity of the country.¹⁰⁵ Jordan also encouraged Spain to take the initiative in the SC.¹⁰⁶ The reason for such requests was because at that time Iran had started to take the initiative in the conflict. Iraq, as well as the majority of Arab states, feared that the victory of Iran could spread the Iranian revolution to neighbouring countries,¹⁰⁷ which in turn could lead to the spread of communism and the growing influence of the USSR in the region because of the military assistance that the USSR provided to Iran.¹⁰⁸ It was also hoped that Spain could overcome the differences among the non-aligned countries (six in the SC), which allowed the joint sponsoring of a draft resolution, which was acceptable to the other members of the SC.¹⁰⁹ The Spanish representative, with the authorisation of the Spanish Ministry of Foreign Affairs, accepted the challenge and focused his diplomacy on three fronts: The first front focused on the non-aligned members of the Council with the aim of narrowing their differences to obtain the redaction of a draft, which was acceptable to all the members of the Council. The second front focused on the other members of the Council, to persuade them to support the resulting draft. The third front focused on Iran, because the conditions that had imposed in order to accept any SC resolution, were totally unacceptable for Iraq.

Thus, a key part of the negotiating process was changing the intransigence of the Iranian authorities, because the USSR had reservations in supporting any draft resolution, which did not at least have the acquiescence of Iran.¹¹⁰ Without Soviet support, it was impossible to adopt any resolution. In the end, in spite of intense and continuous meetings, the efforts of the Spanish representative only succeeded on the

¹⁰⁵ Telegram of the Spanish Ambassador to Iraq on 29 May 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5; Telegram of the Spanish representative to the UN on 17 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹⁰⁶ Telegram of the Spanish Ministry of Foreign Affairs on 23 June 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹⁰⁷ Informative note of the Spanish Ministry of Foreign Affairs on 27 May 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹⁰⁸ Shipler, David K. (29 May 1982), "ISRAEL SEES SOVIET GAIN AS U.S. SHUNS IRAN", The New York Times; Telegram of the Spanish ambassador to Jordan on 1 June 1982 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹⁰⁹ Telegram of the Spanish Ministry of Foreign Affairs on 1 July 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5; Telegram of the Spanish representative to the UN on 7 July 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹¹⁰ Telegram of the Spanish representative to the UN on 7 July 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

first two fronts. He could not convince the Iranian authorities to soften their position.¹¹¹ Pressure to adopt a resolution increased following the Iranian offensive against Iraq on 12 July (1982).¹¹² As a consequence, the SC adopted unanimously SC Resolution 514 (1982) of 12 July, which among other requirements, called for a ceasefire, an immediate end to all military operations, and the withdrawal of forces to internationally recognised boundaries. The Iranian authorities, however, dissociated themselves from any decision made by the SC,¹¹³ and continued with the military offensive with the aim of achieving regime change in Iraq.¹¹⁴ In October of that year, the Council adopted SC Resolution 522 (1982) of 4 October, which called again for an immediate cessation of hostilities and the withdrawal of all forces to internationally recognised boundaries.

Africa

Spain's foreign policy with regard to the African states, during this period, was a continuation of that carried out in the previous period, when Spain was in the SC. Spain's policy was to achieve an increase in cooperation and growing friendship.¹¹⁵ However, unlike in the previous period, Spain's aim was not to break their political isolation. It was to defend their political and increasing economic interests in Africa. The main aim was to counterbalance the campaign of some African states within the Organisation of African Unity (OAU), which demanded the 'Africanity' of the Canary Islands, and to neutralise the Moroccan claim over the Spanish enclaves of Ceuta and Melilla in North Africa.¹¹⁶ To that end, Spain sought to avoid any confrontation with

¹¹¹ Initially, France and the US preferred a solution or mediation that came directly from the non-aligned or the Islamic countries, limiting the role of the SC as a back up of such initiative. Note to the Deputy Secretary of Foreign Affairs in 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21947, expediente 1.

¹¹² Telegram of the Spanish Ambassador to Saudi Arabia on 12 July 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹¹³ Telegram of the Spanish Ministry of Foreign Affairs on 16 July 1982 to the Spanish Ambassadors to Iraq, Iran and Saudi Arabia, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹¹⁴ Telegram of the Spanish Ministry of Foreign Affairs on 16 July 1982 to the Spanish Ambassadors to the UN, Brussels (NATO), Saudi Arabia, Iran and Algeria, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 5.

¹¹⁵ Letter of the Spanish representative to the UN on 10 February 1980 to the Secretary of State on Foreign Affairs at the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 1.

¹¹⁶ Telegram of the Spanish representative to the UN on 5 February 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20517, expediente 4; Secret report of the Spanish Ministry of Foreign Affairs on 22 April 1981 on the situation in Namibia, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 3.

the African states, which could exacerbate the African claims over Spain. However, there were occasions when defence of Spain's territorial rights was not easy because this objective was incompatible with Spain's ideological principles related to decolonisation. In short, Spain's foreign policy supported the position of the non-aligned countries, and Spain's own economic and political interests.

The case of Namibia is one in which differences between Spain and the non-aligned states emerged. These discrepancies placed Spain in a predicament because of the great expectation and passion that the Namibian issue raised among the African states. The Spanish government supported the self-determination of the Namibian people, and the territorial integrity of the country.¹¹⁷ On this issue Spain's point of view was coincident with that of the African and other non-aligned states. However, Spain's economic interests in South Africa resulted in Spain sometimes detaching itself from the initiatives of the non-aligned countries. When Mexico, Niger, Panama, the Philippines, Tunisia and Uganda sponsored draft resolutions in April 1981¹¹⁸ seeking the imposition of comprehensive and mandatory sanctions against South Africa, and severance of diplomatic, consular, and trading relations because of the South African unwillingness to withdraw from Namibia, Spain abstained. Nevertheless, the Spanish representative supported the drafts that requested the imposition of an armaments and oil embargo.¹¹⁹ This is the same position that Spain maintained during the previous period in the SC. But this time Spain abstained to avoid a clash with the non-aligned countries, and because it disliked the adoption of broad sanctions for their indiscriminate character, which would have increased South Africa's isolation. Moreover, comprehensive economic sanctions would have badly affected the economies of South Africa's neighbouring countries, such as Botswana.¹²⁰ As a consequence, the adoption of such measures would have been unpopular among some African states. So Spain's support would have been counterproductive if the aim was

¹¹⁷ Statement issued at the end of the visit of the Mission of the United Nations Council for Namibia to Spain on 7-9 May 1981, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20515, expediente 5.

¹¹⁸ UN document S/14459; UN documents S/14460 and S/14460/Rev.1.

¹¹⁹ S/14461 and S/14462; Telegram of the Spanish Ministry of Foreign Affairs on 28 April 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 4.

¹²⁰ Telegram of the Spanish Ambassador to South Africa on 1 May 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 4; Telegram of the Spanish Ministry of Foreign Affairs on 5 February 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20517, expediente 4.

to maintain good relations with the African countries. Finally, the imposition of broad economic sanctions would have affected Spain's interests because of the country's important trading relations with South Africa, especially in the fishing sector. The South African government allowed the Spanish fishing fleet to operate in the very rich Namibian territorial waters, and to use South African ports.¹²¹

Defence of Spain's economic and political interests in Africa clashed with Britain's plan to form a Western bloc with France, the US and Spain to avoid having to use the veto.¹²² This tactic worked during the previous years in which Canada and the Federal Republic of Germany first, and later Portugal and Norway, had been on the SC.¹²³ It was thought that Spain could have used its good relations with the African and non-aligned countries with the aim of gaining the support of some Council members to support the British cause. However, defence of the political and economic interests of Spain, and the avoidance of any confrontation with South Africa and the African countries, restricted Spain's capacity to play such a role. As a consequence the Western permanent members did not have any other option but to veto all draft resolutions. Nevertheless, Spain's efforts to avoid confrontation with the African countries did not always succeed.¹²⁴

Spain's interests in South Africa, however, were not an obstacle for the support of the SC Resolutions 503 (1982) of 9 April and 525 (1982) of 7 December, which were adopted unanimously. The resolutions called upon the South African authorities to commute the death sentences imposed on six members of the African National Congress (ANC) in 1981. The matter was first discussed in the SC in 1981, when the

¹²¹ Note of the Spanish Ministry of Foreign Affairs on 25 March 1982 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 7.

¹²² Anglo-Spanish meeting held on 9 and 10 March 1981 on issues considered by the Security Council, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20517, expediente 4.

¹²³ Telegram of the Spanish representative to the UN on 5 February 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20517, expediente 4.

¹²⁴ Before the debates, SWAPO and DTA requested to participate in the discussions. The non-aligned, however, refused the participation of DTA, backed by South Africa, because they only considered SWAPO the legitimate representative of Namibian people. Spain was a member of the Committee of Credentials, abstained in the Committee but voted in the SC in favour of the participation of both parties, as it had allowed on other occasions the participation of PLO representatives or people from Portuguese colonies before their independence as a means to maintain impartiality of the SC. The Spanish position led the Angolan representative to threaten the Spanish by suggesting that the African group could revise its policy with regard to the Canary Islands. Telegram of the Spanish Ministry of Foreign Affairs on 20 April 1981 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 3; Telegram of the Spanish representative to the UN on 21 April 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 3.

sentences were known, but in that year the Council only released a presidential statement.¹²⁵ The initial disinterest of some members, dilatory tactics of others, discrepancies on the right time to adopt a resolution, the consideration of the matter as non-urgent, and the necessity of reaching an agreed text that was not vetoed by the Western permanent members, delayed the adoption of the resolutions until the following year.¹²⁶ Although consensus existed from the beginning among the members of the Council,¹²⁷ there was an expectation among the non-aligned and African members about the position of Spain, because it had been the only Western country, which had traditionally supported these countries.¹²⁸ Spain did not disappoint the non-aligned and African countries on this occasion, and voted in favour of both resolutions. The consensus achieved among the other fourteen SC members in support of both resolutions made Spanish opposition unthinkable, although this was not the only reason. Humanitarian grounds, the fact that Spain had abolished the death penalty with the instauration of democracy, and perhaps more important, the fact that representatives of the ANC to the UN, had referred in the UN to the issue of the Canary Islands, were factors that led to Spain's affirmative vote.¹²⁹ The attempt to improve Spain's relations with the African countries, after Spain refused to support comprehensive sanctions against South Africa, could also have influenced Spain's decision. Finally, the matter is interesting because for the first time China and the non-aligned countries began to talk about a Western bloc within the SC, which also included Spain.¹³⁰

Nevertheless, Spain's economic interests in South Africa were not an obstacle for Spain to condemn South Africa, and the apartheid system, in those cases of flagrant violations of international law. Such was the case of South Africa's aggression to

¹²⁵ UN document S/14361.

¹²⁶ Telegram of the Spanish representative to the UN on 22 January 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20515, expediente 1; Telegram of the Spanish representative to the UN on 29 January 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20515, expediente 1; Letter of the Spanish representative to the UN on 2 February 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20515, expediente 1.

¹²⁷ In 1981, the commutation of the death penalties had the support of China, USSR, German Democratic Republic, Mexico, Niger, Panama, Philippines, Tunisia and Uganda, and in 1982, of China, USSR, Guyana, Jordan, Panama, Poland, Togo, Uganda and Zaire.

¹²⁸ Telegram of the Spanish representative to the UN on 21 January 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20515, expediente 1.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*; Telegram of the Spanish representative to the UN on 22 January 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20515, expediente 1.

Lesotho. The Spanish representative energetically condemned the attack, declaring that it was rooted in "... the persistence of the abominable regime of apartheid,"¹³¹ and he supported SC Resolution 527 (1982) of 15 December. This resolution condemned the apartheid regime, demanded the payment of adequate compensation to Lesotho, and reaffirmed the right of this country to receive and give sanctuary to the victims of apartheid. The Spanish representative also supported SC Resolution 496 (1981) of 15 December. This condemned the aggression of South African mercenaries against the Seychelles, affirmed the territorial and political integrity of the country, and established a commission of inquiry, which was composed of the representatives of Ireland, Japan and Panama.¹³² The report of the commission raised enormous expectations among the African countries because of the suspicion that South African authorities were behind the aggression. Thirty-nine states asked if they could participate in the SC discussions.¹³³ The matter was of considerable importance to Spain. However, the commission did not establish whether or not the South African authorities had been involved in any direct participation in the aggression.¹³⁴ Nevertheless, the Seychelles exiles seemed to have financed the aggression with the knowledge and complicity of several South African agencies.¹³⁵ As the direct involvement of the South African authorities could not be proved, the SC adopted SC Resolution 507 (1982) of 28 May, which among other things, reiterated the condemnation of the attack by mercenaries, and decided to establish a special fund for the Seychelles, supplied by voluntary contributions from other states.

The Spanish representative supported both resolutions because their content was consistent with the legal principles that Spain traditionally upheld, such as the territorial integrity of states, the prohibition of the use of force, the non-involvement in the internal affairs of countries, and the condemnation of terrorism and subversive practises. He also supported the recommendations of the commission of inquiry, and defended the adoption of measures to stop mercenary actions that "...disrupt the

¹³¹ UN document S/PV.2407 (OR); Telegram of the Spanish representative to the UN on 16 December 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 7.

¹³² UN document S/14816.

¹³³ *Yearbook of the United Nations* 1982 (1986), Vol. 36, New York, Department of Public Information United Nations, p. 323.

¹³⁴ UN document S/14905/Rev.1.

¹³⁵ Lelyveld, Joseph (10 May 1982), "Trial Gives Peak at South Africa Intelligence Web", *The New York Times*.

peaceful development of nations.”¹³⁶ However, the matter was of additional interest to Spain because of their disagreements with the Seychelles over their support within the OAU, for the ‘Africanity’ of the Canary Islands.¹³⁷ The Spanish representative saw the incident of the Seychelles with South Africa as an opportunity to establish a closer relationship with the Seychelles. His intention was to persuade this country to drop the issue of the Canary Islands within the African Organisation. To that end, first Spain considered forming part of the commission of inquiry. The Spanish intention was to use the commission as a platform to improve the relationship between the two countries.¹³⁸ As this was not possible, the Spanish representative suggested making a significant contribution to the special fund created by SC Resolution 507 (1982) of 28 May, to help with the reconstruction of the country. In his opinion even a symbolic amount could have important political effects, and ease the fishing negotiations with the Seychelles, which were under discussion.¹³⁹ However, the Spanish Ministry was not receptive to this suggestion, because budgetary restrictions made this contribution impossible, so it could not be used as a political leverage with the Seychelles.¹⁴⁰ In this case, Spain’s economic crisis hindered a more proactive and effective Spanish foreign policy.

South African’s aggression towards Angola in 1981 was another hostile action, which was condemned by the Spanish representative, among other representatives.¹⁴¹ The attack was intended to destroy the South West Africa People’s Organisation (SWAPO) bases in Angola. This country had started to offer logistic assistance to this guerrilla group (SWAPO), which fought for the independence of Namibia, after Angola’s independence from Portugal. It was another example in which Spain tried to

¹³⁶ UN document S/PV.2365 (OR).

¹³⁷ The reasoning was simple. For the Seychelles, the Canary Islands were geographically part of Africa and therefore were a Spanish colony entitled to the right of self-determination. Of course, this interpretation clashed with the Spanish thesis that was based in the principle of territorial integrity of states. For Spain, the Canary Islands are an integral part of the Spanish territory.

¹³⁸ Note to the Spanish Secretary of State of Foreign Affairs on 14 December 1981, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 6.

¹³⁹ Letter of the Spanish representative to the UN on 24 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 6; Report of the General Direction of International Organisations and Conferences on 5 July 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 6; Letter of the Spanish representative to the UN on 12 January 1983 to the Spanish Minister of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 6.

¹⁴⁰ Internal communication of the General Director of Africa and Continental Asia on 22 July 1982 to the General Director of the Information Central Office, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 6.

¹⁴¹ UN document S/14650.

play the role of facilitator, when the US vetoed the draft resolutions sponsored by the non-aligned members of the SC (Mexico, Niger, Panama, Philippines, Tunisia and Uganda).¹⁴² The Spanish representative, supported by the Irish representative, tried to avoid the paralysis of the SC by holding public and private meetings with the aim of reaching a minimum agreement, which allowed at least the request of the withdrawal of South African troops, and the creation of a research mission.¹⁴³ The Spanish representatives' efforts were appreciated by the US and the Angolan representatives.¹⁴⁴ However, the latter requested the Spaniard to cease in his attempts because having left the US isolated in the Council, Angola's aim had been accomplished.¹⁴⁵

The intervention of the Spanish representative as a facilitator was motivated to avoid deadlock in the SC, concerning an important security matter as it was the aggression of one state against another. But he also had political and economic motivations. Spain had important economic interests in Angola. The country had an important fishing agreement with the ex-Portuguese colony, which allowed a hundred Spanish ships to operate in the rich Angolan sea banks.¹⁴⁶ However, this was probably not the main reason because the Angolan sea banks could have been replaced by the Namibians for the fishing Spanish fleet to operate. There were other important motivations, which pushed Spain to keep friendly relations with Angola. For example, Spanish trade with the ex-Portuguese colony was acquiring increasing importance. One of those trading operations included the sale of ships worth \$65 million.¹⁴⁷ There were also political considerations. Angola was one of the opinion leaders in Africa and had great influence on mobilising African public opinion.¹⁴⁸ It was important for

¹⁴² UN document S/14464; UN document S/14664/Rev.1; UN document S/14664/Rev.2.

¹⁴³ Telegram of the Spanish representative to the UN on 31 August 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 2.

¹⁴⁴ Telegram of the Spanish representative to the UN on 31 August 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 2; Telegram of the Spanish representative to the UN on 1 September 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 2.

¹⁴⁵ Telegram of the Spanish representative to the UN on 31 August 1981 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 20516, expediente 2.

¹⁴⁶ Report of the Spanish Ministry of Foreign Affairs on 7 September 1981 on the request of humanitarian aid to Angola, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21951, expediente 3.

¹⁴⁷ Report of the Spanish Ministry of Foreign Affairs on 7 September 1981 on the request of humanitarian aid to Angola, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21951, expediente 3.

¹⁴⁸ *Ibid.*

Spain to have Angola as an ally because it could counterbalance those countries within the OAU, which demanded the decolonisation of the Canary Islands. All of these reasons had an important influence on the decisions of the Spanish government, and the Spanish Red Cross, which delivered a generous humanitarian aid package for the victims of the South African attacks. The assistance comprised of almost eleven tonnes of medical instruments, medicines, tents and quilts.¹⁴⁹ The Spanish humanitarian contribution appeared on the front page of one of the main Angolan newspapers, the “Jornal de Angola.”¹⁵⁰ This media coverage surely served to create public opinion favourable to Spain, which could counteract the voices in the OAU, which called for the decolonisation of the Canary Islands.

Spain's policy with regard to Africa offered elements of continuity concerning the policy followed in the previous period, in which Spain was in the SC. Spain, as it did during 1969 to 1970, condemned the apartheid regime, but disliked the adoption of comprehensive sanctions against South Africa for economic, as well as for political reasons. Another element of continuity was the maintenance of friendship links with the African states, which Spain sought to consolidate in this period. As in the past, the situation of Spain within the Western bloc and the good relations maintained with the African and non-aligned countries, helped Spain to act as a facilitator to avoid deadlock within the Council. Finally, the reputation of Spain as an upholder of international law was reinforced not only among the African countries, but within the international community. This was as a consequence of Spain's partisan attitude against the aggression suffered by Lesotho and the Seychelles. In conclusion, the performance of Spain shows us again the important contribution, which middle powers can play in the functioning and prestige of the SC.

The Americas

There were two issues which reached the SC with regard to the Americas: The complaint of Nicaragua against the US, and the Falkland (Malvinas) Islands War. The first was rooted in the Cold War context, and the second had a colonialist background. It was the first time that American issues were discussed, while Spain was in the SC.

¹⁴⁹ Report of the Spanish Ministry of Foreign Affairs on 25 November 1981 on the humanitarian assistance to Angola, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21951, expediente 3.

¹⁵⁰ *Jornal de Angola* (17 August 1982), “Donativos do Governo espanhol”.

The two examples show how difficult it was for Spain to maintain simultaneously their special allegiance with their former colonies, while fulfilling the new Spanish commitments as a democratic government within the Western bloc. At the same time, this particular position made Spain one of the best countries in the SC, to play the role of facilitator and catalyst between the parties in conflict. Both conflicts provide us with examples of how Spain reaffirmed its role as a multilateralist country not only within the SC, but also within the international community. Moreover, the way Spain behaved is evidence of the country's credibility as a suitable candidate to join the organisations, which for a very long time had aspired to belong to, the EEC and NATO.

The complaint of Nicaragua and the request for a SC meeting were motivated by suspects of the revolutionary government of the Sandinista Liberation National Front (SLNF), which seized power in 1979, of an eventual US intervention in the country. This fact was denied by the US representative to the UN, which defined it as an extravagant and baseless charge.¹⁵¹ The issue raised enormous interest and expectations among the states to the point that thirty-two representatives asked if they could take part in the meetings.¹⁵² The Spanish representative, in his intervention, expressed the ambivalent position of Spain when he declared Spain's concern for the deterioration of the situation "...in a part of the world that with which it feels so closely united by bonds of history, culture and shared aspirations." He added that "My government regrets that the development of events has pitted us against each other or could lead to confrontation among countries to which we are linked by what we hope will be ever-growing co-operation and friendship."¹⁵³ This non-partisan attitude and the good relationship that Spain maintained with the US as well as Nicaragua, allowed the Spanish representative to act as a bridge between Nicaragua and the non-aligned countries on the one hand, and the US on the other.¹⁵⁴ It was also the Spanish representative who maintained the flow of communication between Nicaragua and the non-aligned countries, the US, and the other members of the Council, while

¹⁵¹ UN document S/14913; UN document S/PV.2335 (OR).

¹⁵² *Yearbook of the United Nations* 1982 (1986), *op. cit.*, p. 365.

¹⁵³ UN document S/PV.2341 (OR).

¹⁵⁴ Telegram of the Spanish representative to the UN on 19 March 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21951, expediente 8.

discussions were carried out to draw up a draft resolution, acceptable for all parties.¹⁵⁵ However, the efforts of the Spanish representative did not succeed in getting the US support to the draft resolution sponsored by Guyana and Panama.¹⁵⁶ Therefore, the SC was unable to adopt any resolution because of the US veto.¹⁵⁷ Mutual aggressions between Nicaragua and Honduras continued during the following months of 1982.¹⁵⁸ This was because Honduras had become the base for the counter revolutionary forces financed by the US, which tried to overthrow the Nicaraguan revolutionary government.¹⁵⁹ Although the outcome was disappointing, Spain's role was thanked by the Nicaraguan government for its support of the draft resolution.¹⁶⁰

The Nicaraguan case was also an opportunity for Spain to strengthen its role as an upholder of international law, and its inclination for a peaceful solution to disputes. As described in Chapter 1, these are characteristics that define the behaviour of the majority of states. Such characteristics match with the neutrality Spain wished to maintain in this matter. After receiving instructions from the Ministry,¹⁶¹ the Spanish representative took the floor during the discussions, and in his intervention declared that "...the Government of Spain deems unacceptable any type of intervention or interference in the internal affairs of states in violation of the sovereign will of peoples. This is a basic principle of Spain's foreign policy, and one that we regard as a universal applicable norm. There can be no exceptions to this principle...."¹⁶² He added that "...the Government of Spain is prepared to support and to do all in its power to achieve steps towards a peaceful solution to this or any other dispute."¹⁶³ He concluded with "...its faith [that of the Spanish Government] in the virtues of pluralist democracy."¹⁶⁴ Although the Spanish representative did not succeed in reaching the necessary consensus to avoid paralysis in the Council, at least he took the opportunity

¹⁵⁵ Telegram of the Spanish representative to the UN on 31 March 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21951, expediente 8.

¹⁵⁶ UN document S/14941.

¹⁵⁷ *Yearbook of the United Nations* 1982 (1986), *op. cit.*, p. 365.

¹⁵⁸ UN document S/14992; UN document S/15319; UN document S/15417; UN document S/15516; UN document S/15536.

¹⁵⁹ Tulchin, Joseph S. and Knut Walter (1991), "The United Nations and the struggle for democracy in Nicaragua", *Afers Internacionals*, Number 20, p. 97.

¹⁶⁰ Telegram of the Nicaraguan Ministry of Foreign Affairs on 24 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21951, expediente 8.

¹⁶¹ Telegram of the Spanish Ministry of Foreign Affairs on 23 March 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21951, expediente 8.

¹⁶² UN document S/PV.2341 (OR).

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

to define publicly the principles, which inspired the foreign policy of the new democratic Spain. Although it could be argued that these declarations were motivated more by domestic political circumstances than by foreign policy reasons. Let us think that Spain had not finished yet the transition to democracy and it was in process of defining the inspiring guidelines and principles of both Spain's domestic and foreign policies.

The Argentinean invasion of the Falkland Islands and the conflict that followed had more repercussions. The Falkland War was one of the most important matters the SC had to deal with in 1982. It was a conflagration with important colonialist connotations, which for the first time in the twentieth century, confronted two countries (Argentina and the UK) that were in the same side against communism. As a result, both shared common military allies and both maintained important economic and trading relations with each other, and their common allies. This situation created many divisions among and within the Western countries. However, the Western countries were not the only countries to experience these tensions. The conflict also tore apart the traditional solidarity, which existed among the non-aligned countries. Chile, for instance, supported Britain, whereas Colombia remained hesitant,¹⁶⁵ and Panama backed Argentina. These discrepancies also permeated the internal affairs of many other countries. The US main business took the side of Argentina, while members of the Reagan Administration remained divided.¹⁶⁶ This was because the Argentinean Junta between 1976 and 1981 had become the regional agent for the US, which suppressed leftist insurgency at home, and prevented a political slide to the left in Bolivia.¹⁶⁷ These internal discrepancies within the Reagan Administration explain why the US representative vetoed a SC resolution, and later tried to change the vote she had cast.¹⁶⁸ However, the personal contact between Prime Minister Thatcher and President Reagan, after their initial hesitancy, tilted the US position in favour of Britain, and then the US offered some military assistance.¹⁶⁹ The conflict even had an impact on Nepal, where politicians and newspapers requested the withdrawal of the

¹⁶⁵ Mathews, Geoffrey (2 June 1982), "Colombia accused of betrayal", *The Times*.

¹⁶⁶ Ashford, Nicholas (2 June 1982), "US companies take sides with Argentina", *The Times*.

¹⁶⁷ Calvert, Peter (1983), "Latin America and the United States during and after the Falklands Crisis", *Millennium. Journal of International Studies*, Vol. 12, Number 1, p. 71.

¹⁶⁸ Pysariwsky, Zoriana (5 June 1982), "US backtracks on Falklands veto", *The Times*.

¹⁶⁹ Telegram of the Spanish Ambassador to Argentina on 5 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 1.

Gurkhas from the frontline, because it was believed that their involvement in the conflict represented a risk to the non-alignment of the country.¹⁷⁰

Spain was one of the countries who experienced the division of loyalties more intensely. Spain's cultural and emotional links with Argentina, the country's allegiance to one of its former colonies, and the belief that Argentina's claim was justified, clashed with the support Spain owed Britain, as an ally in the same military organisation. Remember Spain had formally joined NATO on 30 May 1982, only few days before the hostilities broke out. Moreover, clear support for Argentina would have meant detachment from Europe just when Spain was beginning to get integrated in the main European organisations. The fact that Britain was the more partisan country in favour of Spain's accession to the EEC was another fact, which the Spanish government had to keep in mind.¹⁷¹ However, similarities between Spain's claims over Gibraltar and Argentina's claim over the Falklands was another powerful emotional component, which accentuated Spain's support for Argentina among politicians and public opinion in general. Nevertheless, although Spain defended the decolonisation of the Falkland, and their return to Argentina in accordance with the principle of territorial integrity of states, Spain's support for Argentina came with great reservations. This was because the Spanish government strongly disagreed with the use of force as a means of solving the dispute over the Islands. Spain was not the only country which disagreed with the Argentinean invasion. Many other countries, especially the small ones, feared that Argentina could set a dangerous precedent. The Spanish representative, Jaime de Pinies, also disagreed with the Argentinean attack, and in his memoirs he affirmed that the Falklands conflict was the most painful episode, which he had to deal with during his presence in the SC.¹⁷²

The only option for Spain was to maintain a position of neutrality in this conflict between these two countries with which Spain maintained important ties. Spain could neither support any resolution from any of the parties in conflict, nor any text contravening the doctrine of decolonisation, because of the repercussions that such support could have concerning Gibraltar. This position of neutrality prevented Spain from participating in the procedural debate prior to the inclusion of the matter on the

¹⁷⁰ *The Times* (9 June 1982), "Nepal's non-alignment risked".

¹⁷¹ Debelius, Harry (3 April 1982), "EEC without Spain would be 'unthinkable'", *The Times*.

¹⁷² Pinies y Rubio, Jaime de (2000), *op. cit.*, p. 359; UN document S/PV.2350 (OR).

SC agenda, and provoked the abstention of Spain in the draft resolutions introduced by Britain and Panama.¹⁷³ The Spanish representative did not support the draft resolution introduced by Panama because it did not condemn the aggression.¹⁷⁴ He also abstained from the voting of SC Resolution 502 (1982) of 3 April because, although he agreed with the demand for a cessation of hostilities, and the withdrawal of Argentinean forces, the text did not mention the colonial aspect of the conflict.¹⁷⁵ Emphasis on the colonial aspect of the conflict had another objective, the reaffirmation of the UN doctrine of decolonisation, which favoured the territorial integrity of states. It did not escape the Spanish representative that the preponderance of the right to self-determination could undermine the principle of territorial integrity of a state, which the doctrine of decolonisation was based upon, and therefore weaken Spain's claim of Gibraltar.¹⁷⁶

The determination of Prime Minister Thatcher to go ahead with military intervention to restore the 'status quo ante,' changed the Argentinean political stance with regard to the Falkland Islands. Initial belligerence gave way to a more flexible approach, with the intention of avoiding a direct military confrontation with Britain. The Argentinean Junta declared twice its willingness to withdraw its forces and comply with SC Resolution 502 (1982) of 3 April, on the condition that the UK ceased hostilities and refrained from using the resolution as an instrument to justify a return to the previous colonial situation.¹⁷⁷ The British representative declined the Argentinean Junta's offer twice, on the grounds that Argentina was not in a position to impose conditions, and that Britain was entitled to exert its rights in self-defence. Moreover, British acceptance could have glossed over the principle of self-determination, and would have left Argentina in a position of force because the Falkland Islands were currently occupied by the Argentinean armed forces. Britain's internal political situation was also an important factor behind this inflexibility. Prime Minister Thatcher was going

¹⁷³ Telegram of the Spanish representative to the UN on 2 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 2; Telegram of the Spanish representative to the UN on 4 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3.

¹⁷⁴ UN document S/14950.

¹⁷⁵ UN document S/PV.2350 (OR); For Spain, an acceptable solution had been the combination of both proposals in one text, Telegram of the Spanish representative to the UN on 4 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3.

¹⁷⁶ Telegram of the Spanish representative to the UN on 5 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 2.

¹⁷⁷ UN document S/14968; UN document S/14984.

through a low political period as a consequence of Britain's economic downturn, which provoked a considerable rise in unemployment. As a result, the popularity of Prime Minister Thatcher plummeted, to the point that even within the Conservative party her authority began to be questioned. To make matters worse, "... the Falklands offered the prospect of a foreign policy humiliation to add to the government's domestic woes."¹⁷⁸ Prime Minister Thatcher desperately needed a boost of popularity to strength her political leadership, and the Falklands issue was an opportunity with that aim. Therefore, she could not make any concessions to the Argentina Junta, although such a political stance was extremely risky for the great uncertainty, which a successful military operation offered. However, there were other reasons for such determination. Britain could not give an impression of weakness because that could encourage other countries in a similar position to Argentina, such as China with Hong Kong, and more unlikely, Spain with Gibraltar. Finally, there was a military component. Britain had been offered logistic and intelligence support from Chile and the US, after the initial neutrality of Washington since the British occupation in the nineteenth century.¹⁷⁹ This support increased considerably the probability of a military success.

From that time the conflict seemed inevitable, and Spain started to take a more active part in and out of the SC, in search of a peaceful solution to the conflict. The Spanish government reiterated continuously its opposition to solving disputes by force, and bolstered bilateral and multilateral diplomacy as a means to settle differences. The Spanish government encouraged the conflicting countries to use the SC as the organ expressly created for such an objective.¹⁸⁰ The King of Spain also appealed to the parties to find a solution by peaceful means and offered his help in the search for peace and justice.¹⁸¹ In the SC, the Spanish representative acted as a bridge, through numerous meetings between the Argentinean and British representatives, and the US

¹⁷⁸ Green, E.H.H. (2006), *Thatcher*, London, Hodder Arnold, p. 159.

¹⁷⁹ Telegram of the Spanish Ambassador to Argentina on 2 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 1.

¹⁸⁰ Communiqué of the Spanish Government on 1 May 1982 found in a letter of the Spanish Ambassador to Austria on 5 May 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21592, expediente 3.

¹⁸¹ Letter of H.M. the King of Spain to the Secretary-General of the UN on 5 May 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 1.

representative, who feared that Argentina would seek support from the USSR,¹⁸² with which it had excellent trade relations.¹⁸³

Between 21 May and 2 June the SC held intermittent meetings during which the members unanimously adopted SC Resolution 505 (1982) of 26 May, which was sponsored by Guyana, Ireland, Jordan, Togo, Zaire and Uganda. This resolution requested the Secretary-General to undertake a renewed mission of good offices, and urged the parties to cooperate with him. Although the Spanish representative voted in favour, he expressed his disappointment with the text. It did not order an immediate cessation of hostilities, and it did not give the Secretary-General a specific mandate.¹⁸⁴ The Spanish representative took the opportunity to reiterate the application of the relevant United Nations resolutions on the issue of the Falkland Islands, as a question of decolonisation.¹⁸⁵ Later, his disappointment turned into scepticism, when the British representative affirmed that the only acceptable condition for a ceasefire was the withdrawal of the Argentinean forces, from the Islands. This was a declaration, in the opinion of the Spanish representative, which left little room for the Secretary-General to play his role of good offices. By 2 June, the conflict had begun to favour Britain, but at a high cost in human lives from both sides. In an attempt to prevent more casualties, the Spanish representative began intense diplomatic relations to gather as much support as possible for the draft resolution, which he and the Panamanian representative would press for a vote.¹⁸⁶ The draft reaffirmed the two resolutions previously adopted and requested an immediate ceasefire. The objectives of the resolutions were to avoid more casualties and prevent Argentina from suffering a military defeat, which seemed would happen. The British representative, who suspected this, employed different dilatory tactics, with the support of the French representative, who was the President of the Council at that time.¹⁸⁷ The aim was to

¹⁸² Telegram of the Spanish representative to the UN on 12 April 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 2.

¹⁸³ Informative note of the Spanish Ministry of Foreign Affairs on 14 April 1982, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 1.

¹⁸⁴ UN document S/PV.2368 (OR).

¹⁸⁵ *Ibid.*

¹⁸⁶ Telegram of the Spanish representative to the UN on 28 May 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3; S/PV.2371 (OR).

¹⁸⁷ Telegram of the Spanish Ministry of Foreign Affairs on 4 June 1982 to the Spanish Ambassadors to the UK and Argentina, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3.

get time to convince other SC members not to support the draft text, and avoid having to wield the veto.¹⁸⁸

On the following day, 3 June, the number of representatives willing to support the draft had diminished from ten to seven, as a consequence of pressure from other SC members.¹⁸⁹ The Spanish and Panamanian representatives amended the draft with the aim of winning back the support of those who had initially given their support to the text.¹⁹⁰ The new draft linked the ceasefire with the implementation of both SC Resolutions 502 (1982) and 505 (1982). As a result of this change, the draft text gained the support of nine members, enough to get it adopted as a resolution.¹⁹¹ Once the nine affirmative votes were achieved again, the Spanish representative requested to press the draft text to vote before any of the nine members could change their mind. Spain's haste caused friction between Jaime de Pinies and the President of the Council (France), when the latter proposed an adjournment. His aim was to give the Spanish representative time to submit the amendment in due form (in writing). However, the Spanish representative suspected it was just a manoeuvre to give Ireland and Guyana enough time to introduce an alternative draft on behalf of Britain.¹⁹² The clash between the President of the Council and the Spanish representative increased tensions surrounding the debates, to the point that their arguing continued in the corridors, after the adjournment of the session.¹⁹³

When the meeting started again, the British representative resorted to new dilatory tactics. He requested that the meeting should be suspended until the following day to give the British government time to consider the amendment.¹⁹⁴ The Spanish representative, aware that the longer the delay, the less support his draft would have, accepted a two hour adjournment under Article 33 of the Provisional Rules of

¹⁸⁸ *Ibid.*

¹⁸⁹ Telegram of the Spanish representative to the UN on 3 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3.

¹⁹⁰ UN document S/15156/Rev.1; UN document S/15156/Rev.2.

¹⁹¹ Telegram of the Spanish representative to the UN on 3 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3.

¹⁹² *Ibid.*

¹⁹³ *Ibid.*

¹⁹⁴ UN document S/PV.2372 (OR); Telegram of the Spanish representative to the UN on 3 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3.

Procedure.¹⁹⁵ The US representative also requested an adjournment to give President Reagan time to convince other Heads of State to support the draft text.¹⁹⁶ The SC convened again the following day and the draft was finally ready for voting. But it was vetoed by the US and British representatives. Efforts as a face-saving strategy to help Argentina, and efforts to avoid more casualties, failed. Hostilities continued during several more days with clear favourable signs for Britain. After two failed attempts to land in Port Stanley,¹⁹⁷ British troops finally disembarked on 12 June. Two days later, Argentinean forces surrendered. On 21 June, British troops occupied the South Sandwich Islands. The outcome was a return to the ‘status quo ante’ on 22 July, when the military blockade was lifted.

The Spanish representative’s diplomacy deployed in the SC in both the Nicaraguan dispute and the Falkland Islands conflict was intense, and fits within the definition of the behaviour of a multilateralist country. He acted as a bridge-builder, facilitator and catalyst in order to achieve a consensus, which allowed the SC to adopt its resolutions. However, his work was not helped by the US and British vetoes, but his diplomatic skills served to consolidate the role of Spain as a multilateralist and bridge-builder power. At the same time both examples offered excellent opportunities to strengthen the reputation of Spain as a champion of international law, and firm supporter of solving disputes by peaceful means.

Conclusion

The election of Spain to a seat in the SC was of great significance for the country. The support of the Western European Others Group (WEOG) in the election process gave Spain the international recognition that Spain had sought for ages. It was not long

¹⁹⁵ Article 33 of the Provisional Rules of Procedure sets out the following: “The following motions shall have precedence in the order named over all principal motions and draft resolutions relative to the subject before the meeting:

1. To suspend the meeting;
2. To adjourn the meeting;
3. To adjourn the meeting to a certain day or hour;
4. To refer any matter to a committee, to the Secretary-General or to a rapporteur;
5. To postpone discussion of the question to a certain day or indefinitely; or
6. To introduce an amendment

Any motion for the suspension or for the simple adjournment of the meeting shall be decided without debate.

¹⁹⁶ Telegram of the Spanish representative to the UN on 3 June 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21952, expediente 3.

¹⁹⁷ UN document S/15189; UN document S/15192.

before the other SC members began to see Spain as an integral part of the Western bloc. Spain's presence in the SC helped to reinforce the legitimacy, recognition, and prestige of the country and its democratic political system, within the international community. A seat in the SC places a country in the spotlight, at the same time as it allows it to participate at the highest level in the decision-making process, on matters of international peace and security. In fact, the presence of Spain in the SC allows for the reaffirmation that Spain is a multilateralist middle power. As described in Chapter 1, the upholding of international law, the tendency to act in accordance with good neighbourly principles, the preference for multilateralism to reach solutions, and the inclination for building coalitions, are all characteristics of the behaviour of multilateralist countries.

6 SPAIN IN THE SECURITY COUNCIL: MODERNISED AND DYNAMIC (1993-1994)

As it was mentioned in Chapter 1, Spain's presence in the SC during 1993-1994 proved to be a difficult period to analyse for two reasons: First, because of the inaccessibility of primary sources; and second, because the Spanish representative during those years was not as forthcoming as we would have liked. Furthermore, neither the Spanish Foreign Ministry nor the Spanish delegation to the UN could provide us with documents with regard to this period. The former informed us that the documents were not available because of the sensitivity of the events which are of a continuing concern. The latter offered no explanation. The Spanish representative may not have been that forthcoming due to the restraints placed on an active member of the diplomatic service, and his worries about expressing publicly his opinions. After all, discretion is an important quality that diplomats must display at all times. However, this is no more than a mere speculation. As a consequence of this vacuum of data, Chapter 6 will be based on information from the national and local newspapers, publications and UN documents available on the internet.

The arrival of Spain on the SC in 1993 was the culmination of a period of splendour in Spanish modern history, which began ten years earlier. In October 1982, three months before Spain left the SC, the Spanish Socialist Party (PSOE) led by Felipe Gonzalez, won the general election with a campaign focused on the slogan "Por el cambio" (For change). The idea was to condense the wide and deep ranging measures, which the Socialist party would carry out to transform the country, into a modernised and advanced state. In 1981 Spain was considered a developing country in receipt of economic aid, in 1991 Spain joined the Committee of Aid of the OECD, and by 1995 the country dedicated 0.24 percent of its GDP to development aid. This exemplifies Spain's remarkable economic progress.¹ The organisation of the Olympic Games in Barcelona and the International Exhibition in Seville both in 1992, were the two events, which best symbolise this process of modernisation. These events served to project worldwide the image of Spain as a modernised, advanced and dynamic country.

¹ Jimenez Redondo, Juan Carlos (2006), *De Suarez a Rodriguez Zapatero: La politica exterior de la Espana democratica*, Madrid, Dilex, p. 75.

Another and most important event in this process of modernisation was Spain's entry into the EEC (now EU), on 1 January 1986. This event was complemented by the referendum, which confirmed Spain as a permanent member of NATO, on 12 March of that same year.² The country's incorporation into both organisations was evidence of Spain's full integration within the Western political, economic and military structures, an aspiration since the years of Franco's dictatorship. The achievement of this ambition meant that Spain, in the words of Fernando Moran (the Spanish Minister of Foreign Affairs between 1982 and 1985), was finally "en su sitio" (in its place).³ This new position within the Western bloc gave Spain relevance in the international context, which it had not had at least since the first quarter of the twentieth century. The significance of Spain's achievement was reinforced by the country's support given to the political and monetary integration of Europe agreed in the Treaty of Maastricht; the election of Spain as a venue for the Peace Conference of the Middle East in 1991; and the Mexican-Spanish initiative of the same year to hold regular Spanish-Latin American summits, which consisted of annual conferences at the level of Heads of States and Prime Ministers of the Latin American countries, with Spain and Portugal.⁴ Spain had started to leave its footprint in the European decision-making process. It persuaded its European partners on the need to pay more attention to the Maghreb countries, a region of traditional Spanish interest.⁵ Then in 1991 Spain achieved the approval of the Renewed Mediterranean European policy, which culminated with the Euro-Mediterranean Conference of Barcelona in 1995. Thus, Spanish foreign policy focused on the three areas of traditional Spanish interest, which are Europe, Latin America, and the Maghreb. These are the traditional areas of Spain's

² Spain's entry into NATO was one of the most, if not the most bizarre episodes of foreign policy in Spain's recent history. As discussed in Chapter 5, Spain became a member of NATO on 30 March 1982, under the government of the Prime Minister Leopoldo Calvo Sotelo. However, seven months later, the Socialist Party, traditionally anti-American, won the general elections with a programme of foreign policy based on its rejection of military blocs, the freezing of negotiations to integrate Spain into the military structure, and the promise of holding a referendum to let the population decide on Spain's entry into NATO. However, once in power, the new Prime Minister, Socialist Felipe Gonzalez, in a personal conversion that he explained as a transition from the "ethic of conviction" to the "ethic of responsibility", using Max Weber's terminology, advocated Spain's permanent membership within NATO.

³ Moran, Fernando (1990), *España en su sitio*, Barcelona, Plaza y Janes.

⁴ Garcia Perez, Rafael (2003), "España en un mundo en cambio: A la búsqueda de la influencia internacional (1986-1992)", in Pereira, Juan Carlos (coord.), *La política exterior de España (1800-2003)*, Barcelona, Ariel, p. 544.

⁵ In modern history Maghreb refers to the five North African countries of Algeria, Libya, Mauritania, Morocco, and Tunisia.

‘niche diplomacy’ since the initial years of Spain’s presence in the SC, which we described in Chapter 1.

We should also highlight Spain’s involvement in peacekeeping operations, which began at the end of the 1980s. Since Spain’s participation in the United Nations Angola Verification Mission (UNAVEM) in 1989, the presence of Spain’s military forces in different peacekeeping missions became more frequent. Spain’s participation in these operations was one important step towards the reaffirmation of Spain’s commitment to international peace and security. Middle powers have traditionally been characterised as important contributors to peacekeeping operations. Spain’s growing involvement in UN missions; its long standing inclination for multilateralism; its defence of international law and the authority of the SC; its rejection of violent means of solving disputes; and its predilection for seeking consensus all made Spain a valuable UN member within the SC and an important contributor to the maintenance of international peace and security. The question of why Spain began its participation in peacekeeping operations precisely in 1989, and not before, will be discussed below.

Spain’s increasing international relevance happened at the same time as the USSR’s ambitious programme of systemic reorganisation. The USSR programme included internal transformations as well as a change in Soviet foreign policy, which aimed at ending the traditional confrontation between the two superpowers. The election of Mikhail Gorbachev as the new leader of the USSR in 1985 marked the beginning of the reformist period. Soviet decisions such as the suspension of new deployments of Intermediate Nuclear Forces in Europe on 7 April 1985;⁶ the unilateral moratorium on nuclear tests on 6 August;⁷ and Gorbachev’s offer to reduce troops in Afghanistan and on the Soviet-Chinese border,⁸ were steps aimed at creating a climate of confidence, and ending any confrontation with the West. These decisions were complemented by a major change in which the expansion of communism worldwide would cease to be a priority. This shift in Soviet foreign policy had the most striking consequences for Europe. The liberalising measures initiated in the Soviet satellite countries, following Moscow’s reformist path, ended with the unexpected fall of all the communist regimes, in a relatively short period of time. The symbol of those changes was, without

⁶ Young, John and John Kent (2004), *International Relations Since 1945. A Global History*, Oxford, Oxford University Press, p. 579.

⁷ *Ibid.*, p. 513.

⁸ *Ibid.*, p. 582.

doubt, the fall of the Berlin Wall in November 1989. This event was broadcast live worldwide on television. However, the nationalist movements unleashed by the liberalising reforms within the USSR undermined the capacity of the Soviet leader to keep control of the situation. The regionalist claims of some of the Soviet republics threatened the territorial integrity of the country. The attempts of Moscow to revert the situation failed. After a coup against Gorbachev between the 28 July and the 21 August, as a last resort to avoid the disintegration of the USSR, the country finally split into fifteen republics, which later formed an association called the Commonwealth of Independent States (CIS). The USSR officially ceased to exist on 25 December 1991. As a result, the map of Europe was radically transformed. This transformation was only comparable to the way Europe changed after the two World Wars of the twentieth century. The Cold War had ended.

In Chapter 2, we described this new atmosphere of cooperation between the USSR and the US, which was a result of the Soviet's new foreign policy. It was not long before it had an impact on the SC. Years before the disintegration of the USSR, as early as in 1986 the permanent members of the SC agreed the renewal of Javier Perez de Cuellar's mandate in an atmosphere of cooperation.⁹ This was followed by the UK representative's initiative at the end of that year to summon other permanent members in a round of informal consultations, with the aim of finding a solution to the long Iran-Iraq war.¹⁰ The outcome of these informal consultations was the creation of the United Nations Iran-Iraq Military Observer Group (UNIIMOG) in 1988, to establish ceasefire lines and monitor its observance.¹¹ Three months earlier, the United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP) had been established. After these two UN missions, others followed: The United Nations Angolan Verification Mission (UNAVEM I) in December 1988, the United Nations Transition Assistance Group (UNTAG) in Namibia in 1989, and the United Nations Observer Group in Central America (ONUCA) in Central America in November 1989. The proliferation of peacekeeping operations was complemented by the 'rediscovery'

⁹ Malone, David M. (2004), "Introduction", in Malone, David M. (ed.), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner, p. 4; Malone, David M. (1998), *Decision-Making in the UN Security Council. The case of Haiti, 1990-1997*, Oxford, Clarendon Press, p. 7.

¹⁰ *Ibid.*, p. 4; Morphet, Sally (1993), "UN Peacekeeping and election-monitoring", in Roberts, Adam and Benedict Kingsbury (eds.) (2nd ed.), *United Nations, Divided World. The UN's roles in international relations*, Oxford, Oxford University Press, p. 211.

¹¹ MacQueen, Norrie (2006), *Peacekeeping and the International System*, Oxon and New York, Routledge, p. 136.

of the articles comprising Chapters VI and VII of the UN Charter, which had been ‘forgotten’ due to their irrelevance as a consequence of the Cold War.

The reaction of the SC to the Iraqi invasion of Kuwait in 1990 became the milestone of this new cooperative mood within the SC. The ‘new world order’, as it was defined, brought as a result the growing importance of the permanent members of the SC in comparison to the non-permanent members, who lost considerable influence in the decision-making process. The non-aligned member’s capacity to play the super powers off each other diminished. The middle powers like Spain also saw their capacity to play the role of catalyst or facilitator between the non-aligned countries and super powers undermined, at least in public. The trend of the permanent members to seek consensus in informal consultations before voting in the chamber, also weakened the bargaining capacity of the non-permanent members. Nevertheless, there were still issues on which disagreements between the permanent members emerged. This happened in 1992 with the outbreak of hostilities in Yugoslavia, which ended with the fragmentation of the country into different republics.¹² Differences and tensions continued between the permanent and non-permanent members in other crises that followed, such as Haiti, Somalia, and Rwanda. Nevertheless, the disagreements never reached the level of the Cold War years. At the same time, the proliferation of peacekeeping operations resulted in an unprecedented economic crisis, which on several occasions threatened the UN with bankruptcy, amidst increasing accusations of mismanagement and squandering.¹³ Even the UN missions on the ground were on occasions the target of allegations of corruption and mismanagement.¹⁴ All of these problems gave way to a period of ‘spreading disillusionment’, as Stephen Ryan called it.¹⁵ However, during these years activity within the SC was of growing importance, despite the setbacks mentioned above, to the point that the activity of the UN during those years became unprecedented in the history of the Organisation.

¹² Berdal, Mats (2004), “Bosnia”, in Malone, David M. (ed.), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner, pp. 451-464.

¹³ *El Correo Español* (16 August 1993), “La ONU pierde fondos por corrupcion y despilfarro, segun ‘The Sunday Times’”; Iraburu, Beatriz (5 September 1993), “ONU, la burocracia del despilfarro”, *El Correo Español*; *El País* (22 August 1993), “Pobres de dia, ricos de noche”.

¹⁴ *El Correo Español* (29 September 1993), “La ONU niega que ‘cascos azules’ esten implicados en venta de armas”; *El Correo Español* (28 September 1993), “Soldados de la ONU, sospechosos de contrabando de drogas y alcohol”.

¹⁵ Ryan, Stephen (2000), *The United Nations and International Politics*, Basingstoke and London, MacMillan Press Ltd, p. 110.

Spain's election to the Security Council

In the previous periods (1969-1970; 1981-1982), Spain sought the legitimacy and recognition that the SC grants to its members. On this occasion (1993-1994), Spain's campaign for a seat in the SC was motivated mainly by the opportunity to participate in the decision-making process at a stage in which Spain was providing troops for several peacekeeping missions.¹⁶ The main concern of the Spanish government was Yugoslavia, where Spain had deployed a considerable number of troops.¹⁷ Although the Spanish Foreign Ministry agreed that information provided by the two European permanent members, France and the UK, had improved in quantity and quality during recent years, the Spanish government wanted to have its own voice and vote, as well as being a part of the efforts to coordinate the policies of the EU members.¹⁸ After all, in spite of the trend towards a European foreign policy, the SC is an organ where the national interests of states still predominate.

As in the previous periods, Spain's campaign for a seat on the Council was characterised by the fierce competition among the candidates. On this occasion Spain's rivals were New Zealand and Sweden. The election of New Zealand was almost certain, because as the outgoing WEOG members were Austria and Belgium, the principle of geographical distribution of posts meant that this time the Oceania region would be represented in the Council. Therefore, Sweden was the candidate Spain needed to defeat. This goal required intense activity within Spain's diplomatic machinery. This was because Sweden was a much respected member within the UN for its traditional contribution to peacekeeping operations, and generous donations to aid programmes for the Third World.¹⁹ Such generosity made Sweden a very popular country among the Third World states, who were the majority in the General Assembly.²⁰ Competition was also fierce within the WEOG, where Sweden had the support of the other Nordic countries, who also lobbied on its behalf. New Zealand had the support of Canada and Australia, countries that with New Zealand form the

¹⁶ Ayllon, Luis (2 January 1993), "España reforzara este año su papel mundial desde el Consejo de Seguridad de la ONU", *ABC* (ed. Sevilla).

¹⁷ Cembrero, Ignacio (31 December 1992), "España ingresa mañana en el Consejo de Seguridad de una ONU que ha impulsado las misiones de paz", *El País*.

¹⁸ *Ibid.*

¹⁹ Arias, Inocencio (2006), *Confesiones de un diplomático. Del 11-S al 11-M*, Barcelona, Planeta, p. 14.

²⁰ *Ibid.*

Canada, Australia and New Zealand subgroup (CANZ) within the WEOG.²¹ However, in spite of Sweden's support in and out the WEOG, Spain's intense diplomatic campaign and traditional support from the Latin American, Arab and African countries were the decisive factors, which gave the victory to Spain in the GA at the first ballot. The election of New Zealand was more difficult because it had less influence than Spain, and it was elected at the third ballot.²² Spain's election meant the recognition of Spain as a significant actor in the maintenance of international peace and security. Spain's election was surely influenced by Spain's increasing participation in peacekeeping operations. Nevertheless, the commitment to international peace and security was somewhat blurred in the year of the election because of Spain's economic crisis. This meant that Spain was unable to pay its contribution to the UN regular budget, and provide financial support for some of the UN peacekeeping operations.²³ This was especially embarrassing since Spain had made punctuality of payments one of its campaign issues.²⁴ The election of Spain, however, enlarged Spain's political stature because Spain would be able to participate in the decision making process on a wide range of issues related to international peace and security, including those in relation to the countries where Spanish troops were deployed.

The Security Council's agenda (1993-1994)

Spain's arrival in the SC in 1993 came at a period of feverish activity within the SC. This was a consequence of a new atmosphere of cooperation, which resulted in a widening of the Council's agenda, the proliferation of peacekeeping missions, and the implementation of new working patterns. The widening of the Council's agenda was primarily a result of cooperation between the permanent members. However, it was also a result of the broadening of the concept of what constituted a threat to international peace and security, which not only included open conflict but also poverty, disease, famine and violations of human rights and fundamental freedoms.²⁵ This expanded understanding of the concept of threats to international peace and

²¹ Malone, David M. (2000), "Eyes on the Prize: The Quest for Non-permanent Seats on the UN Security Council", *Global Governance*, Vol. 6, Number 1, Jan-Mar., p. 12.

²² Cembrero, Ignacio (31 December 1992), "España ingresa mañana en el Consejo de Seguridad de una ONU que ha impulsado las misiones de paz", *El País*.

²³ Cembrero, Ignacio (2 November 1992), "España deja de pagar a la ONU por primera vez cuando accede al Consejo de Seguridad", *El País*.

²⁴ *Ibid.*

²⁵ Boutros-Ghali, Boutros (1992), *An Agenda for Peace*.

security resulted in the growing number and complexity of UN missions, which now included not only traditional peacekeeping, but also preventive diplomacy, peacemaking, as well as peace-building.²⁶ The peak of SC activity was reached in 1993, the year in which the SC held 247 formal meetings, adopted 137 resolutions and 144 presidential statements.²⁷ In the following year there was a decline in the number of formal meetings (98), and consultations of the whole also decreased (from 253 to 180). Nevertheless, the Secretary-General reported that "These figures do not reflect a diminution in the Council's activities, but a somewhat different pattern of work."²⁸ Thus, the increasing activity of the SC during this period continued with the trend, which started in the previous periods of Spain's presence in the SC. However, in this third period the SC not only focused on the traditional areas of Council's concern (the Middle East, Africa, Asia and Latin America), but it also focused on Europe. The inclusion of Europe was motivated by the conflicts provoked by the nationalist movements, which resurged in Yugoslavia and the Caucasus,²⁹ after the Cold War.

The Middle East

The SC played a secondary role with regard to the Middle East during the early 1990s. The absence of major conflicts in the region, and the new atmosphere of understanding between Israel and the Palestinians, explains the limited involvement of the SC. The fact that the peace negotiations did not include the UN, also explains the limited role that the UN played with regard to the Middle East during this period. Consequently, Spain also kept a low profile on this matter. However, the relative tranquillity in the area was not the only reason, which explains Spain's minor role. The atmosphere of cooperation among the SC members, especially the permanent members, was also a factor that constrained Spain and the other non-permanent member's scope of action. Another important reason was the shift in Spain's policy with regard to the Middle East, since the recognition of Israel in 1986. From that time, Spain's policy on the Middle East became more balanced and less partisan in support of the Arab countries

²⁶ *Ibid.*

²⁷ Boutros-Ghali, Boutros (1994), "Report of the Secretary-General on the work of the Organisation", *Yearbook of the United Nations 1993*, Vol. 47, Department of Public Information United Nations, Dordrecht, Boston and London, Martinus Nijhoff Publishers, p. 7.

²⁸ Boutros-Ghali, Boutros (1995), "Report of the Secretary-General on the work of the Organisation", *Yearbook of the United Nations 1994*, Department of Public Information United Nations, The Hague, Boston and London, Martinus Nijhoff Publishers, p. 6.

²⁹ The Caucasus is a geopolitical region at the border of Europe and Asia.

and the Palestinians. This moderate approach had its origins in the previous period of Spain's membership in the SC, during which the condemnations of Israel were based on rational concerns.³⁰

The beginning of the 1990s was indeed a period of optimism. The Conference of Madrid in 1991 was held under the auspices of the US and the USSR, and although it ended with modest results, it served as a first approach between the parties, who agreed to continue the negotiations on the basis of SC Resolution 242 (1967) of 22 November and SC Resolution 338 (1973) of 22 October.³¹ This agreement was colloquially known as the principle of 'peace for territories'. Negotiations resumed in Washington, where the parties exchanged letters of mutual recognition after which they signed the Declaration of Principles on Interim Self-Government Arrangements, on the basis of what was agreed at Madrid.³² The Declaration represented a milestone towards the end of the confrontation between Israel and Palestine. Both recognised the need for a comprehensive peace settlement, which allowed them to live in peaceful coexistence.³³ It also contained an agreement for the autonomy of the occupied territories of the Gaza Strip and the West Bank. Notwithstanding these agreements, peace was still fragile. Events such as the massacre in Hebron in February 1994, threatened to derail the whole peace process.³⁴ Aware of this, the SC condemned the massacre in SC Res 904 (1994) of 18 March, and called for the implementation of the Declaration of Principles without delay. The situation also remained tense and volatile within southern Lebanon and the Golan Heights. This is why the Secretary-General recommended the continuation of the United Nations Interim Force in Lebanon (UNIFIL) mission in southern Lebanon, and the United Nations Disengagement

³⁰ See Chapter 5, pp. 105-106.

³¹ ABC (ed. Seville) (4 November 1991), "Israel acepta discutir la autonomía de los territorios ocupados con los palestinos".

³² *Yearbook of the United Nations 1993* (1994), Vol. 47, Dordrecht, Boston and London, Department of Public Information United Nations, New York, Martinus Nijhoff Publishers, p. 521.

³³ *Ibid.*, p. 522.

³⁴ On 25 February 1994, a Zionist extremist entered the Al-Ibrahimi Mosque situated in Hebron on the West Bank, and shot at Palestinians worshipping in the Mosque. The result was the tragic loss of more than 40 lives. Around 150 more people were wounded. Haberman, Clyde (26 February 1994), "WEST BANK MASSACRE: The Overview; AT LEAST 40 SLAIN IN THE WEST BANK AS ISRAELI FIRES INTO MOSQUE; CLINTON MOVES TO RESCUE TALKS - - NEW CLASHES LIKELY", *The New York Times*; Ifill, Gwen (26 February 1994), "WEST BANK MASSACRE: Diplomacy; Clinton Calls Peace Talks From Cairo to Washington", *The New York Times*.

Observer Force (UNDOF) mission in the Golan Heights.³⁵ As a consequence, the SC agreed unanimously to extend their mandates during 1993 and 1994.³⁶

The UN remained as a secondary actor in the Middle East process. At the Madrid Conference its role was restricted to that of a mere observer, and there was no UN participation in the Oslo process at which the Declaration of Principles was signed.³⁷ The UN's role was restricted to being a guarantor of stable conditions in the region in order to avoid the derailment of the peace process. The SC continued to authorise UNIFIL to monitor the cessation of hostilities and to provide humanitarian aid, and UNDOF to maintain the ceasefire between Israel and Syria. However, this was a task that the SC had been doing many years before the peace negotiations took place. Although Spain was in the SC, its involvement had no significant influence on the Middle East peace process. Any involvement would have been seen by the sponsoring powers as interference in the peace process and could have affected the negotiations. The best option, thus, was to encourage the peace process from the SC.

More important was the role played by the UN and the SC regarding the Iraq-Kuwait border. Both were involved in the demarcation of the international boundary between Iraq and Kuwait, and in the monitoring of the demilitarised zone between the two countries in fulfilment of SC Resolution 687 (1991) of 3 April. This required the destruction, removal and rendering harmless of all chemical and biological weapons and ballistic missiles with a range greater than 150 kilometres. Monitoring of the demilitarised zone was supervised by the United Nations Iraq Kuwait Observation Mission (UNIKOM). Its task was to deter border violations and report on any hostile action.³⁸ The International Atomic Energy Agency (IAEA) and United Nations Inspection Commission (UNSCOM) were in charge of the search for evidence of a nuclear programme and the location, removal and destruction of chemical and biological weapons. The demarcation task concluded successfully in 1993,³⁹ but the inspections proved to be more difficult because of the obstructionist attitude of the

³⁵ UN document S/26111; UN document S/1994/62; UN document S/25809; UN document S/26781; UN document S/1994/587&Corr.1; UN document S/1994/1311.

³⁶ SC Resolution 803 (1993) of 28 January; SC Resolution 852 (1993) of 28 July; SC Resolution 830 (1993) of 26 May; SC Resolution 887 (1993) of 29 November; SC Resolution 895 (1994) of 28 January; SC Resolution 921 (1994) of 26 May; SC Res 962 (1994) of 29 November.

³⁷ Jones, Bruce D. (2004), "The Middle East Peace Process", in Malone, David M. (ed.), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner Publishers, p. 395.

³⁸ www.un.org/en/peacekeeping/missions/past/unikom/mandate.html, accessed on 27 February 2010.

³⁹ SC Resolution 833 (1993) of 27 May.

Iraqi authorities. Such attitude provoked moments of tension, as when Iraq deployed troops near the Kuwait border, an act that was condemned by the SC.⁴⁰ This act was considered a mistake because it delayed a reduction in the sanctions imposed against Iraq.⁴¹ The Spanish Minister of Foreign Affairs, Javier Solana, shared this opinion. Nevertheless, France and Russia, the two closest allies of Iraq before the invasion of Kuwait, had already begun to support the Council's call for the partial lifting of the sanctions if Iraq continued to co-operate.⁴² Russia's interest was for economic reasons. Britain and the US considered the softening of sanctions premature, even though their refusal to support a call for the partial lifting of sanctions might isolate them in the SC. Iraq's recognition of Kuwait was a move to persuade Britain and the US to lift the embargo.⁴³ However, Britain and the US remained opposed, so the Iraqi authorities asked the Spanish representative to intervene and mediate on Iraq's behalf.⁴⁴ As Spain supported the partial softening of the embargo, the Iraqi authorities hoped that the Spanish representative could persuade both the US and Britain to follow suit. The traditional good relationship between Spain and Iraq, and Spain's presence in the SC, are the reasons why Iraq requested assistance from the Spanish representative. But Spain's mediation efforts did not succeed, and a few months later the SC decided to maintain the sanctions until Iraq had fully complied with all the demands imposed after Iraq's expulsion from Kuwait.⁴⁵

Europe

The end of the Cold War and the collapse of the USSR brought the resurgence of nationalistic movements, which had remained latent during the years of Soviet dominance. In Russia, the nationalist outbreak was especially violent in the ex-Soviet republics of Armenia, Azerbaijan, Georgia, Moldova and Tajikistan. Similarly, the

⁴⁰ Walker, Christopher (8 October 1994), "Iraqi moves heralded by threats over sanctions", *The Times*; Bone, James (10 October 1994), "Hard line on oil ban led to Iraqi backlash", *The Times*; SC Resolution 949 (1994) of 15 October.

⁴¹ *El País* (12 October 1994), "Una tragedia para el pueblo Iraqui".

⁴² *El País* (18 November 1994), "Francia y Rusia quieren que la ONU revise en unos meses las sanciones a Irak".

⁴³ Abdo Geneive and James Bone (11 November 1994), "Iraq recognises Kuwait in move to appease West", *The Times*; *El País* (11 November 1994), "Irak reconoce la soberanía de Kuwait para lograr el levantamiento de las sanciones de la ONU".

⁴⁴ *El País* (23 November 1994), "Tarek Aziz pide ayuda a España para que la ONU levante las sanciones a Irak".

⁴⁵ Rhodes, Tom (6 March 1995) "UN to maintain sanctions on Iraq", *The Times*; Bone, James (14 March 1995), "UN keeps sanctions on Iraq", *The Times*; *El País* (14 March 1995), "Se mantienen las sanciones a Irak".

death of Tito provoked an explosion of nationalist movements in Yugoslavia, which ended with the disintegration of the country. Religious and ethnic reasons explain why the violence in both some of the ex-Soviet republics and Yugoslavia reached extreme intensity. By contrast, in other ex-Soviet republics that were religiously and ethnically more homogeneous, nationalistic movements gained independence by peaceful means. This is what happened in the Ukraine, the Baltic States, and Belarus.

The SC focused its attention on the Caucasus and the former Yugoslavia, the two regions where nationalism was displayed in a violent manner. Nevertheless, the SC kept a low profile with regard to the Caucasus, where in some areas the Council delegated peacekeeping to the Commission on Security and Cooperation in Europe (CSCE). As a result there was a division of labour. The CSCE took the lead in Nagorny Karabakh, Moldova and South Ossetia, while the UN operated in Tajikistan and Abkhazia.⁴⁶ Thus, UN involvement in the Caucasus was limited. There are a number of reasons why the SC kept a low profile: Russia still had a great influence on the newly created republics, which were considered by Russia as its backyard. Furthermore, there was a fear that Russia would veto any excessive involvement of the UN in the region. This happened after Russian intervention in Afghanistan in 1980. The SC members also had little interest in the region (except Russia), and the SC was also unwilling to get entangled in more conflicts after its embroilment in the former Yugoslavia. Spain's role on matters discussed in the SC with regard to the ex-Soviet republics was merely testimonial.

The participation of the SC and Spain in conflict resolution with regard to the former Yugoslavia was more important. Spain took a leading role in the Council in coordination with Britain and France, who were two of the main contributors to the peacekeeping forces deployed in the former Yugoslavia. After the Maastricht Treaty of 1992 there was a search by EU members for a more coordinated foreign policy within the EU. The fourth country in this 'coalition' was the US, who also participated actively in the SC, but did not have troops on the ground. Nevertheless, the US took a political lead in the Steering Committee of the International Conference on the former Yugoslavia in 1991, the forum for negotiations to resolve the crisis. The number of resolutions sponsored by Spain in conjunction with Britain, France and the US, is an

⁴⁶ *Yearbook of the United Nations 1993* (1994), *op cit.*, p. 518.

indicator of the substantial role Spain played in resolving the crisis. In March the Spanish representative and five others co-sponsored SC Resolution 816 (1993) of 31 March. This resolution extended the ban on flights over Bosnia Herzegovina (operation ‘Deny Flight’).⁴⁷ In that same year, Spain cosponsored with Cape Verde, Djibouti, France, Morocco, Pakistan, the UK, the US and Venezuela SC Resolution 820 (1993) of 17 April. This resolution tightened the sanctions regime over Serbia and Montenegro and the areas of Bosnia Herzegovina controlled by the Serbs. The following month, they co-sponsored SC Resolution 827 (1993) of 25 May. This resolution established an International Tribunal to prosecute those “...persons responsible for serious violations of international humanitarian law committed in the territory of former Yugoslavia...”. Then Spain co-sponsored with France, Russia, Britain and the US SC Resolution 836 (1993) of 4 June. Among other things, this resolution authorised the United Nations Protection Force (UNPROFOR) to use force, not only in self-defence, but also in retaliation to any bombardment, incursion or attack against the safe areas. It also authorised the use of force to prevent any deliberate obstruction of humanitarian deliveries, and the use of air power to support UNPROFOR in the performance of its mandate. The representatives of the same countries co-sponsored SC Resolution 844 (1993) of 18 June. This resolution authorised the reinforcement of UNPROFOR as a consequence of the change of its mandate. Previously the Spanish representative had co-sponsored the deployment of international observers to facilitate the implementation of the sanctions regime imposed over Bosnia with the US, France, Britain and Russia.⁴⁸ Then Spain co-sponsored with France, Hungary, Britain and the US SC Resolution 855 (1993) of 9 August. This resolution called upon the authorities of Serbia and Montenegro “... to reconsider their refusal to allow the continuation of the activities of the CSCE mission in Kosovo, Sandjak Vojvodina...”

Spain’s active role in the SC with regard to the conflict in the former Yugoslavia continued during the following year. In March Spain co-sponsored with France, Russia, Britain and the US SC Resolution 900 (1994) of 4 March. Among other things, this resolution called for the parties to cooperate with UNIPROFOR in the consolidation of a cease-fire in and around Sarajevo. In April Spain co-sponsored with

⁴⁷ The other countries that cosponsored the resolution were France, Morocco, Pakistan, Britain and the US.

⁴⁸ SC Resolution 838 (1993) of 10 June.

France, Russia and Britain SC Resolution 913 (1994) of 21 April. In this resolution the SC demanded the conclusion of the cease-fire in Bosnia Herzegovina, and the release of UNPROFOR personnel held by the Bosnian Serbs. In the same month, Spain co-sponsored with France and Britain SC Resolution 914 (1994) of 27 April. This resolution increased UNPROFOR personnel. In September, Spain co-sponsored SC Resolution 942 (1994) of 23 September. In this resolution, the SC tightened the economic sanctions imposed upon the areas of Bosnia Herzegovina under the control of the Serb forces. The same day, Spain co-sponsored with the Czech Republic, France, Germany, Russia, Britain and the US SC Resolution 943 (1994) of 23 September. In this resolution, the SC eased the economic sanctions over Serbia and Montenegro as long as the border with Bosnia Herzegovina remained closed. In the same month, Spain also co-sponsored SC Resolution 947 (1994) of 30 September. Among other things, this resolution extended the mandate of UNPROFOR, and declared the restoration of Croatia's authority in the "pink zones."⁴⁹ In November, Spain co-sponsored with France, Germany, Russia, Britain and the US SC Resolution 958 (1994) of 19 November. In this resolution, the SC extended the area subjected to air strikes to the United Nations Protected Areas (UNPAs) in Croatia, in an attempt to stop Serb attacks on Bosnia Herzegovina from these areas. Then, in November, the same countries co-sponsored SC Resolution 959 (1994) of 19 November. In this resolution, the Council condemned the violations of the border between Croatia and Bosnia Herzegovina.

In spite of these joint resolutions, there were some important concealed differences among the Western Europeans, Russia, and the US, on the way to approach the conflict. It was said that the conflict in the former Yugoslavia had definitely ended the atmosphere of cooperation, which had permeated the SC since the end of the Cold War. Disagreements among the permanent members hindered the adoption of vital decisions that could have helped avoid many of the atrocities, which were a frequent feature of this conflict. In 1993-1994, the disagreements focused on bombing the Serbian positions in Bosnia-Herzegovina in an attempt to halt the ethnic cleansing, which the Bosnian Serbs, with the support of Serbia and Montenegro, were carrying out on the Muslims in this ex-Yugoslavian republic. The US and the Muslim countries

⁴⁹ The 'pink zones' and the UNPAs were zones of Croatian territory with the presence of a Serb population.

present in the Council supported NATO air strikes to halt Serbian ethnic cleansing, but France, Britain and Spain, were reluctant to take such an initiative. This was because air strikes could provoke retaliation against the UNPROFOR troops, who were mainly composed of members of these nationalities. Russia was also reluctant to adopt any measure against the Serbs for religious and ethnic affinities with the Serbs. Moreover, the assertion of Russia as a major power also played an important role.⁵⁰ Spain, in particular, preferred the adoption of a complete and strict embargo over Serbia and Montenegro; the total isolation of Bosnia-Herzegovina; the intensification of the humanitarian aid; and the creation of protected areas.⁵¹ The adoption of SC Resolutions 820 (1993) of 17 April, 838 (1993) of 10 June, and SC Resolution 942 (1994) of 23 September, supported these objectives. The reluctance of the Spanish government to support NATO air strikes was also influenced by domestic circumstances. There was a lack of popular support for Spanish troops to get involved in the conflict.⁵²

The SC members began to overcome their differences in 1993, when the ethnic cleansing resumed with renewed cruelty, despite the resolutions, which the SC had adopted during 1992. The resolutions demanded the ending of hostilities;⁵³ imposed economic sanctions on Serbia and Montenegro,⁵⁴ strengthened UNPROFOR;⁵⁵ imposed a ban on military flights over Bosnia-Herzegovina;⁵⁶ and a tightening of economic sanctions on the Republic of Yugoslavia (Serbia and Montenegro).⁵⁷ During the generation of consensus the mass media played an important role. The daily broadcasts of the tactics employed by those guilty of ethnic cleansing, which included medieval sieges of cities, with the objective of killing people through starvation; systematic rape as a war weapon; indiscriminate murdering of civilians; massive forceful displacement of the population; and the creation of concentration camps,

⁵⁰ Berdal, Mats (2004), *op. cit.*, p. 458.

⁵¹ *El Correo Español* (18 December 1993), "La OTAN ultima los planes para sellar el espacio aereo de Bosnia."

⁵² In May 1993 the Centre of Sociological Research (Centro de Investigaciones Sociologicas) or CIS revealed that 80 percent of the Spanish population agreed with the humanitarian role of the Spanish troops. However, just over 40 percent agreed with the use of Spanish troops as a interposition force and only 23 percent supported the involvement of Spanish troops in a peacekeeping mission, in Aviles Farre, Juan, "España, la OTAN, y los conflictos de la antigua Yugoslavia", in http://iugm.es/uploads/tx_iugm/aviles-espana01.pdf, accessed on 15 August 2010.

⁵³ SC Resolution 752 (1992) of 15 May.

⁵⁴ SC Resolution 757 (1992) of 30 May.

⁵⁵ SC Resolution 758 (1992) of 8 June and SC Resolution 764 (1992) of 13 July.

⁵⁶ SC Resolution 781 (1992) of 9 October.

⁵⁷ SC Resolution 787 (1992) of 16 November.

greatly influenced in the generation of consensus among SC members. These acts of violence caused dismay and consternation among public opinion within the Western countries, which lobbied their respective leaders to take the initiative and call a halt to these atrocities.⁵⁸ As a consequence of this pressure, the SC members put aside their differences and began to concentrate on effective decision-making. On 22 February 1993 the SC decided to establish the International Tribunal for the prosecution of those responsible "...for serious violations of the international humanitarian law committed in the territory of former Yugoslavia since 1991."⁵⁹ Furthermore, the representatives of France, Britain and Spain agreed to NATO air strikes. Although Russia was not a member of NATO, she also agreed, but demanded that the attacks be focused on the Serb aircraft that flew within the Bosnian airspace, which meant that aircraft on the ground would be excluded from attacks.⁶⁰ This convergence among the SC members allowed the adoption of the aforementioned SC Resolution 816 (1993) of 31 March, SC Resolution 836 (1993) of 4 June, and SC Resolution 824 (1993) of 6 May, which declared several cities in Bosnia-Herzegovina (Sarajevo, Tuzla, Zepa, Gorazde, Bihać and Srebrenica) as safe areas under Chapter VII of the Charter.

To conclude, Spain seemed to have an active participation in the decision-making process given the number of resolutions co-sponsored by Spain with regard to the conflict in the former Yugoslavia (15). Although no direct evidence can be provided, the number of resolutions co-sponsored by Spain suggests that Spain could have played a significant role as catalyst and facilitator. When states act as catalysts, they use their diplomatic abilities to trigger international initiatives and take the lead in gathering followers around it. Presumably, Spain would have played such role. It seems logical to think that Spain would have contributed to obtain followers among the SC members in support of the resolutions that it co-sponsored. This presumable active participation of Spain in the SC decision-making process, and the country's significant contribution to the UN missions on the battlefield, are steps towards the consolidation of Spain as a relevant actor in the maintenance of international peace and security. In the previous periods of the country's membership in the SC, Spain also played the role of catalyst and facilitator with some success, although Spain's

⁵⁸ *The New York Times* (7 January 1993), "Stop negotiating with Serbia".

⁵⁹ SC Resolution 808 (1993) of 22 February and SC Resolution 827 (1993) of 25 May.

⁶⁰ *The New York Times* (19 January 1993), "Allies to Use Threat of Action on Flight Ban as Way to Press Serbs".

participation in UN peacekeeping missions, another measure of commitment with international peace and security, was non-existent. However, during this present period of membership (1993-1994) Spain not only continued to perform the role of catalyst and facilitator by co-sponsoring and encouraging the adoption of resolutions, but also played an important role in the field as one of the contributors to UNPROFOR troops. However, smaller countries such as the Netherlands and Jordan were larger contributors.⁶¹ Nevertheless, Spain still scored as the ninth contributor to UNPROFOR personnel out of thirty-six participating countries.⁶² Considering Spain's active participation in peacekeeping operations began just four years earlier, participation in UNPROFOR should be considered as an important step in the consolidation of Spain as a contributor to the maintenance of international peace and security.

Africa

The African continent received more attention from the SC during 1993 and 1994. In 1993, nearly 27 percent of all the resolutions adopted were on African affairs. This increased to approximately 42 percent in 1994. Although this region was important to the SC, it is difficult to say exactly what role Spain played in African affairs. This was because on most occasions the resolutions were discussed in private consultation among the Council members, and the representatives only gathered publicly in the Chamber to adopt them by unanimity. In the same manner, when the SC prepared presidential statements, they were also issued after consultation among the SC members behind closed doors. As we explained in the methods section in Chapter 1, any primary documentation of this period (1993-1994) is limited and this does not help us to discern with any accuracy the degree of Spain's involvement in the draft texts. A further difficulty is the absence of personal testimonies of the Spanish representative to the UN, Juan Antonio Yañez-Barnuevo. However, there is evidence that on occasions Spain played an active role in the decision-making process during 1994.

The Spanish representative co-sponsored with the representatives of the Czech Republic, France, Russia, Britain and the US SC Resolution 918 (1994) of 17 May. This resolution reinforced and extended the mandate of the United Nations Assistance

⁶¹ www.britains-smallwars.com/Bosnia/UNPROFOR.html, accessed on 25 February 2010.

⁶² Hribek, Miloslav (1995), "Lost in the Yugoslav Triangle: Diary Notes from UNPROFOR Missions", *International Peacekeeping*, Vol. 2, Number 2, Summer, p. 244.

Mission in Rwanda (UNAMIR), which imposed an arms embargo on Rwanda, and requested the Secretary-General to report on any serious violations of international humanitarian law. However, these measures did not stop the chaotic situation, which prevailed in the country because of the widespread violence. The Spanish representative also co-sponsored with the representatives of Argentina, Czech Republic, France, New Zealand, Russia, Britain and the US SC Resolution 935 (1994) of 1 July. This resolution requested the Secretary-General to establish a Commission of Experts to investigate the violations of international humanitarian law in Rwanda. Months later, with the representatives of France, New Zealand, Nigeria, Rwanda and Britain, the Spanish representative co-sponsored SC Resolution 946 (1994) of 30 September. This resolution extended the mandate of the United Nations Operation in Somalia II (UNOSOM II) for one further month, and encouraged the Secretary-General to consider any other option, including withdrawal, because of the deteriorating situation in Somalia. Finally with regard to Rwanda, the Spanish representative co-sponsored with the representatives of Argentina, France, New Zealand, Russia, Britain and the US SC Resolution 955 (1994) of 8 November. This resolution established the International Tribunal to prosecute persons responsible for genocide and serious violations of humanitarian law in Rwanda. As with the resolutions concerning the former Yugoslavia, by co-sponsoring these resolutions Spain played a significant role as a catalyst and facilitator. It is less clear whether Spain acted as a leader or follower within the group of co-sponsoring members.

Spain also participated in a number of UN missions deployed in Africa: Spain participated in UNAMIR by providing one aircraft and twenty blue helmets,⁶³ which among other tasks had to monitor the cease-fire; assist in mine clearance; monitor the repatriation of Rwandan refugees; and assist in the coordination of humanitarian assistance activities.⁶⁴ Spain contributed to the United Nations Angola Verification Mission (UNAVEM II) by providing seventy-five military observers between 1991 and 1995.⁶⁵ It was the task of UNAVEM II to monitor the cease-fire agreements

⁶³ www.un.org/en/peacekeeping/missions/past/unamirF.htm, accessed on 27 February 2010; Martínez, Alvaro (1 September 1994), "Solana anuncia el envío de una veintena de "cascos azules" españoles a Ruanda", ABC (ed. Sevilla).

⁶⁴ SC Resolution 872 (1993) of 5 October.

⁶⁵ Aguirre, Mariano and Francisco Rey (22 July 2001), "Development Co-operation and Humanitarian Action in Spanish Foreign Policy", in www.jha.ac/articles/a071.pdf, accessed on 27 February 2010.

throughout the country and verify the neutrality of the Angolan police.⁶⁶ Its mandate was enlarged later to include the task of supervising the electoral process.⁶⁷ Although free and fair elections were held in September 1992, there was a return to hostilities after the electoral process, which led to the extension of the UN mission during the following months.⁶⁸ Spain contributed to the United Nations Operation in Mozambique (ONUMOZ) by providing forty-five policemen and twenty military observers.⁶⁹ Their mission was to help to implement the peace agreement between the government of Mozambique and RENAMO (the Mozambican National Resistance political party).⁷⁰ Spain also participated in the United Nations Observer Mission in South Africa (UNOMSA) by providing forty observers to supervise the elections in the country.⁷¹ Finally, although not a peacekeeping operation as such, Spain took part in the Unified Task Force (UNITAF), a multinational force deployed in Somalia to secure the aid routes for the delivery of humanitarian aid (Operation Restore Hope). This mission was led by the US and authorised by the Council in SC Resolution 794 (1992) of 3 December 1992.

Spain's contribution to the different UN missions in Africa was symbolic in comparison to that of the African countries, who led the majority of UN missions in Africa. However, compared with other Western countries, Spain's involvement was uneven. For example, Spain's contribution to UNAVEM II was greater than that of India, the Netherlands, and Norway, who provided less than ten personnel. Other countries such as Canada, Italy, and Poland made no contribution.⁷² However, the Spanish contribution to ONUMOZ was less significant. Spain contributed with less than 100 personnel to a total force of 6,754 military personnel.⁷³ The Spanish involvement clearly fell behind the main contributors, such as Bangladesh (1,262 members), Botswana (768), Uruguay (857), or Zambia (843), India (910), Italy (222),

⁶⁶ www.un.org/en/peacekeeping/missions/past/Unavem2/UnavemIIB.htm, accessed on 25 August 2010.

⁶⁷ *Ibid.*

⁶⁸ SC Resolution 804 (1993) of 29 January; SC Resolution 823 (1993) of 30 April; SC Resolution 834 (1993) of 1 June; SC Resolution 851 (1993) of 15 July; SC 864 (1993) of 15 September; SC Resolution 890 (1993) of 15 December; SC Resolution 903 (1994) of 16 March; SC Resolution 922 (1994) of 31 May; SC Resolution 932 (1994) of 30 June; SC Resolution 945 (1994) of 29 September; SC Resolution 952 (1994) of 27 October; and SC Resolution 966 (1994) of 8 December.

⁶⁹ Aylón, Luis (13 March 1994), "El Gobierno aumentará el número de guardias civiles que vigilan las paz en Mozambique" *ABC* (ed. Madrid).

⁷⁰ www.un.org/en/peacekeeping/missions/past/onumozM.htm, accessed on 25 August 2010.

⁷¹ *Ibid.*

⁷² Ramsbotham, Oliver and Tom Woodhouse (eds.) (1994), "Digest", *International Peacekeeping*, Vol. 1, Number 3, Autumn, pp. 350-351.

⁷³ *Ibid.*, p. 352.

or Portugal (285).⁷⁴ Nevertheless, the contributions of Argentina, Australia, Brazil, Canada, Cape Verde, China, Czech Republic, Egypt, Guinea-Bissau, Hungary, Japan, Jordan, Malaysia, the Netherlands, Russia or Sweden were similar to the Spanish.⁷⁵ New Zealand, Norway, Switzerland and the US contributed with less than 10.⁷⁶ Similarly, the Spanish contribution to UNAMIR, although it was greater than that of other European countries that participated in UNAMIR (with the exception of Austria), it was significantly smaller than that of African states, India, Canada, or Australia.⁷⁷ Spain's contribution comprised 19 military personnel. By contrast, Chad with 129 military personnel, Ethiopia with 808, India with 800, Ghana with 832, Australia with 297, or Canada with 119, to name some, were far more important.⁷⁸

To conclude, Spain's active role in the SC, and participation in different peacekeeping operations in Africa, indicates that Spain's commitment to international peace and security was not only circumscribed to Europe. Furthermore, Spain's contribution in the Council on those matters related to Africa provides evidence that during the period of analysis this chapter has analysed (1993-1994), the Spanish government was willing to continue the process of consolidation of Spain as an internationally relevant actor, committed to the maintenance of international peace and security on a global scale. On occasions however, Spain's contribution may have only been modest. From the behavioural approach described in Chapter 1, Spain's participation in peacekeeping operations was in part concerned with self-interest. This was clearly evident in terms of Spain's economic interests: In 1989 the Spanish Government was in negotiations to sell eleven warships (coastguard, patrol ships and landing craft) to the Angola government, a country that in turn was an important supplier of oil.⁷⁹ It was also in Spain's interest to ensure that Mozambique was a stable country for the maintenance of important fishing agreements between the two countries.⁸⁰ Nevertheless, Spain's participation in peacekeeping missions concerning Rwanda and Somalia were not motivated by economic interests. Thus, the normative approach also described in

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ Jones, Richard, Oliver Ramsbotham and Tom Woodhouse (eds.) (1995), "Digest", *International Peacekeeper*, Vol. 2, Number 2, Summer, p. 248.

⁷⁸ *Ibid.*

⁷⁹ Abizanda, Manuel y Luis Ayllon (4 October 1989), "Narciso Serra intentara vernder once barcos a la Marina de Guerra de Angola", *ABC* (ed. Sevilla); Ayllon, Luis (13 March 1994), "El Gobierno aumentara el numero de guardias civiles que vigilan la paz en Mozambique", *ABC* (ed. Madrid).

⁸⁰ *Ibid.*

Chapter 1, can help us understand that Spain's peacekeeping operations in Africa were more concerned with the altruist maintenance of international peace and security. Therefore, the economic component was not the only motivation to inspire increasing Spanish interventionism in the UN missions, as we will discuss below.

The Americas

The American continent provides us with two examples where the SC played a key role in the solution of the conflict in El Salvador, and the restoration of democracy in Haiti. In the former example the SC first endorsed the negotiations between the government of El Salvador and the insurgent movement Farabundo Marti de Liberacion Nacional (FMLN), and the UN acted as a mediator.⁸¹ Later the Council became the driving force, which encouraged the parties to keep their agreement.⁸² In the latter example the SC was a major actor in the restoration of democracy in Haiti through a wide range of activities. One was the authorisation to use force for the first time to restore democracy in a country.⁸³ Spain participated actively in the decision-making process by co-sponsoring SC resolutions on both the conflict in El Salvador and the restoration of democracy in Haiti. Spain's role with reference to Haiti was probably that of a follower of Argentina, Canada, France, the US, and Venezuela because of their greater involvement and interests in this Caribbean country. This was in contrast to El Salvador, where Spain probably played a more active role in the UN mission because of former colonial interests.

Spain played an active role by co-sponsoring two resolutions. In September 1994 Spain co-sponsored with Argentina, Canada, France, Haiti, the US and Venezuela SC Resolution 944 (1994) of 29 September. This resolution lifted the sanctions imposed on Haiti the day that the deposed President, Aristide, returned to Haiti as President of the country. At the same time the UN members were urged "... to respond promptly and positively to the Secretary-General's request for contributions to UNMIH." Spain

⁸¹ Antonini, Blanca (2004), "El Salvador", in Malone, David M. (ed.), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner, p. 423.

⁸² *Ibid.*

⁸³ Einsiedel, Sebastian Von and David M. Malone (2004), "Haiti", in Malone, David M. (ed.), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner, p. 467. For a complete and excellent account of the UN and SC involvement in Haiti see Malone, David M. (1998), *Decision-Making in the UN Security Council. The case of Haiti, 1990-1997*, Oxford, Clarendon Press.

did not contribute to this UN mission either with military or with civilian personnel.⁸⁴ The second resolution was in October 1994, when Spain co-sponsored with Argentina, Canada, Djibouti, France, Pakistan, the US, and Venezuela SC Resolution 948 (1994) of 15 October. This resolution lifted the sanctions after Aristide had returned to Haiti as President, and implemented the Governors Island Agreement.

The role played by Spain in the question of El Salvador was more important than Spain's role in the restoration of democracy to Haiti. In November 1994, the Spanish representative co-sponsored with the representatives of Colombia, Mexico, the US and Venezuela SC Resolution 961 (1994) of 23 November. This resolution, among other things, reaffirmed the importance of the timely implementation of the Peace Accords, and gave a final extension to the mandate of the United Nations Observer Group in El Salvador (ONUSAL), until 30 April 1995. Unlike Spain's involvement in the SC with reference to Haiti, on this occasion Spain became the main contributor to the UN mission in Central America with 138 out of 368 military observers in 1992.⁸⁵ Furthermore, the UN mission was placed under Spanish command with the appointment of General Victor Suanzes Pardo, as Chief Military Observer, and Alfredo Carballo was appointed as main Police Commissioner, with the Uruguayan Homero Vaz Bresque.⁸⁶ As a result of this large involvement, ONUSAL became one of the most important UN missions in which Spain had participated.⁸⁷ Spain's commitment in El Salvador also reflects the importance of Latin America on the agenda of the Spanish governments.

Asia

The United Nations commitment to democracy was not restricted to Haiti. The UN was also a major actor in the establishment of a democratic regime in Cambodia. UN involvement in Cambodia was unprecedented because its tasks included demobilisation, disarmament and reintegration of the armed groups, tasks not unlike other UN missions, but in this case it also administered and ruled the country. It did this while it carried out reconstruction and organised an electoral process from which

⁸⁴ www.un.org/en/peacekeeping/missions/past/unmihfacts.html, accessed on 27 February 2010.

⁸⁵ www.ejercito.mde.es/mexterior/el_salvador/mision_el_salvador.htm, accessed on 20 August 2010.

⁸⁶ www.un.org/en/peacekeeping/missions/past/onusalfacts.html, accessed on 20 August 2010.

⁸⁷ www.ejercito.mde.es/mexterior/el_salvador/mision_el_salvador.htm, accessed on 20 August 2010.

the future Cambodian government emerged.⁸⁸ For this purpose the UN established the United Nations Transitional Authority in Cambodia (UNTAC). During 1993 UNTAC continued with the reconstruction of Cambodia's infrastructure, demobilisation of the different armed groups, repatriation of refugees, and control of the borders to prevent the illegal export of Cambodia's natural resources.⁸⁹ Progress towards normalisation of the country was possible in spite of the uncooperative attitude of the Party of Democratic Kampuchea (PDK), one of the political parties in the conflict. The SC made it possible for the country to hold elections and produce a new constitution for the country. This was endorsed by the Council in SC Resolution 810 (1993) of 8 March and SC Resolution 826 (1993) of 20 May. On 24 September 1993, the Head of State, Prince Norodom Sihanouk, promulgated the constitution, which established the Kingdom of Cambodia as an independent, sovereign, peaceful, neutral and non-aligned country with a parliamentary monarchy as a form of government.⁹⁰ After the formation of the government, the transition to democracy was finalised and UNTAC's mission was accomplished. As a result the SC decided to withdraw the majority of UNTAC by 15 November 1993⁹¹ and in its totality by 31 December 1993.⁹²

Although Spain's support for democracy has been a constant feature of Spanish foreign policy since the end of Franco's dictatorship, Spain did not participate in UNTAC. Spain merely acted as a follower by voting on those resolutions prepared in consultation among the SC members.⁹³ Spain also supported SC Resolution 840 (1993) of 15 June. This resolution primarily expressed the Council's appreciation of UNTAC for the smoothness of the electoral process, and emphasised the necessity of establishing a new government for Cambodia within the time allocated by the Paris Agreements. It was co-sponsored by China, France, Japan, Russia, Britain and the US. However, Spain did not participate in UNTAC. The geographical distance between Spain and Cambodia, the lack of Spanish interests in that region, and the fact that Spain was participating in several other UN missions, could explain why Spain did not play a significant role in the Council's campaign for democracy in Cambodia.

⁸⁸ MacQueen, Norrie (2006), *Peacekeeping and the International System*, London and New York, Routledge, p. 147.

⁸⁹ *Yearbook of the United Nations 1993* (1994), *op. cit.*, p. 363.

⁹⁰ UN document S/26529.

⁹¹ SC Resolution 860 (1993) of 27 August.

⁹² SC Resolution 880 (1993) of 4 November.

⁹³ SC Resolution 810 (1993) of 8 March; SC Resolution 826 (1993) of 20 May; SC Resolution 835 (1993) of 2 June; SC Resolution 860 (1993) of 27 August; SC Resolution 880 (1993) of 4 November.

Spain and peace-keeping operations

As we have discussed above, Spain's presence in the Council during 1993-1994 was the period in which Spain became an important contributor to peacekeeping operations. Spain's involvement in different UN missions during this period has contributed to consolidate the role of Spain as a middle power. As explained at the beginning of this chapter, this is because participation in peacekeeping operations is a role traditionally performed by middle powers, such as Canada, Sweden and the Netherlands, and more recently by other countries such as Bangladesh, Pakistan and Nepal. Although Spain's preference for multilateralism, its defence of international law, and its inclination to reach a compromise to solve disputes are all features of Spain as a middle power, Spain's contribution to maintain peace and security in the field was an important activity, which has been left aside. This raises an important question: Why did Spain, although behaving as a middle power in the SC during 1969-1970 and 1981-1982, not participate in peacekeeping operations until 1989? We will address this question below.

Before Spain's membership in the SC Spanish policymakers were aware of the importance of peacekeeping operations for the maintenance of international peace and security. In fact, since Spain's first term in the SC, the country supported the extension of the mandates for UN missions where peacekeeping troops were already deployed. For example, Spain supported the United Nations Disengagement Observer Force (UNDOF);⁹⁴ the United Nations Peacekeeping Force in Cyprus (UNFICYP);⁹⁵ and the United Nations Interim Force in the Lebanon (UNIFIL).⁹⁶ Spain also voted in favour

⁹⁴ The Force was established by SC Resolution 350 (1974) of 31 May with the aim of supervising the Agreement on the Disengagement of Forces signed between Israel and Syria on January 1974 after the Yom Kippur War of October 1973. Spain supported the extension of UNDOF mandate in SC Resolution 485 (1981) of 22 May, SC Resolution 493 (1981) of 23 November, SC Resolution 506 (1982) of 26 May, SC Resolution 524 (1982) of 29 November, SC Resolution 830 (1993) of 26 May, SC Resolution 887 (1993) of 29 November, SC Resolution 921 (1994) of 26 May, and SC Resolution 962 (1994) of 29 November.

⁹⁵ SC Resolution 266 (1969) of 10 June; SC Resolution 274 (1969) of 11 December; SC Resolution 281 (1970) of 9 June; SC Resolution 291 (1970) of 10 December; SC Resolution 486 (1981) of 4 June; SC Resolution 495 (1981) of 15 December; SC Resolution 510 (1982) of 15 June; SC Resolution 526 (1982) of 14 December; SC Resolution 839 (1993) of 11 June; SC Resolution 889 (1993) of 15 December; SC Resolution 927 (1994) of 15 June; SC Resolution 969 (1994) of 21 December.

⁹⁶ SC Resolution 488 (1981) of 19 June; SC Resolution 498 (1981) of 18 December; SC Resolution 511 (1982) of 18 June; SC Resolution 519 (1982) of 17 August; and SC Resolution 523 (1982) of 18 October.

of the enlargement of UNIFIL.⁹⁷ Paradoxically, Spain never contemplated participating in any of the UN missions. Nevertheless, in 1982 Spain did consider participating in an eventual multinational force with troops from the US, France and Italy, if the Lebanon acquiesced to the deployment of such force.⁹⁸ Spain was not a model country either with reference to financial contributions to the different UN missions. Spain never contributed to finance UNFICYP. The deep economic crisis, which affected Spain during the 1980s, was a contributory factor to Spain's delayed payment towards UN peacekeeping operations. For example, although Spain only owed \$6 to the UNDOF budget in 1982,⁹⁹ Spain's outstanding contributions to UNIFIL increased to \$1,703.402 for the period from the inception of UNIFIL until December 1982.¹⁰⁰ In fact, Spain's financial resources were so meagre that during the years when the Secretary-General requested prompt payment of Spain's financial obligations, his pleas were ignored.¹⁰¹ Thus, Spain's record as a financial and military contributor to peacekeeping operations could not be considered as an exemplar.

This situation, however, began to change in 1989. In that year Spain participated with military personnel for the first time in two UN missions: the United Nations Angola Verification Mission (UNAVEM I) and the United Nations Transition Assistance Group (UNTAG).¹⁰² There are four reasons why Spain carried out its role as peacekeeper in that geographical area, and in that year. First, the economic boom experienced after 1985 made it possible for Spain to provide financial support to such missions. Second, Spanish economic interests in Angola and Namibia were a powerful drive.¹⁰³ Third, after the Cold War it became possible for the Spanish armed forces to

⁹⁷ SC Resolution 501 (1982) of 25 February.

⁹⁸ Telegram of the Spanish Ministry of Foreign Affairs on 7 December 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 3.

⁹⁹ *Yearbook of the United Nations* 1982 (1986), Vol. 36, New York, Department of Public Information United Nations, p. 499.

¹⁰⁰ *Ibid.*, p. 494.

¹⁰¹ Letter of the Secretary-General of the UN on 19 January 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 3; Letter of the Spanish representative to the UN on 11 February 1982 to the Spanish Ministry of Foreign Affairs, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 3; Letter of the Spanish Ministry of Foreign Affairs on 25 February 1982 to the Spanish representative to the UN, *Archives of the Spanish Ministry of Foreign Affairs*, Signatura 21950, expediente 3.

¹⁰² www.un.org/Depts/DPKO/Missions/unavemI/UnavemIF.html, accessed on 27 February 2010; www.un.org/en/peacekeeping/missions/past/untagF.htm, accessed on 20 August 2010.

¹⁰³ See Chapter 5, pp. 119 and 123, and this Chapter, p. 154.

participate in operations far from Spain's closest areas of strategic interest.¹⁰⁴ Fourth, and perhaps more important, although Spain's political transition to democracy was considered as consolidated when the Socialist Party (PSOE) won the national election in 1982, the military transition to democracy was not accomplished until 1988.¹⁰⁵ It was not until then that the Spanish armed forces were able to carry out humanitarian and peacekeeping missions. Not forgetting that the Spanish armed forces had been one of the pillars on which Franco's regime had relied. Consequently the Spanish armed forces had been an instrument of repression, and were mainly conceived as a tool for the maintenance of domestic order. This explains why Spain did not contribute to any UN peacekeeping missions during the first two periods (1969-1970 and 1981-1982) in which Spain was a member in the SC. It was not until the Spanish armed forces had been imbued with democratic principles and values, the same that guide the behaviour of the other Western democracies, and that are necessary to carry out the UN missions, that the Spanish armed forces began to participate in the different peacekeeping operations. Once this was achieved, the Spanish armed forces became an instrument of Spain's foreign policy and one of the most important pillars of the Spanish contribution to world peace.¹⁰⁶

Finally, Spain's participation in UN missions was not only motivated by the necessity to find a new role for the Spanish armed forces, but also as a mechanism to increase its legitimacy among the Spanish population. After 40 years of dictatorship, the image of the armed forces among the majority of the Spanish population was that of a repressive instrument used to maintain domestic order. Their new role to bring peace to areas in conflict and as an essential instrument for the delivery of humanitarian aid increased its legitimacy, and improved its image among the important sectors of Spanish public opinion.¹⁰⁷

To conclude, the incorporation of Spain into peacekeeping missions had beneficial results for both the UN and Spain. For the UN was beneficial because the Organisation obtained another member actively committed to international peace and humanitarian

¹⁰⁴ Serra, Narcis (2008), *La transition militar. Reflexiones en torno a la reforma democrática de las fuerzas armadas*, Barcelona, Debate, p. 215.

¹⁰⁵ *Ibid.*, p. 59.

¹⁰⁶ www.portalcultura.mde.es/Galerias/revistas/ficheros/RED_020.pdf, p. 8, accessed on 25 August 2010.

¹⁰⁷ Serra, Narcis (2008), *op. cit.*, p. 232; *Revista Española de Defensa* (2001), Año 14, Number 163, September, p. 5.

assistance, as Spain's contribution to the SC with reference to the former Yugoslavia and El Salvador discussed above have indicated. This was in spite of the fact that the economic crisis, which affected the Spanish economy since the end of 1992, threatened their continuation in peacekeeping operations.¹⁰⁸ For Spain the UN missions were a perfect opportunity for the Spanish armed forces to modernise. UN missions also made it possible for the Spanish armed forces to adapt and take on more and new roles and responsibilities. Finally, at the same time as the Spanish armed forces contributed to international peacekeeping and delivering humanitarian aid, they were able to improve their public image on the domestic front.¹⁰⁹

Conclusion

Spain's behaviour in the SC during this period represents somehow a shift with regard to the previous periods of membership. During 1969-1970 and 1981-1982 Spain's behaviour in the SC was consistent with that of a multilateralist power. As described in Chapter 1, one of the characteristics of the distinctive behaviour of most states is the support of multilateralism, and the performance of the roles of facilitator, catalyst and managers. In this chapter we have described how Spain played these roles with the aim of building coalitions, to gain a consensus, and to achieve the desired outcome. As a result, deadlock in the SC was avoided on many occasions. Spain's significant role within the SC was possible because of its particular place within the international community.

Although Spain was eventually aligned with the Western bloc, the country's initial ostracism because of Franco's regime pushed the dictatorial regime, for strategic reasons, to approach the non-aligned and Third World countries to gain international acceptance. This strategy was successful because of the non-aligned and Third World countries perceived that Spain could act as a facilitator and bridge-builder between

¹⁰⁸ Cembrero, Ignacio (1 August 1993), "Los recortes en el presupuesto hipotecan el servicio exterior", *El País*.

¹⁰⁹ Surveys carried out by the Centro de Investigaciones Sociologicas (CIS) shows that the image of the Spanish Armed Forces improved at the end of the 1990s. In 1997, 44.6 percent of the population had a very good or good image of the Spanish Armed Forces. In 2005 this percentage increased to 55.4 percent and in 2007 to 56.6 percent. www.cis.es/cis/opencms/-Archivos/Marginales/2220_2239/2234/e223400.html, accessed on 20 August 2010.

www.cis.es/cis/opencms/-Archivos/Marginales/2580_2599/2592/e259200.html, accessed on 20 August 2010.

www.cis.es/cis/opencms/-Archivos/Marginales/2680_2699/2680/e268000.html, accessed on 20 August 2010.

them, and the main Western powers. This was at the time when Franco was still in power and the main Western powers held his regime in contempt. The non-aligned and Third World countries felt that Spain was the only Western country which could identify with their interests, or at least understood them. This particular position, in which Spain could mediate between both groups of countries, was not the only way that Spain could play a central role in the search for a consensus within the SC. The rivalry between the Western and Socialist blocs in the SC gave the non-aligned and Third World countries a great bargaining capacity, because they could play one off against the other. When this happened Spain's presence was a most valuable asset for the UN because Spain could build bridges between the USSR and the US, and the other non-aligned countries. At the same time, middle powers like Spain are defenders of international law so they prefer multilateral solutions to conflicts, and this serves to restrain the unilateral behaviour of great powers (directly or through their proxies). Middle powers and multilateral solutions are especially important if the great power is acting with complete disregard for international law and human rights.

After the Cold War, the new atmosphere of cooperation among the permanent members of the SC eroded the bargaining capacity of the non-aligned countries and Spain to perform the roles they played during 1969-1970 and 1981-1982. As discussed in this chapter, the UN played a secondary role with regard to the Middle East in the 1990s, and Spain failed to act as a mediator in lifting sanctions on Iraq. As a result of the country's reduced bargaining capacity, Spain changed its pattern of behaviour. Spain no longer acted as it did during its two previous periods in the SC, as a catalyst and facilitator. Instead Spain began to focus on participating in peacekeeping operations, a role traditionally carried out by middle powers. Spain's alignment with the other Western countries also influenced this shift, which became more evident after Spain's integration into the EU in 1986, and confirmation of membership in NATO the same year. As this chapter has discussed, the number of resolutions Spain co-sponsored with the other Western countries is evidence of Spain's association with them. Spain co-sponsored resolutions with France, Britain, the US, and on occasions with Russia and other countries, on a wide range of issues, such as the strengthening of UNPROFOR mandate; the reinforcement and extension of sanctions over the areas of Bosnia Herzegovina under the control of Serbian forces; the extension of UNAMIR

mandate; and the lifting of sanctions upon Haiti after the return of Aristide as President.

Although as this chapter has discussed, the permanent members of the SC sometimes undermined the capacity of the non-permanent members, Spain's co-sponsoring of numerous SC resolutions is evidence that Spain continued to perform the role of a catalyst and facilitator. These are the characteristics of a middle power. The aim is to muster the necessary support to get the resolutions adopted. If we return to the Haiti example discussed above, Spain could have adopted the role of a follower by simply joining the other co-sponsoring members. Alternatively Spain could have played a leading role (catalyst and facilitator) by persuading other members to co-sponsor a draft resolution to guarantee its adoption. Whether Spain acted as a leader or a follower, it successfully persuaded other members to support the resolutions it co-sponsored. Thus, it can be concluded that Spain continued to behave as a middle power but in a different context to that of the previous two periods.

As a result of Spain's increasing participation in peacekeeping operations and active role in the decision-making process, Spain consolidated its position as a relevant actor in international affairs. Spain was committed to the maintenance of international peace and security in the SC and the field. As this chapter has discussed, there are a number of reasons why Spain's new role in the SC during this period (1993-1994) became possible. First, it was not possible until after the Cold War. Second, Spain gained the cooperation of the other permanent members of the SC. Third, the UN was faced with more and new challenges. Fourth, Spain was integrated into the Western economic and military organisations (EU and NATO). Finally, the Spanish armed forces implemented the necessary organisational reforms, which allowed Spain to participate successfully in the ever more complex UN missions. In this period in the SC Spain successfully adapted to the changing circumstances of the post-Cold War years, and managed to deepen its commitment to the maintenance of international peace and security in and out the SC.

7 SPAIN IN THE SECURITY COUNCIL: (2003-2004)

The so called ‘new world order’ that surged after the end of the Cold War had an ephemeral existence. It reached its zenith in 1991 with the Gulf War, but as we saw in the previous chapter, a few months later differences began to emerge among the permanent members of the SC with regard to the conflict in the former Yugoslavia. This was just the beginning. The discrepancies became deeper and more frequent in the months that followed. Disagreements not only centred on political aspects of where, when, how or why to intervene in the different scenarios of conflict but evolved to include economic and military divergences (how to distribute the costs and the burden of interventions). The proliferation of conflicts and their nature were at the root of these disagreements. The multiplicity of scenarios of intervention overstretched the resources of the UN and the Organisation demanded more financial and military support, which on occasions the permanent members were reluctant to provide, especially after the US failure in Somalia. Moreover, the proliferation of UN missions raised differences in the scenarios of intervention relating to the different strategic importance that regions or countries had for the permanent members. Thus, one African country of the ‘Francophonie’ area would have more importance for France than for Britain, the US or Russia. By the same token, the problems in the Caucasus would have more importance for Russia than for the others. Finally there were also problems of adaptation to the new conflicts. The SC was conceived to deal with conflicts among states, but the new threats to international peace and security came from failing states or non-state actors. The SC neither had been conceived to tackle intra state conflicts nor threats from terrorist groups, guerrillas of different types, or trans-national crime organisations. Similarly, it was not ready to deal with the new challenges to international peace and security that were incorporated into the security agenda, such as environmental disasters or gross violations of human rights, which increased the adaptation problems of the SC to the new times and circumstances. Thus, the last years of the twentieth century, which SG Kofi Annan defined as tumultuous,¹ were times of adaptation, renewal and definition of new roles for the SC. For instance, the intervention within states in defence of democracy or against gross violations of human rights clashed frontally with the principle of non intervention in the internal affairs of states, which made necessary a conceptual redefinition or

¹ Annan, Kofi (1998), “The Quiet Revolution”, *Global Governance*, Vol. 4, No. 2, Apr.-June, p. 123.

clarification of principles long consolidated. In sum, ‘the debate over when and how force may be used in today’s world lies at the intersection of law, politics and norms’.² In such circumstances, discrepancies among the permanent members of the SC, and UN members in general, emerged around these conceptual redefinitions. Terrorism was also another paradigmatic case. The UN could hardly tackle terrorist threats if there was not even an agreement among UN members on a definition of what terrorism was. Disagreements were extended to connected issues such as what the future of the SC should be, what path should be followed, or what aims should be given priority.

The frequent discrepancies among SC members slowed down the decision-making process and the adoption of importance decisions. The delays made the US become increasingly impatient with the SC, to the point that it began rely on regional groups at the expense of a growing marginalisation of the SC.³ The SC was begun to be seen as an obstacle to the defence of US interests all over the globe, which were the solution of the conflicts and the promotion of democracy, human rights and liberalism. It was generally thought that once all countries assumed these principles, we world would arrive at the ‘end of history’ in Fukuyama’s words, a world in which all states and people would embrace capitalism and liberal democracy.⁴ This would lead to a world characterised by the absence of conflicts because liberal states are “fundamentally unwarlike”.⁵ The new impulse towards free trade through the conversion of GATT into the World Trade Organisation (WTO) in 1994 and the initiative to create free trade areas such as the North America Free Trade Association (NAFTA) were steps in this direction. All states reluctant to adopt liberal ideas, democracy and capitalism as an economic model were catalogued by the US as ‘rogue states’ and a threat to international peace and security. Libya, North Korea, Iran, or Iraq would fall within this group. However, the aforementioned discrepancies among the permanent members, the lack of enthusiasm for these ideas among many members of the UN, the inability of the EU to act as a single actor or the limitations of NATO to pursue the

² Thakur, Ramesh (2006), *The United Nations, Peace and Security*, Cambridge, Cambridge University Press, p. 10

³ Miller, Judith (14 March 1999), “Security Council Relegated to Sidelines”, *The New York Times*.

⁴ Fukuyama, F. (1992), *The End of History and the Last Man*, London, Penguin Books; Little, Richard (1995), “International Relations and the Triumph of Capitalism”, in Booth, Ken and Steve Smith (eds.), *International Relations Theory Today*, Cambridge, Polity Press, pp. 67-74.

⁵ Little, Richard (1995), *Ibid.*, p. 72.

new US strategy encouraged the Clinton administration to adopt progressively a unilateralist approach to international threats and conflicts. The disaster that occurred in Somalia was a crucial event in this trend to unilateralism. It shook the initial idealism of the Clinton administration, which since that moment became more cautious on where and when to intervene in the promotion of American interests, and tempered the US attitude towards multilateralism, because the US would still seek the cooperation of other states but it would not hesitate to act on its own if the support of other countries could not be achieved. This new approach to multilateralism could be embodied in the sentence “multilateral when we can, unilateral when we must”.

The shocking terrorist attack of 11 September 2001 against the Twin Towers in New York and the Pentagon, the neuralgic centres of the main Western power, accentuated the unilateralist trend of the US.⁶ The strikes definitively buried the idealism of the post Cold War years and the hopes of the establishment of a ‘new world order’. The optimistic ‘end of history’ of Fukuyama was suddenly substituted by the gloomier ‘clash of civilisations’ of Samuel Huntington.⁷ For the first time, the US felt vulnerable despite its military might and its unrivalled economic power. However, it was not the first surprise attack that the US had suffered. On 7 December 1941 the Japanese attacked Pearl Harbor by surprise, an action that brought the involvement of the US in the Second World War, but the effect on the population was by far less traumatic. Pearl Harbor was not a civil but a military target, the majority of US citizens at that time did not know where Pearl Harbor is, and the media coverage was restricted to an informative flash on the radio, after which people continued with their routines.⁸ By contrast, the attack over the Twin Towers paralysed the entire country, received impressive media coverage (all the world could see it live), and was directed against innocent civilian people. The toll of death and the destruction caused by the attack were important additional factors that increased the consternation.

⁶ Whether or not the terrorist attack on 11 September was the catalyst of the US unilateralism is a controversial issue. Some argue that the unilateralist trend began after the Cold War when the US became conscious of being the only superpower on the planet. Others, by contrast, argue that the initial Bush administration was receptive to multilateralism with the election of Colin Powell as Secretary of State, since he was a firm supporter of multilateralism and the UN. The trend to unilateralism among these authors would be for the increasing influence of some President Bush’s policy makers and advisers, such Donald Rumsfeld, Richard Perle or Paul Wolfowitz, which ended with the isolation of Powell within the Bush administration.

⁷ Huntington, Samuel P. (2002), *The Clash of Civilisations and the remaking of World Order*, London, The Free Press.

⁸ Arias, Inocencio (2006), *Confesiones de un diplomático. Del 11-S al 11-M*, Barcelona, Planeta, pp. 51-52.

Approximately 3,000 people died in just a few hours in the Twin Towers and 800 more in the Pentagon. In comparison, approximately 3,200 Americans died in the seize of Saipan, one of the bloodiest American battles of the Second World War that lasted 25 days; in the attack of Pearl Harbor the number of casualties was 2,385 Americans; and in the Tet offensive, during the Vietnam war, 543 soldiers died and 2,547 were wounded.⁹ These comparative figures give an idea of the scale of the September 11 aggression.

The White House reacted quickly to the attack. The following day President Bush contacted the other permanent members of the SC to forge a coalition against terrorism and obtain their support for an eventual military operation.¹⁰ This began at the end of September with the infiltration of special US forces into Afghanistan.¹¹ One month later approximately the bombardment of strategic locations in Afghanistan, country where Al-Qaeda was based, began. The bombing was followed by an invasion on the ground that ended two months later. The objective was the destruction of the Al Qaeda, the terrorist organisation that had planned the attack on the Twin Towers, and the capture of its main members, especially its supreme leader Bin Laden. The military campaign had the support of the majority of the US population, which after the attack was dominated by a mixture of pain, rage, indignation and patriotism. The international community, with very rare exceptions, also supported the US military enterprise. Expressions of support for, and solidarity with, the US were the general tone in the main newspapers all over the world, with some rare exceptions.¹² A similar reaction predominated among the majority of the main political leaders. In the UN the attack received the condemnation of all the representatives and the SC passed SC Res 1368 (2001) of 12 September in which the Council defined those actions as terrorist acts, regarded them as threats to international peace and security and expressed its readiness to respond to the terrorist attack of September 11. The same day, in an unprecedented initiative, the Secretary-General of NATO proposed the declaration of the principle of legitimate defence, which was approved by all NATO members.¹³

⁹ *Ibid.*, pp. 51-52.

¹⁰ Gonzalez, Eric (13 September 2001), "EEUU busca a sus muertos y declara la guerra a los asesinos", *El País*.

¹¹ Gonzalez, Eric (29 September 2001), "Comandos especiales de EEUU estan ya dentro de Afghanistan", *El País*.

¹² *The New York Times* (12 September 2001), "Reaction from Around the World".

¹³ Trillo, Federico (2005), *Memoria de entreguerras. Mis años en el Ministerio de Defensa (2000-2004)*, Barcelona, Planeta, p. 116.

Sixteen days later, the SC adopted unanimously another resolution that imposed legal, financial, police and coordinating measures to prevent terrorists from carrying out their actions.¹⁴ However by 2003, the year in which Spain began its new two year terms in the SC, the assertive unilateralism with which the Bush administration conducted the business had turned the initial support into ‘diplomatic contestation and widespread resentment’.¹⁵ The initial US initiatives to request the adoption of SC Res 1368 (2001), and the invocation of the NATO principle of legitimate defence, were considered then as “... tactical responses to the attack, not a strategic conversion to the multilateralist creed”.¹⁶ From September 11 onwards, terrorism and weapons of mass destruction were the two items that dominated the foreign policy agenda of President George W. Bush.

One of the first countries that supported the US was Spain. Both countries were going through a period of excellent bilateral relations since the arrival to power of the Conservative Party (the “Partido Popular” or PP) in 1996. The same day of the attack, the then Prime Minister Aznar phoned President Bush to declare the Spanish support and solidarity with the US.¹⁷ Then, he immediately summoned some members of his cabinet to let them know that Spain, as a country that had been suffering the problem of terrorism for the last 25 years, had to take the initiative within the EU from the beginning and offer its experience in the fight against terrorism, which had acquired international dimensions.¹⁸ In consonance with its assertive policy against terrorism, the Spanish government was one of the first that announced the participation of Spain in the International Assistance Force (ISAF), a multinational force that would be deployed in Afghanistan within the framework of NATO.¹⁹ The deployment of ISAF was authorised by SC Res 1386 (2001) of 20 December and its mission would be the reconstruction of Afghanistan and the maintenance of the security in Kabul and its surroundings, under the leadership of the UK. Furthermore, Spain also carried out an intense diplomatic activity with the aim of convincing other countries to join ISAF

¹⁴ SC Res 1373 (2001) of 28 September.

¹⁵ Reus-Smit, Christian (2004), *American Power and World Order*, Cambridge and Malden, Polity Press, p. IX.

¹⁶ Daalder, Ivo H. and James M. Lindsay (2003), “The Bush Revolution: The Remaking of America’s Foreign Policy”, in www.cfr.org/publication/6336/bush_revolution.html, p. 25, accessed on 25 September 2010.

¹⁷ Trillo, Federico (2005), *op. cit.*, p. 113.

¹⁸ *Ibid.*, p. 114.

¹⁹ *Ibid.*, p. 145.

with considerable success, although the then Spanish Ministry of Defence Federico Trillo recalled in his memoirs the sceptical reaction of the Swedish and Finish governments.²⁰

The relevant role that Spain played in this matter and in others had not been possible without the modernisation of the Spanish Armed Forces that the PP government had carried out in the years previous to the terrorist attack of September 2001. One of the most important decisions in this modernisation process was the professionalism of the Armed Forces in 2001. This step was simultaneously accompanied by a process of modernisation of the Navy, Air Force and the Army with the construction of new warships, the purchase of new aircraft and the acquisition of new weapons, as well as the incorporation of new systems of communications, command and control, compatible with those of its Western partners. The objective was to keep up at the same level of Spain's main allies, improve the deterrence capacity, and acquire more suitable resources for peacekeeping operations.²¹ These tasks demanded versatile Armed Forces that could be deployed anywhere with relative ease by air or by sea. The integration of Spain into the military structure of NATO in 1999 and the Spanish commitment to European defence with the contribution of 6,000 military personnel agreed in the European Summit of Helsinki of the same year to carry out peace keeping operations, interposition missions, and humanitarian tasks (known as Petersberg missions), were important stimuli in this process. Questions of economic opportunity also had great influence and should not be disregarded, because they explain why Spain rearmed when the majority of countries were reducing their defence budget after the end of the Cold War.²² Finally, NATO demands for Spain to increase the capacity of deployment of its troops were a key factor.²³ In conclusion, one of the features that defined the years of the Conservative party in government was the profound transformation of the Spanish Armed Forces with the aim to update them for the new times and make possible a greater Spanish participation in areas of conflict. Nevertheless, this process of modernisation and adaptation was not without

²⁰ *Ibid.*, p. 146.

²¹ Michavila Pallares, Benjamin (2001), "Liderazgo y tecnologia", *Revista Española de Defensa*, Año 14, Number 155, January, p. 53.

²² The phase of expansion that the Spanish economy experienced during those years allowed the modernisation of the Armed Forces. In words of Prime Minister Jose Maria Aznar, such investments would secure the defence of Spain for the following years, in Trillo, Federico (2005), *op. cit.*, p. 316.

²³ Trillo, Federico (2005), *op. cit.*, p. 65.

polemic at home between those academics and analysts who believe that the defence budget should increase further, and those who argued that the level of expenditure was excessive.²⁴

Despite the commitment to European defence, the foreign policy of the Conservative government represented a shift with regard to that maintained by the previous governments. The inclination the Conservative Prime Minister Jose Maria Aznar for Britain and the US at the expense of the European partners truly meant a departure from the foreign policy followed by previous democratic governments. The approximation to Third World countries sought by the centrist party of the first years of democracy under the leadership of Prime Minister Adolfo Suarez was followed by the reluctance of the Spanish Socialist Party (PSOE) over the incorporation of Spain to NATO. Nevertheless, in 1986 the Prime Minister Felipe Gonzalez finally saw the convenience of integrating into the military organisation, although he left Spain outside the military structure. The same year, Spain became a member of the EEC and since then the PSOE has given priority to the European construction because the Spanish Socialist Party saw Europe as a counterbalance to US hegemony. Behind this idea, however, there was another important reason. The dislike that the Spanish Socialist Party (and all the Spanish left) felt for the US for its support to the Franco dictatorship. This aversion led the PSOE to pursue an independent foreign policy from Washington with the approach to regimes or groups such as the Sandinistas during the 1980s, the Palestinians, or Fidel Castro's dictatorship in Cuba (the Socialist tolerance towards the Castro regime still persists nowadays). Thus, the arrival of the Conservative Party under the leadership of Prime Minister Jose Maria Aznar radically changed this trend. His priority of a good understanding with Britain and the US over the relationship with the other European partners meant a significant departure from the foreign policy that had been followed during the previous 19 years. Another point of departure with regard to the foreign policy of the previous governments was the detachment of Spain from those regimes that were characterised by a lack of respect to human rights and democracy, such as Cuba, the Venezuela of Hugo Chavez, or the Iraq of Saddam Hussein.

²⁴ Serra Rexach, Eduardo (5 October 2003), "Hacia un mayor esfuerzo", *El País*; Grasa, Rafael (5 October 2003), "Se gasta mucho y mal", *El País*.

With regard to the other issue that dominated President's Bush agenda, the weapons of mass destruction, the US and other signatories of the Non-Proliferation Treaty (among them Spain) had always opposed the acquisition by other countries of such weapons, although with uneven results. However, after the fall of the communist bloc, the Western countries, especially the US, became concerned with the possibility that part of the Soviet nuclear arsenal, or the technology to build nuclear weapons, might fall into the hands of any of those countries considered as 'rogue states'. One of these states was North Korea, which during the 1990s tried to become a nuclear power.²⁵ However, the Pyongyang regime officially suspended its nuclear programme as a result of a mixture of political pressures and economic incentives.²⁶ Nevertheless, tension increased again at the beginning of the twenty first century, when North Korea pulled out from the Non-Proliferation Treaty and announced that its nuclear programme had never been halted, but just simply continued clandestinely.²⁷ As a consequence, the combination of talks, diplomatic pressures, direct threats, and economic incentives continued.²⁸ The set of measures seemed to be effective, because North Korea and the US reached an agreement to dismantle all North Korean nuclear facilities by the end of 2007.²⁹ The mix of threats and rewards, great doses of patience, and continuous negotiations, proved to be a satisfactory formula that prevented the outbreak of a conflict that could have destabilised the whole region. Nevertheless, tensions were only delayed temporarily, because during 2009 North Korea initiated

²⁵ Milhollin, Gary (4 June 1992), "North Korea's Bomb", *The New York Times*; Sanger, David E. (15 June 1992), "North Korea Plan On Fueling A-Bomb May Be Confirmed", *The New York Times*.

²⁶ Pollack, Andrew (21 November 1992), "Yeltsin Vows Curb on North Koreans", *The New York Times*; Sanger, David E. (15 October 1993), "U.S. Warns North Koreans of U.N. Action on Nuclear Inspections", *The New York Times*; Holmes, Steven A. (8 November 1993), "Clinton Warns North Korea Against Building Atomic Bomb", *The New York Times*; Gordon, Michael R. (22 June 1994), "Clinton Offers North Korea A Chance to Resume Talks", *The New York Times*; Bennet, James (22 November 1998), "Clinton Appeals To North Korea For Closer Ties", *The New York Times*; *The New York Times* (2 June 1999), "A New Approach to North Korea"; Brooke, James (19 October 2002), "Japan Hopes to Use Aid to Press North Korea to End A-Bomb Plan", *The New York Times*; Dao, James (19 October 2002), "U.S. Seeks Support to Press North Korea", *The New York Times*.

²⁷ Mydans, Seth (10 January 2003), "THREATS AND RESPONSES: NUCLEAR STANDOFF; NORTH KOREA SAYS IT IS WITHDRAWING FROM ARMS TREATY", *The New York Times*; Sanger, David, E. (17 October 2002), "North Korea says it has a program on nuclear arms", *The New York Times*.

²⁸ Wines, Michael (12 April 2003), "Warning to North Korea on Nuclear Arms", *The New York Times*; Stevenson, Richard W. (24 May 2003), "U.S. and Japan Warn North Korea on Nuclear Standoff", *The New York Times*; Sanger, David, E. (25 July 2004), "North Korea Seems to Reject Butter-for-Guns Proposal from U.S.", *The New York Times*.

²⁹ Cooper, Helene (3 October 2007), "North Korean Talks Close to Consensus", *The New York Times*; Cooper, Helene (4 October 2007), "North Koreans Agree to Disable Nuclear Facilities", *The New York Times*.

missile tests and resumed its nuclear programme.³⁰ The issue of the North Korean nuclear programme has not yet been resolved, but it seems that it will be a recurrent topic that will re-emerge from time to time in the near future for two reasons. First, North Korea needs a nuclear arsenal as a deterrent in substitution of its vast army, which it can not afford to maintain for the disastrous condition of its economy. Second, North Korea has been using the nuclear programme as a bargaining tool with the aim of obtaining rewards, economic compensations, and humanitarian aid to relieve the poor living conditions of its population. Despite the seriousness of the situation, the SC did not deal with this issue during the two year term of Spain in the SC, although it was duly informed.³¹

More relevant was the case of Iraq. From the end of the Gulf War of 1991 the IAEA had been carrying out inspections on Iraqi territory in accordance with SC Res 687 (1991) of 3 April. Although the inspectors did not find any evidence of the existence of Weapons of Mass Destruction (WMD) in Iraq, the obstructionist attitude of Saddam Hussein, his lack of collaboration with the inspectors, and the submission of inaccurate information by the Iraqi authorities during the 1990s created the generalised impression that Saddam Hussein was hiding something. The biography of the Iraqi tyrant reinforced this idea. During the Gulf War Iraq launched Scud missiles against Israel in retaliation for the Israeli destruction of the Iraqi nuclear plant in 1981.³² The attack had also the objective of provoking Israel with the hope that an Israeli counter attack would turn other Muslim countries against Israel and the coalition forces that were invading Iraq.³³ Moreover, during the war with Iran, the Iraqi dictator authorised the use of chemical weapons and ordered its utilisation against the Kurd minority in Iraq for having support Iran during the conflict.³⁴ Estimations indicate that approximately 100,000 Kurds were exterminated with chemical weapons during the

³⁰ Sang-Hun, Choe and David E. Sanger (4 April 2009), "North Koreans Launch Rocket Over Pacific", *The New York Times*; Landler, Mark (14 April 2009), "North Korea Says It Will Halt Talks and Restart Its Nuclear Program", *The New York Times*; Sang-Hun, Choe (26 April 2009), "North Korea Says It Has Restarted Nuclear Work", *The New York Times*.

³¹ *Yearbook of the United Nations 2003* (2005), Vol. 57, New York, Department of Public Information United Nations, pp. 391-392; *Yearbook of the United Nations 2004* (2006), Vol. 58, New York, Department of Public Information United Nations, p. 382.

³² See Chapter 5, p. 113.

³³ Ibrahim, Youssef M. (1 January 1991), "CONFRONTATION IN THE GULF; ISRAEL EXPECTING IRAQ MISSILE STRIKE IF WAR BREAKS OUT", *The New York Times*; Friedman, Thomas L. (18 January 1991), "WAR IN THE GULF: The U.S. and Israel; Barrage of Iraqi Missiles on Israel Complicates U.S. Strategy in Gulf", *The New York Times*.

³⁴ Haberman, Clyde (12 April 1991), "AFTER THE WAR; Turks Say Hussein Plotted to Drive Out the Kurds", *The New York Times*.

brutal repression and 2 million fled to Turkey and Iran.³⁵ These precedents depicted Saddam Hussein as a ruthless dictator that would not hesitate to use missiles, chemical or mass destruction weapons against his enemies if necessary.

With these precedents, by the time Spain arrived at the SC in 2003, it was generally assumed that Saddam Hussein could have weapons of mass destructions and that he would not hesitate in using them. The reports of the different Western intelligence services played an important role in this assumption. At the beginning of 2001 the US intelligence service reported that factories that produced chemical and biological weapons had been rebuilt.³⁶ The confession of an Iraqi defector months later gave more force and credibility to the idea.³⁷ As a result, at the beginning of 2002 Iraq was included by President Bush within the ‘axis of evil’ that threatened the US.³⁸ The campaign over the possibility of Iraq having weapons of mass destruction continued during the following months to the point that, in the months previous to the invasion of Iraq, the conviction that the Iraqi regime had weapons of mass destruction was quite extended, although the Spanish representative to the UN went one step further and said that it was a totally generalised conviction.³⁹ Nevertheless, the three countries that pressed harder for a more assertive policy against Iraqi disarmament within the SC were Britain, Spain and the US. This episode represented the culmination of Aznar’s aspirations for Spain playing a major role in the main international events.

Spain’s election to the Security Council

The modernisation of the Armed Forces, the more assertive foreign policy, and the alignment with Britain and the US were steps that not only sought the adaptation to the new times but also a greater relevance of Spain in international events. However, the government of Jose Maria Aznar was aware that the performance of any significant role, despite the measures adopted, would not be totally accomplished without the Spanish presence in the SC. For that reason, the Conservative Party, as soon as it won

³⁵ Hedges, Chris (7 December 1991), “Kurds Unearthing New Evidence of Iraqi Killings”, *The New York Times*.

³⁶ Lee Myers, Steve and Eric Schmitt (22 January 2001), “Iraq Rebuilt Weapon Factories, U.S. Officials Say”, *The New York Times*; Tyler, Patrick E. (18 December 2001), “A NATION CHALLENGED: IRAQ; U.S. AGAIN PLACING FOCUS ON HUSSEIN”, *The New York Times*.

³⁷ Miller, Judith (20 December 2001), “A NATION CHALLENGED: SECRET SITES; Iraqi Tells of Renovations at Sites For Chemical and Nuclear Arms”, *The New York Times*.

³⁸ *The New York Times* (30 January 2002), “George W. Bush’s Moment”.

³⁹ Arias, Inocencio (2006), *op. cit.*, p. 79.

the elections in 1996, began the campaign for a seat in the SC. The Spanish representative to the UN shared the same opinion when he affirmed that had Spain not been in the SC, its role would have been clearly secondary.⁴⁰ This is because the SC is the main decision-making international organ on matters of international peace and security and in consequence, and as soon as a state obtains a seat in the Council, it automatically jumps onto the centre of stage and acquires a great influence.

This influence is exercised in different ways. As non-permanents are more accessible, the states outside the SC will woo those in with the aim of obtaining their favour to include items of interest of the former in the SC agenda, a practice that puts the non-permanent members in a good bargaining position because they can always ask for something in exchange; moreover, permanents will always seek the support of the non-permanents to adopt or not to adopt resolutions on those matters that are of interest to the former. This is especially relevant when important issues are discussed, such as when the invasion of Iraq was under consideration. In this sense, the importance of Spain as a follower of the US would certainly have been much less relevant if Spain had not been in the SC in 2003-2004. Finally, the fact that small and medium states will ask the non-permanents to lobby the permanent members with the hope that the latter will accept the inclusion in the Council agenda of matters which are of interest to them, places non-permanent members in a position of intermediaries between the permanent and the rest of the UN members. By doing so, the non-permanent members acquire an influence and a profile that they would not have if they were not in the Council. In definitive, the presence in the SC puts a state in the spotlight and enhances its status to a point that it could not reach by relying exclusively in its own capabilities. Nevertheless, the presence in the SC also can imply risks. This happens when, for diverse circumstances, a state can not or is not willing to backup the initiative of one or several of the permanent members. In that case, the state that refuses the support may become the subject of threats or reprisals from that or those permanent members whose interest are at stake. The case of Yemen in 1991 with regard to the invasion of Kuwait by Iraq offers a good example.⁴¹ Thus, the presence in the SC implies a commitment for all states, whether they like it or not, in the sense that states are compelled to adopt a position on a wide range of issues.

⁴⁰ Arias, Inocencio (2006), *op. cit.*, p. 21.

⁴¹ See Chapter 2, p. 29.

Aware of the privileged status that the non-permanent members acquire by being in the SC, the Conservative government began to campaign for a seat in the Council almost as soon as it won the elections in 1996.⁴² The strategy this time was different from that carried out on previous occasions. The purpose was to obtain quickly the support of as many members as possible within the WEOG with the aim of deterring any other possible candidate that wished to compete with Spain and Germany. As Germany is almost an unbeatable WEOG member for its economic and political weight, Spain tried to avoid a tight competition that could result in a defeat in the last minute, as had happened to Sweden in 1992.⁴³ As in previous occasions, Spain campaigned for support among its traditional friends the Latin American, Arab and African countries, which in turn would lobby for Spain among their neighbouring countries. The aim was to muster as much support as possible in the GA with the aim of minimising any unexpected outcome. The result of this strategy was highly successful. Spain did not have to compete with any other country within the WEOG and obtained the unprecedented support of 180 votes in the GA the day of the election, the same number of votes as Germany received.⁴⁴ However, although the election was a great diplomatic success which reinforced the international prestige of Spain, it only had little coverage in the main Spanish mass media.⁴⁵ This fact, which could give the reason to those who argue the limited importance that international affairs have among the Spanish population, which would be more interested in the domestic affairs, contrasts sharply with the attention that the Iraq war aroused among the Spaniards. In consequence, the small media coverage to the election of Spain for a seat in the SC would be caused more by generalised unfamiliarity with the UN than by little interest.

The Security Council's agenda (2003-2004)

The discrepancies of the permanent members mentioned in Chapter 2 and the beginning of this one affected negatively the work of the organisation, as some figures show. Despite the fact that the SC held more formal meetings between 2003 and 2004 (a total of 424 meetings against 346 of the period 1993-1994), the number of

⁴² www.spainun.org/pages/viewfull.cfm?ElementID=1990, accessed on 5 February 2005; See Chapter 1, p. 15.

⁴³ Germany was the third major contributor to the UN regular budget, only behind the US and Japan, for the period 2004-2006, *Yearbook of the United Nations 2003* (2005), *op. cit.*, pp. 1424-1426.

⁴⁴ Although the candidates are endorsed by their respective geographical votes, it is necessary to obtain at least two thirds of the votes in the GA.

⁴⁵ Arias, Inocencio (2006), *op. cit.*, pp. 7-8.

resolutions adopted, and presidential statements issued, dropped considerably. Whereas the SC adopted 214 resolutions and issued 226 presidential statements during 1993-1994, the number of resolutions and presidential statements during this period amounted to 126 and 78 respectively. The figures seem to suggest that the differences among SC members hindered the adoption of decisions, although this reduction in resolutions and presidential statements could also be as a consequence of the new working patterns of the SC. The reluctance of the permanent members to contribute to peacekeeping operations could have also been an important factor, since their number declined progressively after reaching their peak in 1993. As a result, the UN had to rely increasingly on regional organisations or the willingness of particular members to intervene either individually or by forming ‘coalitions of the willing’ or multinational forces. At the same time, the threats to international peace and security multiplied within a context of growing questioning of the SC for its outmoded structure.⁴⁶ Aware of this, the SG Kofi Annan appointed a High Level Panel on Threats, Challenges and Change in 2003, which in December 2004 proposed some decision-making and structural changes for the SC, at the same time that reported that poverty, infectious diseases, environmental degradation, inter state conflicts, terrorism, trans-national organised crime, and the spread of nuclear, radiological, chemical and biological weapons also constituted threats to international peace and security.⁴⁷ The broadening of the SC agenda gave middle powers the opportunity to bring to the forefront issues of their particular concern, such as the environment, terrorism, or human rights.

The new working patterns of the SC, with the increasing trend to adopt resolutions whose wording has previously agreed in consultations, have important implications in the work of the SC. The search of texts whose wording satisfies the 15 members of the Council lead in occasions to the adoption of watered down resolutions whose vagueness makes their effective implementation extremely difficult.⁴⁸ At the same time, this new working method makes it difficult to assess the contribution of Spain in the wording or the role of Spain in the course of these consultations because the

⁴⁶ See Chapter 2, pp. 31-38.

⁴⁷ A/59/565; The Council was conscious that the proliferation of nuclear, chemical and biological weapons constituted a threat to international peace and security before the release of the report. In April 2004 it adopted unanimously SC Res 1540 (2004) of 28 April in which, under Chapter VII of the Charter, decided the adoption of some measures by all States to prevent non-state actors having access to nuclear, chemical or biological weapons. In addition, the Council also decided on the establishment of a Committee to report to the Council on the implementation of the resolution.

⁴⁸ See Chapter 2, pp. 24-25.

meetings are held behind closed doors. However, the Spanish predilection for multilateralism and the role of Spain as a consensus seeker in the previous periods of Spain in the SC leads one to think that the Spanish representative would try to play his traditional roles of facilitator and catalyst with the aim of achieving as great support as possible in the adoption of resolutions. The diplomatic efforts carried out by Spain in search of collaborators to participate in the invasion of Iraq, or the Spanish efforts in pursuance of support to pass a second SC resolution that bridge the differences between France and Germany on the one hand, and the US, Britain and Spain on the other, also reinforce this idea.

The Middle East

The situation in the Middle East was characterised by a mixture of lights and shadows. The beginning of 2003 witnessed a generalised feeling of optimism when the Quartet, composed of the US, the EU, Russia and the UN, agreed to revive the peace process between Israel and the Palestinians. The efforts culminated in April with the presentation to both parties of a plan to restart negotiations that was known as the 'road map'. The road map would lead to the creation of two states, Israel and Palestine, which would live harmoniously side by side.⁴⁹ In pursuance of this objective, both Israel and the Palestinians agreed to initiate steps to ease the situation and increase mutual confidence. Israel softened the blockade imposed over the Gaza Strip and the West Bank to allow Palestinians to cross the border and work in Israel, and it released prisoners that belonged to Hamas and the Islamic Jihad.⁵⁰ The Palestinians, for their part, declared a cease fire. It seemed that at last the region had finally entered on the path of pacific coexistence that would end the conflict that had afflicted the region for at least the last 55 years.⁵¹

However, the agreement had two important obstacles. The first was the impossibility of both parties of controlling the members of their more radical wings, who were

⁴⁹ Bennet, James (1 May 2003), "MIDEAST PEACE PROPOSAL: THE PEACE PLAN; U.S. AND PARTNERS PRESENT PROPOSAL FOR MIDEAST PEACE", *The New York Times*.

⁵⁰ *El País* (1 June 2003), "Israel suaviza el bloqueo de Gaza y Cisjordania mientras Abu Mazen negocia una tregua"; Sales, Ferran (28 June 2003), "Hamas y Yihad Islámica anuncian una tregua clave para la paz con Israel", *El País*; *El País* (28 July 2003), "Israel abre el paso de Erez a 3.000 trabajadores palestinos como 'gesto de buena voluntad'"; Myre, Greg (4 June 2003), "THE PRESIDENT'S TRIP: MIDEAST DIPLOMACY; Ahead of Crucial Meeting, Israel Frees Detainees, Including a Long-Jailed Bomber", *The New York Times*.

⁵¹ Myre, Greg (25 May 2003), "For Once, Palestinians Praise a Stand Taken by Sharon", *The New York Times*.

totally opposed to any agreement;⁵² the second was the intense loathing and mistrust that dominated the relationship between Israel and the Palestinians. As a result, every violent action by one of the parties sparked the dynamic of attack-counterattack-attack that fuelled the spiral of violence and that in turn, generated more hate and distrust. This is exactly what happened again in May and June 2003, when several suicide attacks against Israel were answered by Israel with selective attacks in the Gaza Strip and the West Bank.⁵³ The spiral of violence continued during the following months, despite the diplomatic efforts of the Quartet and Egypt, which continued during 2003. After being so close to a solution of the conflict, there was still optimism about the possibility of implementing the 'road map'. However, by the end of September the peace process was considered moribund not only because of the violence between the parties but also for the discrepancies among the members of the Quartet.⁵⁴ The resumption of the construction of the wall to separate Israel from the Palestinian territories and the constructions of new Jewish settlements in the occupied territories in October was another blow to the process.⁵⁵ This was the opinion of the Spanish representative, who voted in favour of a draft resolution that declared the construction of the wall as illegal under provisions of international law and demanded its cessation.⁵⁶ The draft, however, was not adopted because of the US veto (the illegality of the wall would be official one year later after the judgement of the ICJ).⁵⁷ Nevertheless, one month later all SC members supported SC Res 1515 (2003) of 19 November that endorsed the peace process and called upon the parties to fulfil their obligations under the road map. The resolution was sponsored by Spain, Bulgaria, Chile, China, France, Germany, Guinea, Mexico, Russia, and Britain.

⁵² Myre, Greg (5 June 2003), "THE PRESIDENT'S TRIP: MIDDLE EAST; In Jerusalem, Thousands Rally Against Peace Bid; Palestinians Also Assail It", *The New York Times*.

⁵³ *El Mundo* (9 June 2003), "Tres grupos radicales palestinos rompen el plan de paz con un atentado conjunto"; *El País* (21 June 2003), "El ejercito Israeli mata al numero uno de Hamas en Cisjordania"; *El País* (25 June 2003), "Dos palestinos mueren por disparos del Ejercito israeli en la franja de Gaza"; Guardia, Julio de la (20 May 2003), "Una ola de atentados suicidas en 48 horas ataca el incipiente proceso de paz en Israel", *El País*; Fisher, Ian and Greg Myre (12 June 2003), "Suicide Blast Kills 16 in Jerusalem; Israel Strikes Gaza", *The New York Times*.

⁵⁴ Weisman, Steven R. (11 September 2003), "Mideast Violence Threatens 'Quartet' Plan", *The New York Times*; *The New York Times* (5 September 2003), "The Stalled Middle East Peace Plan".

⁵⁵ *El País* (24 October 2003), "Israel permite construir mas de 300 casas en las colonias"; *El País* (13 November 2003), "Israel construye un nuevo tramo del muro que aisla Cisjordania"; Myre, Greg and Steven R. Weisman (3 October 2003), "Israel to Build 600 Homes in 3 Settlements; U.S. Officials Are Critical", *The New York Times*.

⁵⁶ UN document S/2003/980; UN document S/PV.4841 (OR).

⁵⁷ *The New York Times* (10 July 2004), "In Words of World Court, a Wall That Is 'Contrary to International Law'".

The efforts of the Quartet and the UN to achieve the implementation of the road map continued during the following year with a feeling of relative optimism when Israel, with the backup of the US, announced the Israeli withdrawal from Gaza and some parts of the West Bank.⁵⁸ However, the optimism was soon shadowed by the outbreak of hostilities in March, when Israel launched an attack over the Gaza Strip as retaliation for the attack suffered with mortar bombs and anti tank missiles.⁵⁹ In one of the attacks the iconic Hamas leader, Sheikh Ahmed Yassin was killed, whose death caused a generalized outrage among Palestinians.⁶⁰ As a result of the attacks, a draft resolution condemning the ‘extrajudicial execution’ of the Hamas leader and all terrorist attacks against civilians was pressed to vote, but it could not be adopted because of the veto of the US.⁶¹ The Spanish representative supported the draft and took the opportunity to express his condemnation of extrajudicial executions as being contrary to international law, as well as his condemnation of all acts of terrorism wherever they come from.⁶² Two months later, he supported SC Res 1544 (2004) of 19 May in which the SC reaffirmed its support for the road map, called upon Israel to respect its obligations under international law, expressed its concern on the humanitarian situation of Palestinians made homeless and called for the cessation of violence. The US representative abstained.

The spiral of violence continued during the following months. Israel continued its raids on Gaza and the Palestinians struck back with the launch of missiles and the use of suicide bombers. However, it was the Israeli plan to allow more settlements in the West Bank what pushed Palestinians to request Spain’s mediation with the aim of convincing Israel to halt the Jewish settlements as a condition for resuming negotiations based on the road map.⁶³ However, the Spanish capacity to influence on Israel was not much since the latter had the approval of the US for the new

⁵⁸ Weisman, Steven R. (13 February 2004), “U.S. May Support Israeli Approach on Leaving Gaza”, *The New York Times*.

⁵⁹ Bennet, James (8 March 2004), “14 Palestinians Killed in Battle As Israelis Raid Camps in Gaza”, *The New York Times*; Bennet, James (15 March 2004), “Suicide Bombers Kill 10 in Israel, And Derail Prime Minister’s Talks”, *The New York Times*.

⁶⁰ Bennet, James (23 March 2004), “THE MIDEAST TURMOIL: PROTESTS; Palestinians Swear Vengeance For Killing of Cleric by Israelis”, *The New York Times*.

⁶¹ Hoge, Warren (26 March 2004), “U.S. Vetoes U.N. Resolution Condemning Israel for Hamas Killing”, *The New York Times*.

⁶² UN document S/2004/240; UN document S/PV.4934 (OR).

⁶³ Erlanger, Steven (24 August 2004) “Israel Adds to Plans for More Housing Units in Settlements”, *The New York Times*; Molina, Irene F. (28 August 2004), “Los palestinos piden a España ayuda para frenar las colonias judías”, *El País*.

settlements.⁶⁴ After this last attempt to resume negotiations, the Quartet admitted that no significant progress had been made on the road map.⁶⁵ Despite their concern, a month later the US vetoed a draft resolution that requested Israel to stop the attacks and urged the withdrawal of its forces from Gaza.⁶⁶ Nevertheless, the death of the Palestinian leader Arafat in November brought a slight improvement for the more cooperative attitude of Israel, whose Prime Minister Sharon expressed his desire to coordinate with the Palestinian Authority for the withdrawal of Israeli troops and settlers from Gaza Strip and part of the West Bank.⁶⁷ The intensity of the conflict also diminished, to the point that at the end of 2004 new hopes on the implementation of the road map emerged.⁶⁸

The Lebanese-Israeli border and the Golan Heights were also points of high tension during 2003-2004. In Southern Lebanon, the initial months of 2003 were of relative calm, but the situation deteriorated during the second half of the 2003 when the dynamic of attack-counterattack-attack reignited.⁶⁹ In 2004 the conflict intensified between the Israeli army and Hezbollah members in Southern Lebanon. Exchange of fire, Israeli aerial incursions, and Hezbollah anti-aircraft fire were frequent.⁷⁰ In these circumstances, the SG recommended the extension of UNIFIL on two occasions. The suggestions of the SG were endorsed by the SC and the UNIFIL mandate was extended one more year.⁷¹ Both resolutions were supported by Spain, although it did not participate in the UN mission. The SC also adopted SC Res 1559 (2004) of 2 September which called for the withdrawal of all foreign forces from Lebanon, the disbanding and disarmament of all Lebanese and non-Lebanese militias while at the

⁶⁴ Erlanger, Steven (23 August 2004), "Arafat Aides Deplore Permissive U.S. Policy on Settlement Growth", *The New York Times*.

⁶⁵ Weisman, Steven R. (23 September 2004), "Mideast Peace Plan's Sponsors Dismayed at Lack of Progress", *The New York Times*.

⁶⁶ Pozzi, Sandro (6 October 2004), "EEUU veta una resolucion de la ONU que exigia el fin de la ofensiva", *El País*.

⁶⁷ Myre, Greg (29 November 2004), "Sharon and Abbas Open to Talks on Gaza", *The New York Times*.

⁶⁸ Erlanger, Steven (17 December 2004), "Sharon Says Breakthrough in Relations With Palestinians Is Possible in '05", *The New York Times*.

⁶⁹ Bennet, James (9 August 2003), ". Mideast Calm is Disrupted by Exchanges on 2 Fronts", *The New York Times*; Bennet, James (11 August 2003), "Israeli Youth Killed by Shelling from Lebanon", *The New York Times*; Myre, Greg, (7 October 2003), "THE MIDEAST TURMOIL: IN THE NORTH; Israeli Soldier Shot to Death Near Lebanon", *The New York Times*.

⁷⁰ Guardia, Julio de la (21 January 2004), "La aviaci&on de Israel ataca a Hezbola en el sur del Líbano", *El País*; *El País* (7 May 2004), "Hezbolla ataca al Ejercito israeli cerca de la frontera entre Líbano, Siria e Israel"; Sales, Ferran (9 June 2004), "Escalada de tensi&n en la frontera entre Israel y Líbano", *El País*.

⁷¹ SC Res 1525 (2004) of 30 January and SC Res 1553 (2004) of 29 July.

same time declaring its support for a free and fair electoral process in the country. The resolution made clear allusion to the Syrian troops stationed in Lebanon and the continuous interference of Syria in the domestic affairs of Lebanon, an intrusion that was considered an obstacle to the solution of the conflict because the Syrian support to Hezbollah hindered the control of Southern Lebanon by Beirut.⁷²

In the Golan Heights the predominant situation was of tense calm since the presence of UNDOF after the 1973 war. There have been attempts to negotiate Israel's withdrawal from Syrian territory, but all have failed because of the intransigence of Syria, which has demanded the unconditional withdrawal of Israel before initiating any negotiation. Nevertheless, from time to time there are incidents between the Islamic Jihad and the Israeli Forces that break the calm and raise the temperature of an already 'hot area'. This is what happened in 2003, when Israel bombed the Islamic Jihad camp in Syrian territory in response to a suicide attack that caused 19 deaths in Haifa, or when it decided to continue the construction of Jewish settlements in the Golan Heights.⁷³ As a consequence of those incidents that could spark another outbreak of hostilities, the presence of UNDOF, assisted by UNTSO observers, was considered as still necessary to maintain the calm. Accordingly, the SC unanimously authorised the renewal of UNDOF mandate during 2003 and 2004.⁷⁴

The support of Spain to SC Res 1515 (2004) of 19 November and SC 1544 (2004) of 19 May that endorsed and supported the peace process known as the 'road map' confirms that the years of unconditional partisanship of the Palestinian cause were definitively left behind. Since the recognition of Israel in 1986, Spanish policy with regard to the Middle East became more balanced, and this equanimity is reflected in Spanish support for a comprehensive solution that includes the creation of a Palestinian state that peacefully coexists with Israel, as was foreseen in the 'road map'. Nevertheless, the even-handedness was not an obstacle for Spain, as a traditional defender of international legality, to condemn the illegalities committed by Israel, such

⁷² Hoge, Warren (3 September 2004), "Security Council Passes Resolution to Limit Syrian Role in Lebanon", *The New York Times*; Kifner, John (31 August 2004), "Syria-Dictated Move Prompts Political Uproar in Lebanon", *The New York Times*; Kifner, John (4 September 2004), "Lebanon agrees to Extend Term of Leader Imposed by Syria", *The New York Times*.

⁷³ *El Mundo* (4 October 2003), "Una suicida palestina de la Yihad mata a 19 personas en un restaurante de Haifa"; C., I. (8 October 2003), "Sirios e Israelies ajustan sus cuentas en Libano", *El País*.

⁷⁴ SC Res 1488 (2003) of 26 June; SC Res 1520 (2003) of 22 December; SC Res 1550 (2004) of 29 June; SC Res 1578 (2004) of 15 December.

as the construction of the wall or the indiscriminate killings perpetrated by the Israeli army, although in another demonstration of even-handedness, the Spanish representative expressed in the SC his condemnation of all kind of terrorism regardless its origin, in clear allusion to the activities of Hezbollah and the Islamic Jihad. Spain's impartiality, the former Spanish inclination for the Palestinian cause, the fact that Spain had in the past acted as a mediator, and the excellent relationship that Spain maintained with the US, are reasons that could explain that Palestinians still perceived Spain as a country that could act as a mediator between them and Israel with regard to the Israeli settlements in the West Bank. However, there was not much that Spain could do under the new circumstances. The assertiveness of Israel, with the support of the US, the lack of another power that could counterbalance the US preponderance, the great disparity of Israel-US/Palestinian forces, and the excellent US-Spanish political relationship of that moment, considerably curtailed Spain's capacity to act as a mediator. The only option for Spain under those circumstances was to use persuasion, but this was not enough to curb Israel's determination. Finally, Spain supported the extension of UNDOF and UNIFIL mandates, as in previous occasions, although Spain did not participate in neither of the two missions.

Europe

By the time Spain returned to the SC in 2003, the conflicts in the former Yugoslavia and the ex-Soviet republic of Georgia had ended and given way to a period of reconstruction, not only material but also social and institutional. In the rebuilding the UN played a key role, covering a wide range of activities. Nevertheless, the UN did not act alone, but in collaboration with other actors, such as the EU and NATO in the former republics of Yugoslavia, and Russia in the case of Georgia. As in the previous period, the role of Spain was significant in the case of the former republics of Yugoslavia but clearly secondary in Georgia. Spain did not participate in the United Nations Observer Mission in Georgia (UNOMIG) either with military or civilian personnel, although voted in favour of the resolutions that supported the achievement of a comprehensive political settlement, extended the mandates of UNOMIG, and strengthened its civilian component.⁷⁵ Three reasons explain the low profile of Spain in Georgia in addition to those pointed out in the previous chapter. First, the lack of

⁷⁵ SC Res 1462 (2003) of 30 January; SC 1494 (2003) of 30 July; SC Res 1524 (2004) of 27 January; SC Res 1554 (2004) of 29 July.

Spanish interests in the area. The political and economic relations of Spain with that small republic are virtually non-existent. The limited importance of Georgia is reflected in the fact that it is not mentioned either in the memoirs of the Spanish ambassador to the UN or in those of the Spanish Ministry of Defence during those years.⁷⁶ Second, the Spanish government focused on other areas in conflict that considered more important from the strategic and political point of view, such as Iraq, Afghanistan, Bosnia and Herzegovina or Kosovo. The multiplicity of areas of Spain's interest left little time for the consideration of secondary conflicts like the Georgian one. Third, the limited human and financial resources of the Spanish Foreign Service and the Armed Forces made impossible the intervention in every area of conflict. However, this is not a problem exclusive to Spain but for the majority of countries. This is the reason why governments had to establish priorities, and Georgia, for the reasons set out above, was not a priority for Spain.

More important for Spain were the republics of the former Yugoslavia, although it is difficult to assess the Spanish footprint in the SC because of the increasing trend of the SC to issue Presidential Statements and prepare the resolutions in consultations. As a result, with the exception of SC Res 1551 (2004) of 9 July, all the other decisions were made by Presidential Statements or by resolutions previously prepared in consultations among its members.⁷⁷ As the consultations are held behind closed doors, the contribution of the different Council members in the drafting of the resolutions is difficult to pin point. Nevertheless, it can be said that unlike in Georgia, the role of Spain in the republics of the former Yugoslavia under reconstruction was probably more relevant for the Spanish involvement on the field and for the Spanish co-sponsoring with France, Germany, Italy, Romania, Russia and Britain of the aforementioned SC Res 1551 (2004) of 9 July. In Bosnia, the United Nations Mission in Bosnia and Herzegovina (UNMIBH) ended its mandate on 31 December 2002 and was replaced by the European Union Police Mission in Bosnia and Herzegovina (EUPM), which began to operate from 1 January 2003 as part of the nation-building project.⁷⁸ The mission of EUPM comprised the support for the local police in the fight against organised crime, the accountability of local police in those cases of unlawful or

⁷⁶ Arias, Inocencio (2006), *op. cit.*; Trillo, Federico (2005), *op. cit.*

⁷⁷ SC 1491 (2003) of 11 July; SC Res 1575 (2004) of 22 November; UN document S/PRST/2003/1; UN document S/PRST/2003/26; UN document S/PRST/2004/5; UN document S/PRST/2004/13; UN document S/PRST/2004/22.

⁷⁸ SC Res 1491 (2003) of 11 July.

improper practice, and support for a restructuring of the police of Bosnia and Herzegovina.⁷⁹ All the EU countries contributed to EUPM, plus Canada, Iceland, Norway, Switzerland, Turkey and Ukraine.⁸⁰ Spain, as a member of the EU, also participated in EUPM, although the Spanish contribution was not especially significant. The Spanish contingent until September 2009 comprised 6 members; four police officers and two civilian.⁸¹ This contribution clearly fell behind that of the core of European countries, such as Germany (12 policemen and 2 civilians), Britain (2 police officers and 6 civilians), France (8 policemen and 2 civilians), Italy (17 police officers and 4 civilians) or the Netherlands (8 policemen). Even Turkey contributed with more personnel than Spain did (7 policemen and 2 civilians).⁸²

Spain also contributed to the multinational Stabilisation Force (SFOR) deployed in Bosnia and Herzegovina with the authorisation of the SC, although the force was under the command of NATO.⁸³ In this occasion the Spanish contribution was more significant, since Spain deployed 1,200 personnel. The mission of SFOR was the maintenance of a safe and secure environment for the consolidation of the peace and the implementation of the Peace Agreement signed on 14 December 1995. It was a peace enforcement mission, because the Council authorised member states under Chapter VII of the Charter to adopt the necessary measures to carry out its mission and defend themselves from attacks or threats of attacks. The strong mandate was reiterated in SC Res 1491 (2003) of 11 July, which also renewed the mandate of SFOR for twelve more months. In the resolution, the SC also asked for the full support of the authorities of Bosnia and Herzegovina for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law committed in the territory of the former Yugoslavia from the beginning of the conflict in 1991. This petition was reiterated in SC Res 1503 (2003) of 28 August after the unsuccessful attempts carried out by SFOR to find the most wanted leaders accused of genocide and war crimes, Radovan Karadzic and Ratko Mladic.⁸⁴ The lack of progress in the capture and bringing to justice of those people

⁷⁹ www.eupm.org/FactSheet.aspx, accessed on 25 February 2010.

⁸⁰ www.eupm.org/ContributingStates.aspx, accessed on 25 February 2010.

⁸¹ www.eupm.org/Documents/Weekly.pdf, accessed on 25 February 2010.

⁸² *Ibid.*

⁸³ SC Res 1088 (1996) of 12 December.

⁸⁴ *El País* (27 August 2003), "La OTAN cerca las casas de la familia del ex líder serbio Karadzic"; *The New York Times* (14 August 2003), "NATO Raid Fails to Capture Bosnian-Serb War Crimes Suspect".

who were indicted by the International Tribunal of Former Yugoslavia led to several members of the SC, Spain was among them, to reiterate in 2004 the commitment of the parties to full cooperation in the implementation of the Peace Agreement, one of whose aspects was the bringing to justice of those accused of genocide and war crimes.⁸⁵

The EU gave another important step towards a greater involvement in European affairs when it decided on the launch of a European Union Mission to Bosnia-Herzegovina, called Operation Althea, to replace the Stabilisation Force (SFOR) that would withdraw from Bosnia-Herzegovina at the end of 2004. The aim of such an initiative was the role of the EU as an international actor and the reaffirmation of the EU in European affairs after the embarrassment that provoked Europe's initial passivity at the beginning of the conflict in 1991. The mission of the European Force (EUFOR), as it was called, would consist in guaranteeing order and stability, the maintenance of the rule of law, the fight against terrorism and organised crime, the return of refugees, and the search of those indicted leaders that had not yet been brought to justice. The establishment of EUFOR was unanimously authorised by SC Res 1575 (2004) of 22 November for an initial period of 12 months. The Force was given a strong mandate by authorising member states to take all necessary measures at the request of the EU or NATO, since the latter left a small contingent in Bosnia-Herzegovina to collaborate with the EU in the search of fugitives from justice.⁸⁶ Despite the political progress, the presence of a force was still necessary because the peace was fragile. There were still two separate administrative entities (the republic of Bosnian Serbs and the federation of Bosnia-Herzegovina) and three separated communities (the Serbs on the one hand, and Muslims and Croats on the other, who lived separately in the federation of Bosnia-Herzegovina).⁸⁷ As a member of the EU, Spain participated in EUFOR with a notable presence from the beginning, to the point that in 2003-2004 it was the second largest contributor⁸⁸ and in 2009 it became the major contributor with 307 members.⁸⁹ In

⁸⁵ SC Res 1551 (2004) of 9 July.

⁸⁶ Wood, Nicholas (15 January 2004), "NATO Troops, Acting on a Tip, Press Hunt for Serbian Fugitive", *The New York Times*.

⁸⁷ M., R. (24 July 2004), "Un país, dos Gobiernos y tres comunidades", *El País*.

⁸⁸ www.mde.es/areasTematicas/misiones/enCurso/misiones/mision_06.html, accessed on 14 October 2010.

⁸⁹ www.euforbih.org/eufor/index.php?option=com_content&task=view&id=145&Itemid=62, accessed on 25 February 2010.

addition, Spain also contributed to the composition of the Integrated Police Unit (IPU) and the Multinational Manoeuvre Battalion (MNBN) from 2007.⁹⁰

The important Spanish contribution to Operation Althea probably had an important ideological component. It has been said that this initiative pursued the affirmation of the EU as an international actor after the initial European passivity in the Bosnian conflict. This was a political objective that was fully shared by the Spanish Socialist Party (PSOE) that was in office after its victory in the elections held in March 2004. It has already been mentioned at the beginning of this chapter the antipathy of the PSOE for the US and its conception of the European construction as a counterbalance to the US hegemony. Thus, the participation in Operation Althea was an excellent opportunity not only to assert the EU as a relevant international actor but also to show the international community that Europe was capable of being in charge of European affairs. The statement of Jose Bono, the then Spanish Minister of Defence, that said the Operation Althea constituted a test for European defence seemed to go in that direction.⁹¹ At the same time, Operation Althea offered the new Socialist government the opportunity to detach itself from the policy of alignment with Britain and the US followed by the previous Conservative government.⁹²

The Spanish participation in Kosovo was also substantial. After the withdrawal of Serb Forces from Kosovo in 1999, the SC adopted SC Res 1244 (1999) of 10 June in which it authorised the deployment of a NATO force (KFOR) under Chapter VII of the Charter. The mandate of this force was wide ranging, covering among other tasks, the deterrence of renewed hostilities, the demilitarization of the Kosovo Liberation Army (KLA), the establishment of a secure environment that allowed the return of refugees, and the safety of the international civil presence. This civil presence was the United Nations Interim Administration in Kosovo (UNMIK), whose main task was temporary administration of the territory. To that end, the mandate of UNMIK included the promotion of substantial autonomy in Kosovo, the performance of basic civilian administrative functions, support for the construction of infrastructures,

⁹⁰ www.euforbih.org/eufor/index.php?option=com_content&task=view&id=17&Itemid=34&phpMyAdmin=019629bc83f1ec8240c5704e7cb8127b, accessed on 25 February 2010.

⁹¹ *El País* (17 September 2004), "España aportará 150 guardias civiles a la Gendarmería Europea, que estará operativa en 2005".

⁹² The fact that the creation of EUFOR was an initiative of France, which was one of the European countries more opposed to US hegemony and unilateralism as was evidenced by the discrepancies on the Iraq war, seems to give strength to this idea.

support for humanitarian aid relief, protection of human rights, the return of refugees and the maintenance of law and order.⁹³ All these competences would be progressively transferred to Kosovo's institutions from the moment they were ready to assume them. The Spanish police contingent to UNMIK was of 148 members, the 8th largest contribution out of the 49 countries that participated in the UN mission. In addition, Spain also contributed 1,250 military personnel to KFOR. This force was the second largest Spanish contribution abroad under the umbrella of the UN. Only the Spanish deployment in Iraq as part of the multinational force was larger.

Spain continued the commitment in the former republics of Yugoslavia initiated in the previous period. The continuation supposed the confirmation of Spain as an important actor in the maintenance of international peace and security, as the important Spanish contributions to the missions in Bosnia and Herzegovina and Kosovo show. In addition, Spain once again appeared as an upholder of international law when it co-sponsored SC Res 1551 (2004) of 3 March that, among other things, reminded the parties their obligation to surrender for trial those indicted for gross violations of international law. All these steps not only reaffirmed and consolidated Spain as a middle power, but also increased the Spanish involvement in international affairs (within the areas of its special interest, such as Europe) and contributed to the prestige of Spain and its Armed Forces at home and abroad, which was one of the objectives of the Conservative party in power when it won the elections.

Africa

It is difficult to assess the contribution and influence of Spain in the African issues that the SC dealt with during this period. The reasons are two. First it is the inclination of the SC to elaborate and agree the wording of the texts in consultations that take place behind closed doors, a trend that can already be noticed in 1993-1994. It is in these consultations among SC members where debates, decisions, bargaining and trade offs are made. As a result, the SC chamber has been progressively relegated to be the venue where SC members carry out the formality of adopting unanimously the resolutions that has previously agreed in consultations. On occasions, the SC does not even adopt a resolution but the decisions are issued through presidential statements. This working pattern is especially evident in the African matters under SC

⁹³ SC Res 1244 (1999) of 10 June.

consideration.⁹⁴ The advantage of this procedure is that gives more strength to the decisions made by the SC because they have the backup of all SC members. Nevertheless, this method of decision-making has also an important flaw. As the wordings of the texts have to satisfy all members of the SC, the agreed drafts are on occasions vague and ineffective. The second reason that hinders an accurate assessment of the Spanish involvement and influence in the elaboration of the draft resolutions is the inaccessibility to primary sources. As it was previously noted, neither the Spanish delegation in New York nor the Spanish Ministry of Foreign affairs admitted to having any documents with regard to this period (2003-2004).

Despite these difficulties, it is possible to find some evidence of the role that Spain played in the SC during this period with regard to African affairs. There were occasions in which the Spanish representative took an active part in the decision-making process. When the Janjaweed, an Arab militia allegedly supported by the Sudanese government to impose order in Darfur, began to carry out actions of extreme violence against civilians, the Spanish representative co-sponsored SC Res 1556 (2004) of 30 July with the representatives of Chile, France, Germany, Romania and Britain. The resolution, among other things, endorsed the deployment of international monitors in the Sudan under the leadership of the African Union (AU), imposed an arms embargo upon the Sudan, extended the special political mission established in SC Res 1547 (2004) of 11 June, and expressed its intention of considering further measures against the Sudan in the case of non-compliance with the disarmament and arrest of Janjaweed leaders. In addition, he also co-sponsored with the representatives

⁹⁴ Resolutions that were unanimously adopted after consultations in 2003 and 2004 are: SC Res 1468 (2003) of 20 March; SC Res 1484 (2003) of 30 May; SC Res 1489 (2003) of 26 June; SC Res 1493 (2003) of 28 July; SC Res 1501 (2003) of 26 August; SC Res 1457 (2003) of 24 January; SC Res 1499 (2003) of 13 August; SC Res 1467 (2003) of 18 March; SC Res 1464 (2003) of 4 February; SC Res 1479 (2003) of 13 May; SC Res 1514 (2003) of 13 November; SC Res 1509 (2003) of 19 September; SC Res 1458 (2003) of 28 January; SC Res 1478 (2003) of 6 May; SC Res 1521 (2003) of 22 December; SC Res 1470 (2003) of 28 March; SC Res 1492 (2003) of 18 July; SC Res 1508 (2003) of 19 September; SC Res 1466 (2003) of 14 March; SC Res 1507 (2003) of 12 September; SC Res 1474 (2003) of 8 April; SC Res 1519 (2003) of 16 December; SC Res 1463 (2003) of 30 January; SC Res 1469 (2003) of 25 March; SC Res 1485 (2003) of 30 May; SC Res 1495 (2003) of 31 July; SC Res 1513 (2003) of 28 October; SC Res 1522 (2004) of 15 January; SC Res 1555 (2004) of 29 July; SC Res 1565 (2004) of 1 October; SC Res 1533 (2004) of 12 March; SC Res 1552 (2004) of 27 July; SC Res 1545 (2004) of 21 May; SC Res 1577 (2004) of 1 December; SC Res 1527 (2004) of 4 February; SC Res 1528 (2004) of 27 February; SC Res 1561 (2004) 17 September; SC Res 1532 (2004) of 12 March; SC Res 1549 (2004) of 17 June; SC Res 1579 (2004) of 21 December; SC Res 1537 (2004) of 30 March; SC Res 1562 (2004) of 17 September; SC Res 1580 (2004) of 22 December; SC Res 1547 (2004) of 11 June; SC Res 1569 (2004) of 26 October; SC Res 1574 (2004) of 19 November; SC Res 1558 (2004) of 17 August; SC Res 1531 (2004) of 12 March; SC Res 1560 (2004) of 14 September; SC Res 1523 (2004) of 30 January; and SC Res 1541 (2004) of 29 April

of Germany, Romania, Britain and the US SC Res 1564 (2004) of 18 September that declared the Council's willingness to adopt further measures under Chapter VI of the Charter against the Sudanese government if the latter persisted in its uncooperative behaviour with regard to the expansion and extension of the monitoring mission. Finally, the Spanish representative also co-sponsored with the representatives of Chile, France, Germany, Romania, the UK and the US SC Res 1572 (2004) of 15 November that condemned the attack perpetrated by the Ivorian Air Forces against the French armed forces that had been deployed in Ivory Coast to enforce the cease fire,⁹⁵ imposed a weapons embargo to Ivory Coast, decided upon the freezing of all assets, funds and economic resources of those persons that constituted a threat to the peace and national reconciliation in the country, and decided to prevent their entry or transit in Ivory Coast.

However, perhaps Western Sahara constitutes the clearest example of a Spanish initiative. It was Spain under its Presidency of the SC the country that tried to revitalise the issue,⁹⁶ which seemed to languish since the moment the plan of the former US Secretary of State James Baker III was blocked by the objections of Frente Polisario and Algeria.⁹⁷ In January 2003 James Baker began the preparation of an alternative plan, which would be known as Baker Plan II, while the SC extended the mandate of the UN mission deployed in the territory.⁹⁸ The Plan proposed the autonomy of Western Sahara for five years with a government elected from the modified Spanish census. After the period of five years, a referendum would be held for the inhabitants of Western Sahara to choose either independence or autonomy from Morocco, or by contrast the integration into this country. Spain, the US and Algeria (ally of Frente Polisario), supported the plan. Frente Polisario was reticent, but pressures from Spain and Algeria bent its initial reticence and it finally acquiesced.⁹⁹ Morocco and France (ally of Morocco), plainly rejected it. Morocco always refused to

⁹⁵ Sengupta, Somini (7 November 2004), "Ivory Coast Violence Flares; 9 French and 1 U.S. Death", *The New York Times*; Sengupta, Somini (8 November 2004), "More French Troops Are Sent to Ivory Coast as Violence Flares", *The New York Times*.

⁹⁶ Questionnaire to Ambassador Inocencio Arias, Spanish representative to the UN between 1997 and May 2004, on 25-26 January 2010.

⁹⁷ The plan, which was partially endorsed by the Council in SC Res 1429 (2002) of 20 July, proposed the incorporation of Western Sahara into Morocco.

⁹⁸ SC Res 1463 (2003) of 30 January; SC Res 1469 (2003) of 25 March; SC Res 1485 (2003) of 30 May.

⁹⁹ P., I. (12 July 2003), "El Frente Polisario anuncia su respaldo al Plan Baker", *El País*.

accept any plan in which independence was an option.¹⁰⁰ However, as the Council members progressively began to give their support to the Plan, France was getting increasingly isolated within the Council. By the end of July 2003, all Council members except France had accepted Baker's proposal. Finally, the SC ended by adopting unanimously SC Res 1495 (2003) of 31 July in which the Council supported the Baker Plan II at the same time it extended again the mandate of MINURSO.¹⁰¹ It was not an endorsement of the Plan, but at least it had the support of the Council.¹⁰² Despite the support of France for the resolution, Morocco objected to it.¹⁰³ After all the Spanish diplomatic efforts, such as bringing the issue to the forefront for the SC to discuss it, and Spain's endeavour to persuade Frente Polisario to accept the Baker Plan II, there was no progress. In October the SC extended once again the mandate of MINURSO.¹⁰⁴

The issue entered into a phase of stagnation in 2004. While the SG Special Envoy held meetings with both parties in an attempt to overcome the impasse, the Council activity just limited to the extension of MINURSO twice, first in January and later in April.¹⁰⁵ The second extension had a profound impact on the morale of the Frente Polisario because it began to perceive that the solution to the problem would prove again to be elusive. It was especially hard for the 160 thousand refugees that survive in Tinduf, southwest of Algeria, thanks to international aid provided by the UN, some NGOs, and other international organisations. The Moroccan opposition to Baker's Plan or to discussing any other option that could question Morocco's sovereignty and territorial integrity made impossible the achievement of any solution. In view of the stalemate provoked by Morocco's intransigency, the Secretary-General's Personal Envoy, James Baker III, resigned in June.¹⁰⁶ From that moment, the issue lost momentum and began to languish. With no alternatives on the table, the SC decided to extend once again the

¹⁰⁰ C., I. (21 March 2003), "Mohamed VI avisa de que no se permitira que se siembre cizaña", *El País*;

¹⁰¹ Piquer, Isabel (1 August 2003), "La ONU apoya el plan Baker sobre el Sahara sin obligar a las partes a aplicarlo", *El País*.

¹⁰² Piquer, Isabel (31 July 2003), "España busca el consenso en la resolucion sobre el Sahara", *El País*

¹⁰³ El País (2 August 2003), "Rabat reitera sus reparos al 'Plan Baker' apoyado por la ONU"; UN document S/2003/1028.

¹⁰⁴ SC Res 1513 (2003) of 28 October.

¹⁰⁵ SC Res 1523 (2004) of 30 January; SC Res 1541 (2004) of 29 April.

¹⁰⁶ El País (12 June 2004), "Dimite James Baker, el enviado personal de Annan al Sahara Occidental".

mandate of MINURSO and requested the SG to report on an eventual reduction of the mission staff.¹⁰⁷

In the following years Morocco took advantage of the impasse and in 2007 proposed an autonomy plan for Western Sahara that had the support of France but it did not convince the other group of friends of Western Sahara (Britain, the US, Spain and Russia) because the autonomy envisaged in the Moroccan proposal was very restricted.¹⁰⁸ Nevertheless, the fact that the Spanish Socialist government, in another departure from the policy followed by the Conservative government, simply contemplated the possibility of autonomy as an option harmed Spain's relationship with Algeria, to the point that the 20% unilateral increase of the gas price to Spain in 2007 was considered a signal of Algerian discontent with Spain.¹⁰⁹ However, the fact that the EU negotiated a fishing agreement with Morocco that included Western Sahara's territorial waters, where 80% of all fishing fleet that operated was Spanish, was a powerful reason for Spain to consider the autonomy option.¹¹⁰ The Spanish wariness, the distant perspective of a solution to the problem, and Morocco's official claim of Western Sahara in the 35th anniversary of the annexation of the territory by Morocco¹¹¹ probably encouraged the inhabitants of Western Sahara to set up a camp in the outskirts of El Aaiun, the occupied capital of Western Sahara, in 2010 to denounce the violations of human rights by the Moroccan Army, the exploitation of Western Saharan natural resources by Morocco, and the illegal Moroccan occupation of Western Sahara.¹¹² They managed to draw the attention of international community not by their vindications, but by the brutal repression of the Moroccan Army, which on 9 November dissolved the camp by force and declared a curfew.¹¹³ Although Spain did not expressly condemn the use of force to avoid raising tension with Morocco, it proposed the enlargement of MINURSO competences to include the supervision of the respect of human rights.¹¹⁴ However, the Spanish proposal was not welcomed by

¹⁰⁷ SC Res 1570 (2004) of 28 October.

¹⁰⁸ Cembrero, Ignacio (14 December 2010), "España apoya en el Sahara una solución favorable a Marruecos", *El País*.

¹⁰⁹ *Ibid.*

¹¹⁰ Gonzalez, Miguel (6 February 2011), "Jiménez apoya que Rabat negocie la pesca del Sahara", *El País*.

¹¹¹ *El Mundo* (7 November 2010), "El Polisario califica de 'guerrero' el discurso de Mohamed VI".

¹¹² Lopez, Damian (19 October 2010), "Nuevo campamento Esperanza", *El País*.

¹¹³ Cembrero, Ignacio (9 November 2010), "Marruecos liquida la protesta saharaui", *El País*.

¹¹⁴ Gonzalez, Miguel (20 November 2010), "España aboga para que la ONU vigile los derechos humanos en el Sahara", *El País*.

Morocco, and France opposed to it. It will be in April 2011, when the SC has to renew the mandate of MINURSO, when it will be known whether MINURSO competences will include the supervision of human rights or not. In the meantime, MINURSO will continue its task of supervising the cease fire between the Moroccan Army and the Frente Polisario.¹¹⁵

The case of Western Sahara represents an example of ‘niche diplomacy’. It illustrates the importance that presence in the SC has for non-permanent members in bringing issues of their particular concern to the forefront of the international agenda. Western Sahara is one of those issues of especial concern for Spain for historic, economic, and geo-strategic reasons. In consequence, the different Spanish governments have always had Western Sahara as one of the top items in their agendas. In fact, Spain is a member of the ‘groups of friends’ of Western Sahara with Britain, France, the US and Russia. The presence in the SC was a good opportunity for Spain to encourage a solution to the conflict. The initiative of the Spanish conservative government meant a departure from the less assertive policy followed by previous governments and contributed to worsening the relationship of Spain with Morocco, which was already very tense for the continuous frictions between the two countries, which began in 2001 when the fishing negotiations between the two countries failed in December 2000.¹¹⁶ In addition, the problem of immigration became increasingly important.¹¹⁷ Thousands of Africans tried to break into Spain by sea or through Ceuta and Melilla, the Spanish enclaves in Africa. Spain accused Morocco of lack of cooperation in controlling the illegal immigration, although in 2003 Morocco showed a more cooperative attitude.¹¹⁸ Moreover, the incident of Islet Perejil in 2002 strained even more the relationship between the two countries.¹¹⁹ The previous governments, by contrast, had tried to avoid frictions with Morocco by keeping a less assertive policy in support to

¹¹⁵ www.un.org/en/peacekeeping/missions/minurso/background.shtml, accessed on 27 February 2010.

¹¹⁶ O., W. (15 December 2000), “España pide a la UE un esfuerzo mas para lograr un pacto de pesca”, *El País*.

¹¹⁷ *El País* (23 June 2001), “Fernandez-Miranda calcula que 20.000 personas llegaran en patera este año”; Romaguera, Candido (26 June 2001), “Interceptados otros 153 inmigrantes indocumentados en Tarifa y Nerja”, *El País*; Romaguera, Candido (13 November 2001), “Interceptados 94 inmigrantes en Tarifa, el mayor contingente desde hace dos meses”, *El País*.

¹¹⁸ Pardellas, J. M. (24 April 2003), “Marruecos se compromete a frenar el trafico ilegal de inmigrantes”, *El País*; *El País* (18 November 2003), “España y Marruecos crean un organo para cooperar en la lucha contra la inmigracion ilegal”.

¹¹⁹ *The New York Times* (16 July 2002), “World Briefing | Africa: Morocco: Soldiers Stay on Island”; Daly, Emma (19 July 2002), “World Briefing | Europe: Spain: Offer Made To Withdraw Troops”, *The New York Times*; Daly, Emma (18 July 2002), “Spanish Armada Takes Isle, Ejecting Morocco Force of 6”, *The New York Times*.

aspirations of the Frente Polisario with the aim of not harming Spanish interests in Morocco and the Sahara, and the good relationship that Spain maintained with France, which is the main ally of Morocco for the cultural and economic links that both countries maintain.¹²⁰ The Spanish assertiveness jeopardised the good relationship of Spain with its northern neighbouring country, France, with which it has important common interests. One of these common interests is the fight against ETA terrorism, an issue on which the French cooperation has been extremely valuable. The cooperation of France has been fundamental for Spain because ETA has traditionally used French territory as a shelter where commandos rest, reorganise and rearm. Without French cooperation, the fight against the Basque terrorist group would have been much more difficult and costly. As a result, Spanish policy with regard to Western Sahara, in general terms, has not been as assertive as one could expect from a former colonial power, and the fact that Western Sahara still remains as a pending issue owes much to this lack of Spanish assertiveness.

Despite these Spanish initiatives, in general the Spanish approach to African issues was rather inconsistent, as in the case of the Democratic Republic of Congo. When inter-ethnic hostilities intensified in this country, the SC authorised the deployment of an interim multinational force to stabilise the country and improve the humanitarian crisis caused by the massive exodus of refugees to the neighbouring country Uganda.¹²¹ The Spanish representative supported the resolution, but only contributed with personnel in the Headquarters at Paris, although the multinational force was exclusively formed by European military personnel.¹²² Spain also supported the increasing of the United Nations Organisation Stabilisation Mission in Democratic Republic of Congo (MONUC), the provision of assistance to MONUC, and the extension of its mandates, but it did not contribute to its formation.¹²³ Similarly, Spain supported SC Res 1479 (2003) of 13 May that established the United Nations Mission in Ivory Coast (MINUCI) and those resolutions that extended the mandate of the

¹²⁰ C., I. (10 October 2003), "Chirac reitera su firme apoyo al rey de Marruecos con una nueva visita de Estado", *El País*.

¹²¹ SC Res 1484 (2003) of 30 May.

¹²² Fuller, Thomas (5 June 2003), "European Peacekeepers to Go To Congo on Non-NATO Mission", *The New York Times*; P. E. and B. E. (4 June 2003), "La Unión Europea anunciará hoy el envío de 1.400 soldados de su Fuerza de Reacción Rápida a Congo", *El País*.

¹²³ SC Res 1468 (2003) of 20 March; SC Res 1489 (2003) of 26 June; SC Res 1493 (2003) of 28 July; SC Res 1501 (2003) of 26 August; SC Res 1555 (2004) of 29 July; SC Res 1565 (2004) of 1 October.

mission and its expansion.¹²⁴ However, as it happened with MONUC, Spain did not contribute to this UN mission either.¹²⁵ These were not the only two occasions in which Spain voted in favour of the deployment of UN missions without contributing to them. When the SC authorised the deployment of a multinational force in Liberia (UNMIL) to assist ECOWAS troops in the pacification of the country and the avoidance of a major humanitarian tragedy, Spain voted in favour of the resolution¹²⁶ and supported the extension of its mandate,¹²⁷ but it contributed neither with military nor with police personnel.¹²⁸ In the case of Sierra Leone, Spain followed the same pattern. Although the consolidation of the authority of the State over the country in 2003 allowed the progressive reduction of the United Nations Mission in Sierra Leone (UNAMSIL),¹²⁹ the problem of the refugees from Liberia still constituted a serious problem and as a consequence the SC decided to extend the mandate of the UN mission with the support of Spain.¹³⁰ Nevertheless, as on other occasions, Spain participated in UNAMSIL neither with military nor with police personnel.¹³¹

There were cases in which Spain, by contrast, registered slightly more involvement. In Burundi, the peace process continued its consolidation during 2003 and 2004 with the presence of African Union peacekeepers.¹³² However, the financial and logistic difficulties of the African peacekeepers and the objective of giving the peace process an international recognition were determinant factors for the deployment of a UN mission, named United Nations Operation in Burundi (ONUB), which would take over the tasks carried out by the AU peacekeepers. The UN mission was unanimously authorised in SC Res 1545 (2004) of 21 May under Chapter VII of the Charter. It comprised a military as well as a civilian component whose mission was to support and help in the implementation of the Arusha Agreement. This included the tasks of ensuring the respect of the cease fire, carrying out the disarmament and demobilisation

¹²⁴ SC Res 1514 (2003) of 13 November; SC Res 1527 (2003) of 4 February; SC Res 1528 (2004) of 27 February.

¹²⁵ www.un.org/en/peacekeeping/missions/past/minuci/facts.html, accessed on 20 October 2010.

¹²⁶ SC Res 1509 (2003) of 19 September.

¹²⁷ SC Res 1561 (2004) of 17 September.

¹²⁸ www.un.org/en/peacekeeping/missions/unmil/facts.shtml, accessed on 27 February 2010.

¹²⁹ SC Res 1492 (2003) of 18 July.

¹³⁰ SC Res 1470 (2003) of 28 March; SC Res 1508 (2003) of 19 September; SC Res 1537 (2004) of 30 March and SC Res 1562 (2004) of 17 September.

¹³¹ www.un.org/en/peacekeeping/missions/past/unamsil/facts.html, accessed on 27 February 2010.

¹³² *The New York Times* (8 October 2003), “Rebel Group in Burundi Signs Peace Accord With Government”; *The New York Times* (9 October 2003), “One of Two Rebel Groups Signs Burundi Peace Pact”; *The New York Times* (6 January 2004), “World Briefing | Africa: Burundi: Last Rebel Group Agrees to First Talks With President”.

of combatants, monitoring the illegal flow of arms and ensuring the protection of UN personnel, among other chores. The fragility of the peace process made recommendable the extension of ONUB for a six further months in December 2004.¹³³ In this occasion, Spain not only voted in favour of the resolutions that authorised the deployment of ONUB and the extension of its mandate, but it also contributed to it with military personnel.¹³⁴ In addition to Burundi, Spain also participated in the United Nations Mission in Ethiopia and Eritrea (UNMEE), which was deployed to patrol the Temporary Secure Zone (TSZ), a buffer area whose creation was agreed by the two countries in conflict. However, the Spanish participation in UNMEE was merely symbolic.¹³⁵ UNMEE was authorised by SC Res 1312 (2000) of 31 July and enlarged later in SC Res 1320 (2000) of 15 September with the deployment of up to 4,200 troops, including 220 military observers. The demarcation of the border continued during 2003-2004 with the support of UNMEE, although the task was not exempt from difficulties. In March 2003 Eritrea accused Ethiopia of hindering the demarcation process.¹³⁶ In these circumstances, the mandate of UNMEE was extended in March and again in September.¹³⁷ Nevertheless, in October it was agreed the continuation of the demarcation process.¹³⁸ UNMEE, whose presence was necessary as long as the demarcation process continued, was extended twice in 2004, although the cooperation of the parties allowed its adjustment.¹³⁹ The cooperation proved to be ephemeral, however. The constant obstructionist practises of Eritrea ended with the withdrawal of UNMEE personnel on 31 July 2008.¹⁴⁰

Although Spain seemed to play an active role in the decision-making process by co-sponsoring some SC resolutions with regard to African issues, the limited Spanish participation in the UN missions deployed in Africa seems to confirm a trend initiated

¹³³ SC Res 1577 (2004) of 1 December.

¹³⁴ www.un.org/en/peacekeeping/missions/past/onub/facts.html, accessed on 27 February 2010.

¹³⁵ In 2001, Spain was participating with 3 military observers and 2 staff officers. In comparison, Italy had deployed 4 military observers, 8 staff officers and 141 troops; Canada 6 military observers and 445 troops; and the Netherlands 1 military observer, 6 staff officers and 653 troops. The contribution of other countries, such as Denmark, Romania or Sweden was also greater than that of Spain. Ramsbotham, Alexander (ed.) (2001), "Digest", *International Peacekeeping*, Vol. 8, Number 4, Winter, p. 149.

¹³⁶ UN document S/2003/305.

¹³⁷ SC Res 1466 (2003) of 14 March; SC Res 1507 (2003) of 12 September.

¹³⁸ Lacey, Marc (10 October 2003), "World Briefing | Africa: Ethiopia: Demarcation To Go Ahead", *The New York Times*.

¹³⁹ SC Res 1531 (2004) of 12 March; SC Res 1560 (2004) of 14 September.

¹⁴⁰ Hoge, Warren (16 February 2008), "WORLD BRIEFING | AFRICA; ERITREA: U.N. Protests Thwarting of Peacekeepers", *The New York Times*; SC Res 1827 (2008) of 30 July.

in the previous period in which Spain was in the SC (1993-1994), which is the decreasing importance of Africa in the Spanish agenda with the exception of Western Sahara. In addition to the reasons pointed out in the previous subheading, there is another reason that can explain the little interest of Spain in African UN missions in this period, which is the role assumed by Spain as a follower of Britain and especially the US. Thus, Spain's interventions focused on the areas of especial interest for Spain and the US, which in this period were mainly Iraq, Afghanistan, the former Yugoslavia or Haiti. Focusing on these areas also explains the symbolic participation in UN missions in Africa. Similarly, the Spanish co-sponsoring of resolutions related to African issues should be understood more as part of Spain's role as a follower of the US and Britain than a genuine interest of Spain in Africa.

The Americas

The progressive solution of the conflicts that afflicted the American continent reduced the presence of Spain in the area. The only country in which the Spanish involvement continued in this period was Haiti, although Spain's role was more of that of follower than that of leader. As we saw in the previous chapter, in 1994 a multinational force authorised by the SC and led by the US intervened in Haiti to restore democracy in that small Caribbean country. The peaceful transfer of power from the restored President Aristide to his successor René Préval in 1996 was an important step in the consolidation of democracy.¹⁴¹ However, poverty, economic crisis, increasing criminality, corruption, and the constant political interference of the outgoing president, who sought to retain his presidency, were important obstacles for the consolidation of democracy.¹⁴² Political factionalism became characteristic of this period, and the unpopular economic measures that the increasingly weak Haitian government tried to implement in an attempt to tackle the economic crisis provoked growing social unrest, which on occasions was fuelled by Aristide's followers.¹⁴³ In 2000, Aristide was elected again in a ballot that was contested by the opposition by

¹⁴¹ Einsiedel, Sebastian Von and David, M. Malone (2004), "Haiti", in Malone, David M. (ed.), *The UN Security Council. From the Cold War to the 21st Century*, London, Lynne Rienner Publishers, p. 474.

¹⁴² Rohter, Larry (24 March 1997), "Wave of Violence Unsettles Nerves in Haiti", *The New York Times*; *The New York Times* (5 April 1997), "Haiti's Democratic Troubles".

¹⁴³ Rohter, Larry (10 June 1997), "Haiti's Premier Quits, Saying Aristide Forces Undermined Him", *The New York Times*.

arguing that it had been fraudulent.¹⁴⁴ From that moment, political and social instability reigned in the country, to the point that SG Annan recommended the termination of the UN mission in Haiti.¹⁴⁵ By the end of 2003, the opposition to the corrupt Aristide government reached higher levels despite the growing repression of the regime.¹⁴⁶ Voices calling for Aristide's resignation became generalised.¹⁴⁷ At the beginning of 2004 the country was on the verge of chaos. Armed rebels began to loot cities, causing devastation and an important flow of refugees, while important sectors of the opposition began to request an international intervention to impose order in the country.¹⁴⁸ At the end of February, the Spanish government decided to evacuate all Spanish residents from the country, although the evacuation had finally to be suspended because of the lack of security.¹⁴⁹

Despite the grave situation in Haiti, the SC was divided on the despatch of force to restore order in the country. France favoured the deployment under French leadership, but the US was reluctant to do so because of its commitments in Iraq and Afghanistan.¹⁵⁰ However, another important reason was that the deployment of a force without the request of either the Haitian government or the rebels could immerse the foreign force in a factional fight that could worsen the situation. The differences between the two SC members were solved by the release of a Presidential Statement on 26 February that simply acknowledged the call for international involvement in Haiti.¹⁵¹ Nevertheless, the resignation of Aristide and his departure from the country changed the US stance over Haiti. The fact that Aristide's successor requested international intervention to restore order was also a fundamental element in this US

¹⁴⁴ *The New York Times* (19 November 2000), "Haiti Candidates Say Election is Rigged"; *El País* (28 November 2000), "La oposición a Aristide asegura que solo voto el 5% del censo de Haití".

¹⁴⁵ *The New York Times* (29 November 2000), "Annan Urges End to U.N. Mission in Haiti".

¹⁴⁶ *The New York Times* (6 March 2003), "World Briefing | Americas: Haiti: Report on Rights Violations".

¹⁴⁷ Gonzalez, David (8 October 2003), "World Briefing | Americas: Haiti: Anti-Aristide Protest", *The New York Times*; *The New York Times* (4 December 2003), "World Briefing | The Americas: Haiti: Antigovernment Protests Continue"; *The New York Times* (23 December 2003), "World Briefing | Americas: Haiti: Gunmen Fire On Crowd".

¹⁴⁸ *El País* (10 February 2004), "Los saqueos devastan Haití"; *The New York Times* (6 February 2004), "Rebels Take Over Haiti's Fourth-Largest City"; Polgreen, Lydia (11 February 2004), "Haitian Forces Battling Uprising Report Retaking 3 Towns", *The New York Times*; *The New York Times* (11 February 2004), "Haiti Erupts".

¹⁴⁹ *El Mundo* (26 February 2004), "Suspendida la evacuación de los españoles de Haití por falta de seguridad".

¹⁵⁰ Marquis, Christopher (18 February 2004), "U.S. Declines To Use Force to Put Down Haitian Strife", *The New York Times*.

¹⁵¹ UN document S/PRST/2004/4.

change of mind.¹⁵² As a result of the new US-French understanding, the SC adopted unanimously SC Res 1529 (2004) of 29 February which, among other things, authorised the deployment of a multinational force for a period of no more than three months and envisaged the creation of a United Nations stabilisation force to help Haiti in a peaceful transition to democracy. However, given the chaotic situation of the country, the interim government could not impose its authority over the whole territory, which made impossible the holding of elections. Aware of this situation, the SC did not wait for the holding of elections to authorise the deployment of the United Nations Stabilisation Force in Haiti (MINUSTAH). At the end of April, the SC unanimously adopted SC Res 1542 (2004) of 30 April that authorised the deployment of the UN mission whose main tasks would be the securing of a stable environment, the restoration of the rule of law, the support of the political process, and monitoring the respect of human rights. The presence of MINUSTAH forces, however, did not bring peace to Haiti. Social unrest, fuelled by extreme poverty, and environmental degradation, predominated in the country. The natural disasters that afflicted the country contributed to worsen the situation of population.¹⁵³ As MINUSTAH played a key role in the disbanding and disarming of armed groups and its contribution was essential to the reconstruction of the country, the SC authorised in November the extension of MINUSTAH mandate until 1 June 2005.¹⁵⁴

Although it is difficult to assess the contribution of Spain in the elaboration of SC resolutions, since all were elaborated in consultations behind close doors before their adoption, the role of Spain in the Haitian crisis was that of a simple follower of the US and France, as in the previous period. The lack of strong cultural and historical links with Spain, its geographical distance, and the absence of Spanish economic interests, did not turn Haiti into one of the countries of special interest for Spain. However, the Spanish commitment to democracy, its defence of human rights, and its role of follower of the US during that period were surely powerful drives for Spain to

¹⁵² Hoge, Warren (1 March 2004), "THE ARISTIDE RESIGNATION: SECURITY COUNCIL; U.N. Panel Backs Plan To Aid Haiti With Troops", *The New York Times*.

¹⁵³ Weiner, Tim (29 May 2004), "Floods Bring More Suffering to a Battered Haitian Town", *The New York Times*; Weiner, Tim (1 June 2004), "The Price of Rice Soars, and Haiti's Hunger Deepens", *The New York Times*; *The New York Times* (27 May 2004), "Flood Toll Rises to 1,950 in Haiti and Dominican Republic".

¹⁵⁴ SC Res 1576 (2004) of 29 November.

contribute significantly to MINUSTAH with 200 marines.¹⁵⁵ This contribution meant a sharp contrast with that of the previous period of Spain in the SC. In 1993, Spain also supported the resolutions adopted by the SC with regard to Haiti, in particular the resolution that authorised the deployment of UNMIH, but on that occasion the Spanish offer to the composition of the UN mission was simply up to 10 civilian police, which in the end turned into none.¹⁵⁶ However, in one of the incomprehensible decisions of the Socialist Party after its victory in the general election held in March 2004, the Spanish forces that formed part of MINUSTAH were withdrawn from Haiti in April 2006 before the electoral process was finalised.¹⁵⁷ The withdrawal could be guided by the aim of the Socialist party to detach from the policy of the Conservative party as a follower of the US, but it was made at the expense of betraying the long time Spanish commitment to democracy, defence of human rights, and its efforts to become an important actor in the maintenance of international peace and security.

Asia

Of all the issues the SC dealt with during this period, the conflicts in Afghanistan and Iraq were those that clearly dominated the SC agenda. The number of countries involved in both wars, the proportion of forces implicated, and the deep divisions that the Iraq war aroused among SC members made these issues the most challenging that the SC and the UN had to face, to the point that the SG himself said, on the Iraq war in particular, that severely tested the principle of collective security and the resilience of the Organisation.¹⁵⁸ The Iraq war was also important for the role that Spain played in the SC, which clearly depicted, more than any other issue, the shift of the Spanish foreign policy under the Conservative Party. Iraq, and to a lesser degree Afghanistan, symbolised the detachment of Spain from the core European members and its closeness to its Atlantic partners, Britain and the US. Spain was not the only European country that followed that path with regard to the Iraq war, but the presence of Spain in the SC and the active role that it carried out in it, made the shift more conspicuous

¹⁵⁵ Aznarez, Juan Jesus (28 October 2004), "200 infantes de marina españoles llegan a Haití para estabilizar el país", *El País*.

¹⁵⁶ *El País* (7 October 1993), "España ofrece policías para la misión de las Naciones Unidas en Haití"; www.un.org/en/peacekeeping/missions/past/unmihfacts.html, accessed on 27 February 2010.

¹⁵⁷ Rico, Maite (13 March 2006), "La retirada española de Haití provoca malestar en la ONU", *El País*; The Associated Press (10 March 2006), "Spain to Exit U.N. Peacekeeping Mission in Haiti", *The New York Times*.

¹⁵⁸ Annan, Kofi (2005), "Report of the Secretary-General on the work of the Organisation", *Yearbook of the United Nations 2003*, Vol. 57, New York, Department of Public Information United Nations.

and important. Had Spain not been in the SC, the shift of the Spanish foreign policy would have had less political repercussions. This was particularly evident at the moment of discussing the invasion of Iraq in the Council. Spain could contribute, jointly with the US and Britain, to counterbalance the diplomatic manoeuvres of France and Germany in their campaign against the intervention in that country.

Spain played an important role with regard to the war in Afghanistan before its entry into the SC.¹⁵⁹ However, it is difficult to assess the Spanish participation in the elaboration of the resolutions because all of them were agreed in previous consultations,¹⁶⁰ although it is plausible that after its incorporation to the Council Spain continued its activism in search of as much consensus as possible among SC members in the adoption of the resolutions. In the field, Spain participated in the operation “Enduring Freedom” with medical staff on the front, and with units of aerial support and surveillance.¹⁶¹ At sea, two frigates and one logistic support warship operated in the Aden Gulf.¹⁶² Moreover, the Spanish government also authorised the use of the US military bases in Spain as a logistic platform (38 warships and 480 aircraft used the Spanish facilities).¹⁶³ Finally, Spain also offered to collaborate with troops on the ground, but the US considered they were not necessary.¹⁶⁴ Nevertheless, Spain did deploy 500 military staff as a part of the International Assistance Force (ISAF),¹⁶⁵ a multinational force whose main task was to assist the Afghan government in the maintenance of security in Kabul and the surrounding areas.¹⁶⁶ In 2003, the command of ISAF was assumed by NATO. This Spanish contribution was reinforced with 500 more in 2004 to guarantee a peaceful electoral process.¹⁶⁷ The significant

¹⁵⁹ See this Chapter, pp. 168-169.

¹⁶⁰ SC Res 1455 (2003) of 17 January; SC Res 1471 (2003) of 28 March; SC Res 1510 (2003) of 13 October.

¹⁶¹ D., R. (2001), “ESPAÑA EN LA OPERACION HUMANITARIA en Afghanistan”, *Revista Española de Defensa*, Numero 166, Año 14, December, p. 15-16.

¹⁶² *Ibid.*, p.16.

¹⁶³ *Ibid.*, p. 16.

¹⁶⁴ *Ibid.*, p. 16.

¹⁶⁵ The International Security Assistance Force was established by the SC in SC Res 1386 (2001) of 20 December.

¹⁶⁶ Gonzalez, Miguel (28 December 2001), “El Gobierno español aprueba el envio de hasta 485 militares a Afganistan”, *El País*.

¹⁶⁷ De Rituerto, Ricardo M. (2 November 2004), “La mitad del contingente español en Afghanistan volverá a final de mes”, *El País*.

Spanish political and military contribution, despite the opposition of important sectors of the Spanish population,¹⁶⁸ shows the commitment of Spain as a follower of the US.

During 2003-2004 the campaign in Afghanistan still gave room for optimism. The reconstruction of the country and the transition to democracy continued, and Taliban and Al Qaida suspects were progressively arrested. At the beginning of 2004, a very important step towards democracy was achieved with the adoption of a Constitution for the country, although this success was overshadowed by the insecurity that prevailed in the country and the lack of state authority in large areas. In order to strengthen the rule of law and security, disarmament, demobilisation and reintegration of extremists became one of main priorities. The adoption of SC Res 1526 (2004) of 30 January, in which the SC decided the tightening of economic sanctions against the Taliban, Osama Bin Laden and other members of Al Qaida, complemented with an arms embargo to prevent the flow of weapons in the country, went in that direction. The aim was to suffocate financially the Taliban and the Al Qaida members to prevent them financing the acquisition of weapons. However, the economic sanctions brought an undesirable consequence, which was the growing dependence of the country on drug production and trade.¹⁶⁹ Despite the insecurity, presidential elections were held at the beginning of October in an atmosphere of relative calm.¹⁷⁰ Political progress continued after the departure of Spain from the SC. The Presidential election was followed by Parliamentary elections in September 2005;¹⁷¹ and in 2009, Karzai was elected again in the Presidential elections held in 2009 despite the threats of Taliban groups, although this time the election was contested with suspicion.¹⁷²

However, the political progress was not followed by progress on the military side. Although the invasion of the country was quick, the task of imposing order and ending

¹⁶⁸ P., J. (9 October 2001), "Concentracion en Valencia contra los ataques estadounidenses", *El País*; *El País* (9 October 2001), "Manifestaciones contra los ataques en Barcelona, Madrid y Cadiz"; *El País* (11 October 2001), "Cerca de 2.000 personas protestan en Madrid en contra de los bombardeos".

¹⁶⁹ Gall, Carlotta (19 November 2004), "Afghan Poppy Growing Reaches Record Level, U.N. Says", *The New York Times*; Rohde, David (26 August 2007), "Taliban Raise Poppy Production to a Record Again", *The New York Times*.

¹⁷⁰ Waldman, Amy (10 October 2004), "Afghan Poll Is Almost Calm, but Challengers Cry Foul", *The New York Times*.

¹⁷¹ Gall, Carlotta and Somini Sengupta (19 September 2005), "Afghan Voters Take Next Step to Democracy", *The New York Times*.

¹⁷² Gall, Carlotta and Stephen Farrell (20 August 2009), "Afghan Election Called a Success Despite Attacks", *The New York Times*; Shah, Taimoor (5 September 2009), "Afghan Fraud Denied", *The New York Times*; Oppel Jr. Richard A. and Archie Tse (20 September 2009), "One in 4 Afghan Ballots Face Check for Fraud", *The New York Times*.

with the Taliban resistance pockets proved much more difficult.¹⁷³ The lack of progress, the rising number of casualties, the mounting cost of the war, and most importantly, the perspective of no success in the short-medium term, eroded the optimism of political leaders, undermined the morale of combatants and diminished popular support for a war that seemed endless. As a result, troops of some countries began to withdraw to safer areas of Afghanistan (Kabul and its surroundings), or pulled out entirely from the country, although there were still high ranking US military officers who considered feasible a military solution by deploying reinforcements.¹⁷⁴ However, in 2009 it was largely recognised that a complete military victory over the Taliban could not be achieved and that the solution was to negotiate with the Taliban and to progressively hand over power to the Afghan authorities.¹⁷⁵ This opinion was shared by Spain, which during these years enlarged its military contribution to ISAF with the aim of accelerating the reconstruction and pacification of the country and hastening the training of the future Afghan Army to which hand over the task of maintaining order once the necessary conditions had been achieved.¹⁷⁶ To that purpose, at the end of 2006 the Spanish number of troops was of 690, at the end of 2009 of 1,068, and in 2010 of 1,500.¹⁷⁷ The increasing commitment of Spain in Afghanistan contrasts with the policy followed by the Spanish Socialist Party (PSOE) in Iraq. In fact, the greater role of Spain in Afghanistan can be considered as an

¹⁷³ Gall, Carlotta (3 July 2005), "U.S. Searches for Missing Soldiers Amid Taliban Resurgence", *The New York Times*; Hicks, Tyler (8 July 2006), "A Drive to Root Out the Resurgent Taliban", *The New York Times*; Mazzetti, Mark (2 July 2008), "Military Death Toll Rises in Afghanistan as Taliban Regain Strength", *The New York Times*.

¹⁷⁴ *The New York Times* (18 December 2006), "France to Pull Troops Fighting Against Taliban in Afghanistan"; Dempsey, Judy (16 September 2007), "Germany wrestles with keeping its soldiers in Afghanistan", *The New York Times*; Kulish, Nicholas (13 October 2007), "Germany To Keep Troops in Afghanistan", *The New York Times*; Dempsey, Judy (20 August 2009), "German Party Calls for Plan for Removal of Troops from Afghanistan", *The New York Times*; Schmitt, Eric and Thom Shanker (20 September 2009), "General Calls for More U.S. Troops to Avoid Afghan Failure", *The New York Times*.

¹⁷⁵ Gelb, Leslie H. (12 March 2009), "How To Leave Afghanistan", *The New York Times*; Dempsey, Judy (7 September 2009), "Europeans Seek to Shift Security Role to Afghan government", *The New York Times*.

¹⁷⁶ Gonzalez, Miguel (13 July 2010), "España no estara entre los paises que retiren tropas de Afganistan en 2011", *El País*.

¹⁷⁷ Burnett, Victoria and Rachel Donadio (30 July 2009), "Spain is Open to Bolstering Forces in Afghanistan, Prime Minister Says", *The New York Times*; Caño, A. and M. Gonzalez (2 December 2009), "España aportara 200 soldados mas al plan de Obama para Afganistan", *El País*; G., M. (30 December 2006), "El Gobierno mantiene en 3.000 militares el limite de contingentes en el exterior", *El País*; Aguilar, Miguel Angel (29 December 2009), "Con los nuestros en Afghanistan", *El País*; *El País* (24 October 2010), "El numero de militares extranjeros muertos en Afghanistan en 2010 roza los 600"; The Associated Press (12 September 2009), "WORLD BRIEFING | EUROPE; Spain: More Troops to Afghanistan", *The New York Times*.

attempt of the Prime Minister Jose Luis Rodriguez Zapatero to restore the damaged relationship with the US after the Spanish unilateral withdrawal from Iraq.

It was Iraq and its weapons of mass destruction (WMD), the most relevant matter that the SC had to deal with in 2003 and 2004 because of the divisions that this issue aroused among European countries, and the deep differences that emerged between the US and those European states that opposed to a military intervention in Iraq. The issue is also important for the leading role that Spain played in the SC, which became divided by the mentioned differences. Furthermore, the case of Iraq was the matter that more clearly reflected the shift of Spanish foreign policy of the Spanish Conservative party, which consisted in Spain's alignment with the US and Britain and its detachment from its main European partners, France and Germany. Conversely, the case of Iraq was also important because it became the paradigm of the Spanish return to the old, pre Conservative, Spanish foreign policy while Spain was still in the SC.

The differences within the SC revolved around SC Res 1441 (2002) of 8 November, which in the second paragraph of its operative part gave Iraq a last opportunity to comply with its disarmament obligation and the relevant resolutions of the Council. Some countries interpreted this sentence as if force could be used against Saddam Hussein if he did not fully cooperate with the inspectors and thereby, continued in breach of SC Res 1441 (2002) of 8 November. Other countries, by contrast, argued that the use of force would need a further resolution that explicitly authorised the use of force, measure that was not necessary anyway because they argued that the inspections were working and it was just a matter of time that the inspectors could confirm whether Iraq had WMD or not. The US, Britain, Spain and Bulgaria were in the first group of countries, while France, Germany, and Russia, were in the second. Other six members of the Council, Mexico, Chile, Pakistan, Angola, Syria, Cameroon and Guinea, were hesitant. China, for its part, supported the version led by France, although without being fully aligned with the group. Each group tried to persuade the undecided to join their side, in view of the irreconcilable positions. One of the persuasion attempts happened on 5 February 2003 when President Bush sent his Secretary of State, Colin Powell, to the UN with the aim of presenting 'irrefutable proofs' that showed Saddam Hussein's involvement in terrorism and his clandestine WDM programme. However, Colin Powell's exposition convinced nobody, because as

the Spanish representative would say, their proofs were neither undeniable nor irrefutable.¹⁷⁸ Russia, France and Germany still insisted that the path chosen in SC Res 1441 (2002) of 8 November was that of inspections, and the undecided remained hesitant on what group to support. Few days after Colin Powell's exposition, Mr. Blix and Mr Elbaradei, Executive Chairman of UNMOVIC and Director General of the IAEA respectively, contributed to indecisiveness of those hesitant when they both reported that neither of them had found evidence of presence of WMD in Iraq. As a result, the pressure over the hesitant SC members continued. Spain, follower of the US, exerted pressure over Chile and Mexico. The latter, in turn, was subjected to intense pressures from France.¹⁷⁹ After few days of negotiations, however, none of the countries had moved from their original stand, but France, to avoid any hesitant SC member joining the group led by the US, Britain, Bulgaria and Spain, threatened to veto any resolution in favour of an intervention in Iraq.¹⁸⁰ With this manoeuvre, France definitively put off those SC members that still might be thinking of joining the Anglo-American-Spanish position. What was the point of supporting a draft resolution which was going to be vetoed?

The French threat of veto, and the determination of the US to go ahead with the invasion of Iraq, provoked one of those increasingly frequent unilateralist spasms of the US. The US was determined to bypass the SC and invade Iraq with its support or without it.¹⁸¹ Even the suggestions of the Spanish and British Prime Ministers, the main US allies, on the convenience of a second resolution that reinforced the legitimacy of the invasion, were glossed over by President Bush. Both the British and the Spaniard wished a second resolution that quieted the intense opposition to war in their respective countries. In the case of Spain, not only members of the Conservative party in power, but even members of the Cabinet opposed the invasion.¹⁸² Furthermore, important sectors of the Spanish public opinion were also opposed to

¹⁷⁸ Arias, Inocencio (2006), *op. cit.*, p. 162.

¹⁷⁹ Trillo, Federico (2005), *op. cit.*, p. 252; Arias, Inocencio (2006), *op. cit.*, pp. 167-168.

¹⁸⁰ Sciolino, Elaine (11 March 2003), "THREATS AND RESPONSES: DISCORD; France to Veto Resolution On Iraq War, Chirac Says", *The New York Times*.

¹⁸¹ Schmitt, Eric (6 March 2003), "THREATS AND RESPONSES: MILITARY OPTIONS; Pentagon Ready to Strike Iraq Within Days if Bush Gives the Word, Officials Say", *The New York Times*; Myers, Steven Lee (11 March 2003), "THREATS AND RESPONSES: THE DESERT DMZ; U.N. Force at Kuwait Border Braces for Assault on Iraq", *The New York Times*; Franck, Thomas M. (15 March 2003), "If the U.N. Were Being Created Today...; Security Counsel", *The New York Times*.

¹⁸² Trillo, Federico (2005), *op. cit.*, p. 262 and 265-266; *El Mundo* (6 March 2003), "Dimite un cuarto concejal del PP por su rechazo a la guerra".

war. Demonstrations against the war happened almost on a daily basis in different places of the country, many of them fuelled by the main Spanish opposition party, the Socialist PSOE, and other leftist parties, which were especially active in mobilising the discontents with the war.¹⁸³ The mobilisation effort was not difficult among a population that is impregnated by an outmoded and ill understood pacifism (which is often fuelled by politicians), and by the deep rooted anti-Americanism, which automatically makes unpopular any initiative led by the US, although such initiative had the UN blessing.¹⁸⁴

Despite the domestic opposition to war, Spain played a significant role as a follower of the US and as well as a co-leader, in and out the SC. On 18 March 2003, Spain, Portugal, the US and Britain held the Atlantic Summit in the Azores Islands where they issued a statement in which they expressed their will to fight terrorism in all its forms, their commitment to democracy, freedom and rule of law, and their vow to combat together the threats of the twenty first century, which were terrorism and the spread of WMD.¹⁸⁵ Moreover, Spain, with the support of the US, organised a donor's conference in Madrid between 23 and 25 October whose aim was to raise as much money as possible for the reconstruction of Iraq. The Conference was a success for the number of participants and for the amount of money raised. More than 55 countries participated in the Conference, and the total amount of money collected was 33 billion US dollars.¹⁸⁶ Spain not also hosted the Conference, but it also contributed significantly to the fund with \$300 million, an amount that made Spain the second biggest European contributor after the UK, which contributed \$900 million, although it fell far behind from the US and Japanese contributions.¹⁸⁷ In the SC, Spain co-sponsored with Angola, Britain, Bulgaria, Cameroon, Chile, China, France, Germany, Guinea, Mexico, Pakistan, Russia and the US SC Res 1472 (2003) of 28 March that, among other things, appealed to the international community to provide humanitarian

¹⁸³ *El País* (6 March 2003), "UNIVERSITARIOS CONTRA LA GUERRA"; *El País* (6 March 2003), "CON LA PAZ EN LA CABEZA".

¹⁸⁴ Questionnaire to Ambassador Inocencio Arias, Spanish representative to the UN between 1997 and May 2004, on 25-26 January 2010.

¹⁸⁵ UN document S/2003/335.

¹⁸⁶ Weisman, Steven R. (23 October 2003), "THE STRUGGLE FOR IRAQ: DONORS; Envoys Gather In Madrid To Discuss Aid To Rebuild Iraq", *The New York Times*; Weisman, Steven R. (25 October 2003), "THE STRUGGLE FOR IRAQ: RECONSTRUCTION; OVER \$13 BILLION IN AID IS PLEDGED TO REBUILD IRAQ", *The New York Times*.

¹⁸⁷ *El País* (24 October 2003), "La Conferencia de Donantes recauda 33.000 millones para la reconstrucción de Irak".

assistance to the people of Iraq. Spain also co-sponsored with Britain and the US SC Res 1483 (2003) of 22 May, which among other things, appealed to all Member States to assist in the reconstruction of Iraq, lifted the trading restrictions with Iraq (except arms and related materiel), and decided to freeze all economic funds or assets of Saddam Hussein and other senior officials outside Iraq. In August of the same year, Spain also co-sponsored with Angola, Britain, Bulgaria, Cameroon, Chile, Guinea and the US SC Res 1500 (2003) of 14 August that decided to establish the United Nations Assistance Mission for Iraq (UNAMI); in October, it co-sponsored SC Res 1511 (2003) of 16 October with Cameroon, Britain and the US, in which the Council reaffirmed the territorial integrity of Iraq, affirmed the progressive assumption of administrative tasks by the Iraqi interim administration, and condemned the terrorist attacks of previous weeks.¹⁸⁸ Spain also co-sponsored SC Res 1518 (2003) of 24 November with Bulgaria, Chile, Guinea, Britain and the US, which decided to establish a Committee to identify the individuals and entities whose assets of funds should be frozen. Finally, in 2004, Spain also co-sponsored with France, Germany, the UK and the US SC Res 1538 (2004) of 21 April that welcomed the appointment of an independent high level inquiry in charge of investigate the allegations of fraud and corruption in the management of the oil-for-food programme.

The substantial role played by Spain as a follower of the US experienced a great shift in March 2004 with the victory in the ballots of the Spanish Socialist Party (PSOE), led by Jose Luis Rodriguez Zapatero. The PSOE had based part of its electoral campaign on a repudiation of the policy followed by the Spanish Conservative Party.¹⁸⁹ Furthermore, the Socialist Party had from the beginning considered the invasion of Iraq as illegal, and one of its main promises during the electoral campaign

¹⁸⁸ These attacks comprised the bombing of the Embassy of Jordan on 7 August 2003, the United Nations headquarters in Baghdad on 19 August 2003, the Imam Ali Mosque in Najaf on 29 August, and the Embassy of Turkey on 14 October, as well as the murders of a Spanish diplomat and Dr. Akila al-Hashimi on 9 October 2003. Filkins, Dexter and Robert F. Worth (8 August 2003), "AFTER THE WAR: IRAQ; 11 DIE IN BAGHDAD AS CAR BOMB HITS JORDAN'S EMBASSY", *The New York Times*; Filkins, Dexter and Richard A. Oppel Jr. (20 August 2003), "AFTER THE WAR: TRUCK BOMBING; HUGE SUICIDE BLAST DEMOLISHES U.N. HEADQUARTERS IN BAGHDAD; TOP AID OFFICIALS AMONG 17 DEAD", *The New York Times*; MacFarquhar, Neil and Richard A. Oppel Jr. (30 August 2003), "AFTER THE WAR: ATTACK AT SHRINE; Car Bomb in Iraq Kills 95 at Shiite Mosque", *The New York Times*; Berenson, Alex and Ian Fisher (15 October 2003), "THE STRUGGLE FOR IRAQ: CASUALTIES; Bomb at Turkish Embassy In Baghdad Kills Bystander", *The New York Times*.

¹⁸⁹ Sciolino, Elaine, Helene Fouquet and Dale Fuchs (15 March 2004), "BOMBINGS IN MADRID: POLITICAL UPHEAVAL; Following Attacks, Spain's Governing Party is Beaten", *The New York Times*.

had been the withdrawal of the Spanish troops from Iraq for this reason. The position of the Spanish Socialist Party was, therefore, closer to that maintained by France and Germany than that held by the US, Britain and the Spanish Conservative party. As a result, as soon as the new Prime Minister took office, he announced the unilateral withdrawal of the Spanish troops from Iraq, which would make effective by midyear.¹⁹⁰ This measure became, for its importance, the symbol of the new Spanish foreign policy that pursued the detachment from the US and Britain and an approach to the core European powers, Germany and France. Jose Luis Rodriguez Zapatero's antipathy to the US played a fundamental role in this shift, which as it was said, is also traditional in the Spanish left and in great part of the Spanish population. The incident of Rodriguez Zapatero with the US flag one year earlier was a clear evidence of his dislike for the US.¹⁹¹

The case of Iraq constitutes one of those episodes that clearly illustrate the behaviour of states in a unipolar system (or unifocal system, following Holbraad's terminology). In such circumstance the paths states can follow are two: The first one is to join other countries to exert some counterbalance to great power's hegemony. The second is to align with the great power and act as its follower. France and Germany, followed by others, chose the first path and confronted the US, the great power of the moment, with the aim of restraining its unilateralist inclinations. By contrast, Spain chose the second path and aligned with the US, Britain and Italy. Why did Spain opt to detach from Germany and France? The Conservative Spanish Prime Minister wanted Spain to become an important and relevant actor in international affairs as a means to increase the prestige of Spain, and he understood that the best way of achieving this was by aligning with the only great power of the moment. By doing so, Spain could enjoy the favour of the great power and the spoils, which would result in the enlargement of the political weight of Spain within the international community. Spain could have chosen to follow its European partners, but for population, economic weight and military capacity, Spain would have been overshadowed by France and Germany, especially at

¹⁹⁰ Bernstein, Richard (16 March 2004), "BOMBINGS IN MADRID: EUROPE; Nations with Troops in Iraq Make No Move to Join Spain", *The New York Times*.

¹⁹¹ In the traditional military parade organised every 12 October in Spain, Rodriguez Zapatero did not stand up as a signal of respect when US troops were marching. He argued that his attitude was coherent with his opposition, and of the majority of Spanish population, to the Iraq war and the submission of Spain to US interests. *El Mundo* (13 October 2003), "Zapatero continuo sentado mientras el PP honraba la bandera de los EEUU"; *El Mundo* (14 October 2003), "El PSOE defiende la coherencia de Zapatero en el 'desplante' a EEUU en el desfile militar".

that moment in which both countries were present in the SC. As a result, Spain would have been relegated to play a secondary role as a follower of the two leading European middle powers.

The fact that the US was not seeking so much military and economic assistance as political legitimacy also played in favour of Spain. If the US would have sought military assistance, the Spanish contribution would have probably had to be much larger than it actually was, but anyway it would have been clearly insufficient for the accomplishment of the designated military objectives. Furthermore, it would have been financially unaffordable for Spain. However, what the US needed and Spain could provide was the political and diplomatic support in the SC in order to grant its initiatives as much legitimacy as possible. The Spanish co-sponsoring of several resolutions with regard to Iraq pursued this objective. Moreover, the presence of Spain in the SC also helped to counterbalance the opposition of Germany and France every time this could emerge. The case of Iraq was a clear example. The presence of Spain in the Council was, therefore, of considerable importance. Had Spain not been in the Council, its relevance in the events that unfolded would have been probably less substantial, fact that reaffirms once again the importance that for states has the presence in the SC.

Although states tend to seek accommodation with the central power,¹⁹² as we have seen in the case of Spain, countries can also join and try to counterbalance its hegemony and unilateralism, as France and Germany did. This position can involve considerable political and economic costs, however. Spain is also a clear example of the costs that a middle power can face, with the aggravation that Spain did not oppose the US from the beginning, but it was a product of a radical political shift that was interpreted in the US as a betrayal. When the Spanish Socialist party (PSOE) won the general elections in March 2004, not only did it break its alignment with the US, but did also not stand by Spain's previously acquired commitments and unilaterally withdrew the troops from Iraq at the same time that it sought a realignment with France and Germany, its European partners.¹⁹³ The consequences of such a movement were several. Morocco became the 'preferential ally' of the US at expense of Spain

¹⁹² Holbraad, Carsten (1984), *Middle Powers in International Politics*, London and Basingstoke, Macmillan Press, p. 114.

¹⁹³ Sciolino, Elaine (7 May 2004), "Spanish Premier Says Troops Will not Return to Iraq", *The New York Times*.

and the project to move the headquarters of the VI US Fleet to the Spanish Naval base of Rota was halted.¹⁹⁴ Spain also saw itself politically isolated. The active role that Spain had played in the SC sharply diminished during the last months of Spain's term in the SC. The Spanish political isolation further increased when the US and France worked together to bridge their differences.¹⁹⁵ The adoption of SC Res 1546 (2004) of 8 June made important concessions to German-French demands, such as the creation of an Interim Government in Iraq that would replace the Coalition Provisional Authority at the end of that month, the transformation of the occupying forces into a multinational force with authorisation to use any measure to maintain security and stability but whose presence would be conditioned to the request of the Iraqi Interim Government, or the creation of a partnership between the Iraqi Interim Government and the multinational force.¹⁹⁶ In conclusion, the issue of Iraq reflects the importance that the SC has in enhancing the political weight of states, and also clearly depicts the alternatives that countries have in a unipolar system, as well as the benefits and costs that the alternatives can imply.

The Spanish commitment to the maintenance of international peace and security and the good relations with its neighbouring country, Portugal, took the activism of Spain to geographical areas as remote as East Timor. This small country in South East Asia was a Portuguese colony that became independent in 1975, although the independence was short-lived because the same year it was invaded by Indonesia. Nevertheless, in 1999 Portugal and Indonesia signed an agreement to enable the East Timorese population to hold a referendum under the supervision of the UN to decide whether remain as an autonomous region within Indonesia or become an independent country.¹⁹⁷ Despite the repression of local militias organised by the Indonesian Army

¹⁹⁴ *El Mundo* (5 June 2004), "Marruecos optara a contratos militares del Pentagono en su calidad de aliado de Estados Unidos"; Gordon, Michael R. (4 June 2004), "A PENTAGON PLAN WOULD CUT BACK G.I.'S IN GERMANY", *The New York Times*.

¹⁹⁵ Hoge, Warren (8 June 2004), "THE REACH OF WAR: UNITED NATIONS; U.S. Envoy Predicts Passage Of Revised Iraq Resolution", *The New York Times*.

¹⁹⁶ There were discrepancies between France, on one hand, and the US and Britain on the other, with regard to the extension of powers that the Iraqi Interim Government should enjoy. France wished to give the Interim Government the right of veto over the military operations that the multinational force would carry out, something to which the US and Britain were frontally opposed. As a solution of compromise, the security partnership between the multinational force and the Iraqi Interim Government was created.

¹⁹⁷ *El País* (6 May 1999), "Yakarta y Lisboa firman un acuerdo para la autonomía de Timor Oriental"; Shenon, Philip (6 May 1999), "Accords Signed for Timor Autonomy Vote; Rights Lawyer Harassed", *The New York Times*.

against those favourable to independence,¹⁹⁸ the majority of the population chose to constitute East Timor as an independent state.¹⁹⁹ However, the anti-independence militias did not recognise the electoral outcome and began a campaign of indiscriminate killings and destruction in areas populated by those suspected of having voted for independence.²⁰⁰ Even the quarters of the UN in East Timor, where 1,500 people had found shelter, were a target of the militias.²⁰¹ The objective was to force the withdrawal of all UN personnel with the aim of carrying out a massive killing with no international witnesses.²⁰² The atmosphere of insecurity and terror created had the opposite effect, however.²⁰³ International pressure increased on Jakarta to authorise the deployment of an international force if the Indonesian army was no longer capable of imposing order.²⁰⁴ Finally, the international pressure on Jakarta gave the desired result. In the second half of September the Indonesian army began to pull out while a multinational force with a peace enforcement mandate was gathering in Australia before its deployment in East Timor.²⁰⁵ Spain offered to contribute but only at Portugal's request, although finally no Spanish troops formed part of the multinational force.²⁰⁶ At the beginning of October the Indonesian army recognised the result of the referendum and accepted the independence of East Timor.

What the troops that composed the multinational force found was a country completely devastated. The civil administration did not function, the judiciary system no longer existed, and water and electricity supplies were in real danger of collapse.²⁰⁷ As a result, at the end of October 1999 the SC authorised the deployment of the United

¹⁹⁸ Mydans, Seth (30 August 1999), "With More Broken Promises of Peace, East Timor Votes", *The New York Times*.

¹⁹⁹ Mydans Seth (4 September 1999), "In East Timor, Decisive Vote for a Break From Indonesia", *The New York Times*.

²⁰⁰ Mydans, Seth (6 September 1999), "EAST TIMOR FALLS INTO HANG'S HANDS; KILLINGS REPORTED", *The New York Times*.

²⁰¹ El País (6 September 1999), "Sin testigos".

²⁰² *Ibid.*

²⁰³ Crossette, Barbara (7 September 1999), "A Push to Intervene in East Timor is Gathering Backers at the U.N.", *The New York Times*.

²⁰⁴ Crossette, Barbara (9 September 1999), "As Support for Intervention Grows, Indonesia Persuades U.N. to Delay Evacuation of Mission", *The New York Times*; Shenon, Philip (10 September 1999), "PRESIDENT ASSERTS JAKARTA MUST ACT OR ADMIT TROOPS", *The New York Times*; Crossette, Barbara (15 September 1999), "U.N. Presses to Organize International Force for East Timor", *The New York Times*.

²⁰⁵ Landler, Mark (17 September 1999), "Timor Peacekeeping Force Gathers in Australia", *The New York Times*; *The New York Times* (17 September 1999), "Indonesia General Sees an Early Timor Pullout".

²⁰⁶ Servimedia (16 September 1999), "España anuncia que enviará tropas si Portugal lo pide", *El País*.

²⁰⁷ Crossette, Barbara (6 October 1999), "ANNAN SAYS U.N. MUST TAKE OVER EAST TIMOR RULE", *The New York Times*.

Nations Transitional Administration in East Timor (UNTAET), whose mandate was the administration of East Timor, which included nation-building tasks, the provision and delivery of humanitarian aid and the maintenance of order and security.²⁰⁸ On this occasion, Spain participated in UNTAET although it did not send military but only civilian police personnel.²⁰⁹ In 2001 the Timorese went to polls again to elect a Constituent Commission whose task was the drafting of a constitution for the country. The constitution was finalised in 2002 and was followed by a presidential election. From that moment, East Timor was officially considered an independent country and was admitted as a member of the UN. Yet the UN continued its presence in East Timor. The SC adopted SC Res 1410 (2002) of 17 May that established the United Nations Mission of Support in East Timor (UNMISSET) that superseded UNAMET and whose mandate was to provide assistance to core administrative structures, provide interim law enforcement, assist in the development of the Timorese police and contribute to the internal and external security of the country. Spain also contributed to this UN mission with civilian police personnel.²¹⁰ From 2003 onwards, the UN mission in East Timor began its downsizing since significant progress was being achieved in all areas mentioned in SC Res 1410 (2002). During 2004 the transfer of responsibilities to the authorities of East Timor continued and in November 2004 the SC authorised another extension of UNMISSET for a final period of six more months.²¹¹ Spanish collaboration continued until the end of UNMISSET mandate on 20 May 2005.

Conclusions

The arrival of Spain on the SC in 2003 represented the culmination of the Spanish foreign policy implemented by the Conservative Party (PP) since its victory in the general elections in 1996. This policy pursued the projection of Spain as a relevant actor in the maintenance of international peace and security and in international affairs in general. The presence in the SC was a fundamental step in this strategy. The SC places a country in a privileged position that enables it to participate in the decision-making process of the most important organ in matters of international peace and security. In this process, a country in the SC deals directly with the great powers,

²⁰⁸ SC 1272 (1999) of 25 October.

²⁰⁹ www.un.org/en/peacekeeping/missions/past/etimor/UntaetF.htm, accessed on 27 February 2010.

²¹⁰ www.un.org/en/peacekeeping/missions/past/unmisset/facts.html, accessed on 25 September 2010.

²¹¹ SC Res 1573 (2004) of 16 November.

participates more or less successfully in the bargaining and negotiation processes among SC members, exerts varying degrees of influence, and can become the bridge between the great powers and the rest of the world. This prominent position can result in a special advantage to some states with considerable bargaining capacities or soft power influence, such as Spain, because they can encourage initiatives, use their diplomatic skills to act as mediators, or to build coalitions. Nevertheless, the capacity of non-permanent members to mediate became increasingly eroded since the 1990's and accentuated during 2003-2004 as a result of the growing US hegemonic unilaterism. The absence of a counterbalance to the hegemonic power neutralises any mediation initiative, such as happened to Spain with regard to the Middle East. Where Spain could have played the role of mediator is in the case of Iraq, where the hegemonic power could be counterbalanced by France and Germany, but Spain chose the role of unconditional follower of the hegemonic power instead.

The role of a follower of the US, and the presence in the SC, gave Spain an unprecedented international relevance. The role of states as followers of the great power is very important because they can use their diplomatic skills to rally other countries behind great power's initiatives, in this case the US. This is the most important task that countries can carry out to grant legitimacy to a great power's actions, especially if they hold a seat in the SC, as it was in the case of Spain. After all, what a hegemonic power essentially needs is not so much military support, although it can be important, as political legitimacy for its actions. In the case of Iraq, Spain played a significant role in this sense; it co-sponsored SC resolutions, it contributed to the military operations, and more importantly, used its diplomatic skills and influence to gather as much support as possible as a back up for the US enterprise. Alternatively, states can form coalitions to act as a counterbalance of the great power. This is what France and Germany did on occasions, and this was the option that the Spanish Socialist Party chose after its electoral victory in March 2004, when Spain was still in the SC. Thereafter, the active role that Spain had been playing as a follower of the US was replaced by a low profile policy as a follower of, and under the umbrella of, France and Germany.

The assumption of the new role as a follower did not hinder the continuation of Spanish activism in the maintenance of international peace and security. In fact, the

presence of Spain in the SC was preceded by an increasing participation in international peace keeping operations, to the point that during the two years that Spain served in the SC between 2003 and 2004, Spain deployed the largest number of troops ever, which stretched out all over the five continents. Therefore, during this period Spain followed the path initiated fifteen years earlier that sought to consolidate its role as a middle power committed to the maintenance of international peace and security either by contributing with military or with civilian personnel in several UN missions deployed worldwide. However, the presence of Spain in the different geographical areas was uneven. The contribution of Spain to the UN missions has obviously been more significant in those areas of Spanish interest, while in the other regions of less importance for Spain, its contributions have been fairly symbolic or even non-existent. Nevertheless, there have been some exceptions to this rule. It draws to the attention that Spain has neither contributed to MINURSO nor to any peace keeping operation in the Middle East, which are two of Spain's areas of interest,²¹² while at the same time it has contributed to peace keeping operations in areas of Africa where the Spanish interests seem to be negligible, such as in Burundi, or in the conflict between Ethiopia and Eritrea. The absence of vital interests can explain why the contribution of Spain in these two cases has been rather modest. Yet, it is not clear why Spain participated in Burundi and Ethiopia-Eritrea but did not contribute to other UN missions in Africa, such as UNMIL in Liberia, UNAMSIL in Sierra Leone, MONUC in Democratic Republic of Congo or MINUCI in Ivory Coast. The Spanish representative to the UN during those years argues that the reason why Spain does not participate in many UN missions was the lack of resources, which made it necessary to establish priorities. However, he did not mention what criteria (if any) were followed by the different Spanish governments at the time of deciding where to participate or not.²¹³ In any case, the strategic importance of Africa for Spain seems to have dropped considerably during recent years.

In the Americas, Europe, and Asia, the role of Spain has been more active and consistent. In Haiti, Spain participated in the UN mission whose task was to assist the little Caribbean country in its transition to democracy. Although Spain acted as a

²¹² This anomaly would not be solved in the Middle East until September 2006, when Spain carried out an initial deployment of 490 marines and 76 legionaries as part of UNIFIL. Gonzalez, Miguel (15 September 2006), "Los soldados españoles se despliegan hoy en Líbano como fuerza de paz", *El País*.

²¹³ Questionnaire to ambassador Inocencio Arias, Spanish representative to the UN between 1997 and May 2004, on 25-26 January 2010.

follower of the US and France, the former colonial power, the Spanish initiative was in consonance with Spain's commitment to democracy and defence of human rights since the establishment of democracy in Spain, although the sudden withdrawal of the Spanish troops under the government of the Spanish Socialist blurred partly such commitment. In Europe, Spain became an active member in the SC with regard to the former Yugoslavian republics when it co-sponsored the SC resolutions that gave strong mandates to SFOR and EUFOR. Moreover, Spain also participated significantly with troops on the field on both Bosnia and Herzegovina and Kosovo. In Asia, it participated in Afghanistan in both the 'Operation Enduring Freedom' and in ISAF, whereas in Iraq, Spain played an active role in and out of the SC, first as a seeker of a resolution that gave more legitimacy to the campaign in Iraq, then as a participant in the invasion (although not with combat troops), and later with the holding of the Conference of donors and the co-sponsoring of several SC resolutions in the SC. Also in Asia, Spain also participated in UNMISSET, whose mandate included nation building as well as security tasks.

Finally, in addition to the role of follower of the US and of an middle power actively committed to the maintenance of international peace and security, Spain continued its long standing portrayal of upholder of international legality and human rights, behaviour that has been characteristic of Spain since the first time it was in the SC. Spanish support for the draft resolution that declared illegal the construction of the wall by Israel, or the cosponsoring of SC Res 1551 (2004) of 3 March that, among other things, reiterated the need to judge those indicted by the Tribunal for the Former Yugoslavia, are two examples. The defence of international legality was accompanied by the Spanish inclination for multilateralism and its predilection for the achievement of compromises. The endeavours of Spain until the very last moment to reach an agreement between the two contending parties in the SC with regard to the intervention in Iraq are an example of such proclivity.

In sum, this period shows the importance that the SC has as a venue for those countries that pursue a greater relevance, a higher profile and a larger involvement in international affairs. It also shows how states adapt to the changing international circumstances by adopting different roles. This versatility turns non-permanent members into relevant actors in the production of outcomes in the SC. One example of

this versatility is Spain, which initially adopted the role of a follower of the hegemonic power and later the role of counterbalance. And regardless the role they play, the tendency of the majority of states for multilateralism and defence of international legality can, in the best scenario, represent a restraint to the unilateralist proclivity of great powers and, in the worst case, although equally important, act as mark signallers of the limits that great powers should never trespass.

8 CONCLUSION: SPAIN AS A SUCCESSFUL MIDDLE POWER

In Chapters 4 to 7, we have examined Spain's foreign policy during four specific periods (1969-1970; 1981-1982; 1993-1994; 2003-2004). This represents a period of 35 years during which Spain and the world have experienced many important changes. When Spain became for the first time a non-permanent member of the Security Council (SC) in 1969, the country was still a pariah state under the dictatorship of Franco. At this time the world was immersed in a bipolar confrontation between the United States of America (USA) and the Union of Socialist Soviet Republics (USSR). Nevertheless, the relationship between the two superpowers had somewhat eased and entered a phase of détente. When Spain returned to the SC in 1982, the country had become a democracy. However, the new political system was still in the stage of consolidation. At this time the world had returned to a period of confrontation between the two blocs, known as the 'second cold war.' By 1993, the year when Spain became a non-permanent member of the SC for the third time, the country was a consolidated democracy, and accepted in the main Western organisations. At this time the world had seen the end of the confrontation between the two blocs, and entered a period of understanding between former rivals that was called 'the new world order'. Finally, ten years later in 2003 when Spain returned again to the SC, the country had consolidated its position as a 'middle power' within the international community. At this time the world was characterised by a declining US hegemony in which foreign and domestic policymaking had become increasingly complex with the emergence of new threats and challenges, such as the proliferation of weapons of mass destruction, international terrorism, trans-national organised crime, famine and diseases, which also posed a risk to international peace and security.

The diverse circumstances of each period in the domestic, as well as in the international context, had an impact on Spain's performance in the SC. Nevertheless, as we will discuss below, it is possible to identify lines of continuity in Spain's foreign policy throughout these years. As the case studies in this thesis have shown, Spain is a most interesting country to analyse. This is because it is a country that in a period of 60 years passed from being completely ostracised and outside of the UN, as we described in Chapter 3, to becoming one of the most important members of the Organisation. If we make a comparison of when Spain first became a member of the

SC in 1969, with how it had developed by 2004, we shall notice many significant differences. In 1969, Spain was still a country politically isolated from its neighbouring Western European countries. In economic terms it was still considered as a developing country, this was in spite of the spectacular economic growth of the 1960s. Nevertheless, as discussed in Chapter 1, Spain was a recipient of development aid, its contributions to the UN regular budget fell behind those of Argentina and India, and at this time it did not participate in peacekeeping operations. In 2004, by contrast, Spain was the eighth largest economy in the world, it had become the eighth largest contributor to the UN regular budget, and it had became a substantial contributor to peacekeeping operations with a presence in five continents. This is indeed a remarkable transformation, considering this happened over a relatively short period of 35 years in which Spain consolidate its position as an important middle power in the international arena.

Middle powers in international relations

As mentioned above, Spain is a middle power which over the years has strengthened its role in the SC. But, what is a middle power? In Chapter 1, we discussed the difficulty of defining a middle power for the great diversity of countries, which comprises this category. The difficulty of defining whether a country is a middle power or not, has indeed been helped by the introduction of three approaches: The hierarchical, normative and behavioural approaches. The hierarchical approach provides us with objective indicators, which give us an idea of the position that a country occupies in the international ranking of states, such as the Gross National Product (GNP), population, territorial size, military strength, and location, to name the most commonly used. However, the use of such indicators provides us with a great disparity of countries depending on the emphasis given to the indicators, and glosses over those influencing features related to culture and values. The normative approach addresses the weaknesses of the hierarchical approach because it takes into consideration the compliance of states with international law. It assumes that middle powers will obey the rules of the international system, and are reluctant to use force. However, this approach tends to ignore the fact that small powers and great powers will also act according to international law. The former obey international rules because they do not have a choice, while the latter obey international rules as a way of

gaining their actions a halo of legitimacy. Finally, the behavioural approach assumes that middle powers are better defined and identified by a behaviour, which tends to favour multilateralism, searches for compromises, and good neighbourly principles. However, we have seen in the previous pages that this behaviour is not exclusive to middle powers, but can also be a characteristic of great and small states. To accomplish these objectives, it is possible to identify a pattern of behaviour in which states can act as catalysts, facilitators or managers. They will act as catalysts when they use their diplomatic skills to introduce initiatives and seek the necessary support for their initiatives. They will behave as facilitators when they employ their diplomatic abilities to build coalitions to pursue a particular aim. Finally, they will act as managers when they use their diplomatic skills to build institutions, regimes, or to develop norms or conventions. Although we have focused on Spain, throughout the previous pages we have seen that not only middle powers like Spain, but also great and small powers, can perform such roles to a greater or lesser extent.

Spain in the Security Council

The behaviour of states is, perhaps, the most important element to bear in mind in the context of the SC. This is because the performance of states can decisively influence the decision-making process. The attitude and behaviour of states can allow the SC to adopt resolutions and discharge its responsibilities, or vice versa, it can prevent the adoption of resolutions. Nevertheless, the other two approaches have also been born in mind. For example, in Chapter 3, we saw that Spain had been considered a middle power by the League of Nations for its geographical size, population, GNP, location, income per capita, and military strength. At the end of the Spanish Civil War (1936-1939) Spain continued to fit into the category of a middle power. This was in spite of the fact that the conflict seriously harmed its economic capabilities and infrastructure. The conflict also produced a sharp decline in the income per capita of the population, and ended with the political isolation of the country. Spain was not invited to the Conference of San Francisco. The victors of the Second World War were hostile towards a regime, which had come to power with the assistance of their former common enemies, Nazi Germany and Fascist Italy. For that reason, the Franco regime became one of the first issues the Security Council (SC) dealt with, because the Franco regime was considered as a threat to international peace and security. However, by the

time Spain came to serve in the SC (1969-1970), the country had experienced an impressive rise in economic growth, which placed Spain among the most important industrialised countries. From then on, Spain consolidated its position as a middle power from the hierarchical approach, especially since the country gained recognition when in transition to democracy after Franco's death in 1975.

Throughout the thesis we have also utilised the normative approach. There are many examples in which Spain behaved as an upholder of international law when in the SC. However, it is important to remember that the observance of international law is a common feature of the majority of states, regardless of their rank within the international community of states.

- Spain supported SC Resolution 271 (1969) of 15 September, which reaffirmed the inadmissibility of the acquisition of territories by force, and called upon Israel to observe the provisions of the Geneva Conventions (see Chapter 4: 72).
- Spain supported SC Resolution 527 (1982) of 15 December, which condemned the apartheid regime in South Africa (see Chapter 5: 121).
- A further example is Spain's disagreement with Argentina over its use of force as a means to solve the question of the Falkland Islands, although Spain was sympathetic towards the Argentinean claims over the Islands (see Chapter 5: 128).
- Spain supported SC Resolution 507 (1982) of 28 May, which condemned the aggression against the Seychelles, and condemned states that permit or tolerate the recruitment of mercenaries to overthrow governments or carry out illegal acts (see Chapter 5: 121).
- Spain co-sponsored SC Resolution 935 (1994) of 1 July, which requested the Secretary-General to establish a Commission of Experts to investigate the violations of international humanitarian law in Rwanda (see Chapter 6: 152).
- Spain supported SC Resolution 1460 (2003) of 30 January, which called upon states to respect international law with regard to the rights and protection of children in armed conflicts (see Chapter 1: 6).

Spain, therefore, has been an upholder of international law in the four periods it has served in the SC. However, during the first period when Spain was in the SC, although

the country supported international law, and opposed the apartheid regime in South Africa, at home the dictatorship did not guarantee individual human rights. This is a contradiction which can only be explained because of the sharp distinction made between the domestic and the international arenas. The support of states for international law constitutes a very important standard setting task, which contributes to discern what behaviour is acceptable and which is not.

Nevertheless, although Spain's defence of international law has been a constant feature during the four periods of service in the SC, the behaviour of Spain has changed over the time, or it may be more appropriate to say it has evolved, in the country's efforts to adapt to transformations in the SC, which in turn have been led by changes in the international context. This has resulted in a permanent process of adaptation of the SC, which has involved structural, as well as methodological changes in the decision-making process. The most important structural change was the enlargement of the SC in 1965. This organ of the United Nations saw an increase in its size from eleven to fifteen members as a result of the emergence of new states created after the decolonisation process. The inclusion of new members from Africa and Asia, four years before Spain's arrival in the SC, had important repercussions concerning power relations within the SC. The majority of new members belonged to the non-aligned movement or had close links with the USSR. As a consequence the Western countries began to lose their dominant influence in the SC, and the USSR had more allies.

Another important consequence of the enlargement of the SC was an increase in its agenda items, which included issues that were of interest to the new SC members. This gave the non-aligned and Third World countries a greater bargaining capacity on the issues discussed in the Council. The pending decolonisation of the Portuguese colonies, the apartheid system in South Africa, the decolonisation of Namibia, and the Palestinian cause, were all of great importance to Third World and non-aligned countries and as such were included on the SC agenda. All these changes had important repercussions for Spain. They made it possible for Spain to play the role of facilitator and bridge-builder between the US and Western countries on the one hand, and the USSR and its clients, on the other. If the SC had not been enlarged Spain would not have probably been able to play these roles. Although on many occasions

these attempts were frustrated by the use of the veto, which on many occasions prevented the SC from passing its resolutions.

Another important question is how an increase in the membership of the UN, and the enlargement of the SC, affected the Spanish election in 1969. If these two changes had not happened, it is unlikely that Spain would have been elected to serve in the SC. As discussed in Chapter 4, Spain was recommended for election to the SC in 1968 with the support of the Latin American, African, Arab countries, despite opposition from its group, the WEOG. Spain's marginalisation within Europe, reinforced later by the opposition of Spain's group to its election, created a favourable perception of Spain among the newly independent states. They considered Spain as an atypical country closer to their interests. This image was cultivated by Franco's regime, which approached the Latin American, African and Arab states with the aim of gaining the recognition that its Western neighbouring countries denied it.¹ This initiative was highly successful as the election of Spain for a seat in the SC shows, but it did not stop there. As time passed by, Spain's foreign policy evolved towards Europe and moved away from the non-aligned African and Asian states.

As we have discussed throughout this thesis, there were a number of examples in which Spain's role in the SC made an important contribution towards international peace and security. The confrontation between the two super powers; the enlargement of the SC, which gave access to the African and Arab countries (the majority of Latin American countries were founders of the UN); the good relationship that Spain had cultivated with the latter countries; Spain's situation as an outcast country of Europe but the perception among the Latin American, African, and Arab states of Spain as a friendly European country; all these circumstances placed Spain in an advantageous position to play the role of facilitator and catalyst within the SC. This role was mainly played during 1969-1970 and 1981-1982, the first two periods in which Spain was in the SC. In Chapter 4 and 5, we offer many examples:

- The Spanish representative's negotiations to gain the necessary support for the adoption of SC Resolution 265 (1969) of 1 April. This condemned Israel's attack to

¹ At the same time the Western countries considered that the election of Spain gave the SC a more anti-Western look.

Jordanian villages and ended two years of Council inactivity with regard to Israeli's aggression against Jordan (see Chapter 4: 70-71).

- Spain's negotiations to soften the wording that made possible the adoption of SC Resolution 269 (1969) of 12 August. This condemned South Africa for its refusal to comply with SC Resolution 264 (1969) of 20 March, and threatened further measures if it did not withdraw from Namibia (see Chapter 4: 78-79).
- The Spanish representatives negotiations between the US and Arab countries, which made possible the adoption of SC Resolution 487 (1981) of 19 June, condemned Israel for its attack of the Iraqi nuclear reactor (see Chapter 5: 113-114).

Nevertheless, there were occasions in which Spain's efforts in search of a consensus among SC members were frustrated by the US veto:

- The Spanish representative tried to help solve the Nicaraguan conflict. He endeavoured to bridge the differences between the US and other members of the SC. The aim was to adopt a resolution, which among other things would appeal to member states to refrain from direct, indirect, overt or covert use of force against any country of Central America and the Caribbean, and resort to dialogue instead (see Chapter 5: 125-126)
- In 1982 Spain tried to overcome the differences among the non-aligned countries and the Western countries who condemned Israel and requested member states to consider the adoption of measures "...in order to nullify the Israeli annexation of the Syrian Golan Heights and to refrain from providing any assistance or aid to and co-operation with Israel..." (UN document S/14832/Rev.1). The resolution, although watered down, was vetoed by the US (see Chapter 5: 112).

On both these occasions Spain's efforts to manoeuvre and succeed were constrained because the US considered their vital interests were at risk. The dilemma here is that although a super power like the US would seek to protect its vital interests, as a member of the SC it is under pressure to act in unison with the other members. Nevertheless, there were also occasions when the interests of Spain were also a major constraint on whoever was the Spanish representative at the time. Or in other words, there have been moments in which the defence of Spain's interests have hindered the adoption of a more assertive multilateral stance:

- This happened in 1969-1970, when the SC dealt with the issues which affected Portugal. The signature of the Treaty of Friendship and Non-Aggression, known as the “Iberian Pact”, between Portugal and Spain in 1939 and reaffirmed in 1942, made Portugal one of the pillars on which Spain based its link to the Western defence system (the other was the US after the Spanish-US bilateral agreement signed in 1953) until Spain’s membership in NATO in 1982. However, Spain’s support of the decolonisation process as a means to keep a good relationship with the Afro-Asian-Arab countries, strained their relationship with Portugal. The Portuguese thought that Spain’s stance on decolonisation put in question the Portugal’s colonial policy, which was characterised by the Portuguese reluctance to grant independence to its colonial possessions in Africa.²

In fact, Spain abstained in all those resolutions that involved Portugal. Spain did not even try to resolve the differences among the African countries and Portugal. Instead Spain sought not to harm their relationship with any of the parties. Spain’s policy which it applied with some success was to vote separately on the paragraphs of the resolutions which referred to Portugal:

- This happened when the Afro-Asian members of the SC requested a vote on a resolution, which proposed the extension of economic sanctions on Southern Rhodesia concerning the Portuguese colony of Mozambique for the Portuguese non-compliance with SC Resolution 253 (1968) of 29 May (see Chapter 4: 82-84).
- Similarly, Spain only supported the resolutions that condemned the apartheid regime of South Africa if there was no mention to Portugal, as one of the violators of the arms embargo over South Africa (see Chapter 4: 86).
- The same strategy inspired Spain’s abstention in the complaints of Zambia, Senegal and Guinea against Portugal (see Chapter 4: 87).
- Another case was that of South Africa in 1981, although this time it was for economic reasons. When the non-aligned countries requested the Council to adopt comprehensive and mandatory sanctions against South Africa for its occupation of Namibia, a measure that had the opposition of France, Britain and the US, Spain could not play the role of bridge-builder to narrow the differences. Spain was opposed to the

² There was another reason that explains Spain’s interest in maintaining a good relationship with the African states, which was the procurement of allies to counterbalance those African states that claimed colonial status for the Canary Islands.

adoption of broad economic sanctions because of Spain's economic interests in South Africa. Spain could not align itself with the Western countries because such a manoeuvre risked upsetting the African countries. Moreover, sanctions against South Africa would have had a negative impact on the economies of Spain and the South African neighbouring countries, such as Botswana. As a result, Spain abstained (see Chapter 5: 118-119).

Gibraltar was a most important concern for Spain, especially during the first two periods of Spain's membership in the SC. During this period decolonisation was still a 'burning issue'. Spain was always careful not to adopt any political stance or decision, which could contradict or harm the arguments and principles on which the defence of the decolonisation of Gibraltar had been built. On occasions, this pattern of behaviour placed Spain in a difficult positions:

- This happened with the question of Bahrain, in which Spain had to resort to imaginative reasoning to support the independence of Bahrain, and avoid a clash with the majority will of the Arab countries (see Chapter 4: 77-78).
- The Falkland Islands War was another example. The Spanish government supported the decolonisation of the Islands because of the resemblance of the Falklands with Gibraltar. But at the same time the Spanish government was opposed to the Argentinean use of force as a solution. Moreover, Spain had historic, cultural and emotional links with Argentina, but it also had important ties with Britain, which strengthened as a consequence of Spain's recent membership of NATO. Initially Spain kept a low profile in the SC (see Chapter 5: 128-129). It was not until the conflict seemed inevitable that Spain got involved as a catalyst and bridge-builder with the aim of achieving a peaceful solution, which allowed Argentina to 'save its face' (see Chapter 5: 130-133).

In spite of these examples the role of Spain as a facilitator, catalyst and bridge-builder made a large contribution in narrowing differences, and achieving coalitions among the SC members, which on many occasions avoided deadlock in the SC. These examples help us to understand the important role that non-permanent members can play in the SC.

After the Cold War the atmosphere of cooperation that predominated among the permanent members, had important repercussions for the non-permanent members.

This new period of cooperation among the ‘big five’ in the drafting of resolutions, resulted in a loss of the non-permanent members bargaining capacity, at the same time that led to unprecedented activism in the SC. As a result, the non-permanent members lost to a great extent their capacity to mediate, encourage initiatives or play permanent members off against each other. These changes had an impact on Spain in which they saw the exercise of their role as facilitator and catalyst constrained. In fact, Spain failed on the few occasions in which it tried to act as a bridge-builder:

- Spain’s mediation attempt failed when Spain was requested by Iraq in 1994 to persuade Britain and the US to lift the sanctions (see Chapter 6: 145).

This period of cooperation, however, was short lived and superseded by renewed divergences among the permanent members, this time under the hegemonic preponderance of the US. But these changing circumstances did not mean the total recovery of the former influence of the non-permanent members. The lack of a counterbalance to US hegemony made it difficult for any mediation efforts. Spain’s alternative tactic was to use persuasion, although the use of this tactic was limited in spite of the good relationship between the US and Spain, during those years:

- This happened in 2002, when the Palestinians requested Spain to take on the role of mediator with the aim of convincing Israel to halt the Jewish settlements in the West Bank. But backed up by the US, Israel continued with the settlements (see Chapter 7: 179).

There was still room for Spain to manoeuvre but the task of catalyst, mediator, or coalition-builder became more complex. The first task was for Spain to use its skills of persuasion to convince the hegemonic power of the benefits of reaching a compromise. The second task was for Spain to use its skills to build coalitions and seek a common position between the SC members. But as discussed above, this strategy would only work if the vital interests of the hegemonic power were not at stake.

These changing circumstances which hindered the performance of Spain as a coalition builder or mediator, led to an adaptation of the role of Spain in its commitment to the maintenance of international peace and security. By the time Spain returned to the SC in 1993-1994, Spain began to focus on participation in peacekeeping operations after

the accomplishment of the military transition in 1989. Participation in peacekeeping operations is a task that traditionally has been carried out by middle powers. Nevertheless, in more recent years developing countries, such as Nepal, Pakistan or Fiji, have also contributed to peacekeeping operations. The understanding among the permanent members of the SC, which allowed the proliferation of peacekeeping operations, also helped Spain in its evolution towards its new role as a peacekeeper. However, Spain's increasing contribution to peacekeeping operations also had powerful domestic motivations. There was a necessity to find tasks for the Spanish Armed Forces, and improve the negative image, which it had among the majority of the Spanish population during Franco's dictatorship. There was also a need to build close ties with the armies of its European partners. Peacekeeping operations became the perfect tool for these purposes. The new image of the Spanish Armed Forces delivering humanitarian aid, monitoring cease-fires, or supervising electoral processes, contributed positively to a greater acceptance of the Spanish Armed Forces among the Spanish population, and public opinion in general.

Finally, there are two other reasons which explain this evolution of Spain's behaviour: First, the secondary role that the SC played in the Middle East peace process since the early 1990s. Second, the increasing focus of the SC on African issues, which coincided with Africa's progressive loss of political weight in Spain's foreign policy agenda. This happened after Spain's incorporation to NATO and the EEC in 1986. After this, Spain's priorities were focused on Europe, Latin America and the Middle East. It was the first two areas that registered greater activism of Spain in the SC, as well as its role of a more substantial contributor to peacekeeping operations. The exception to this trend would be the Western Sahara because of Spain's colonial past in the territory and its turbulent relationship with Morocco, although Spain has never contributed to MINURSO. Nevertheless, Spain participated in some peacekeeping operations in Africa during the 1990s and 2000s, and co-sponsored some SC resolutions, especially in countries where Spain had economic interests or where there were gross violations of human rights. In the latter example on occasions the mass media played a significant role drawing attention to these atrocities and putting pressure on the Spanish government to intervene:

- Spain co-sponsored SC Resolution 918 (1994) of 17 May. This resolution reinforced and extended the United Nations Assistance Mission in Rwanda (UNAMIR), imposed an arms embargo on the country, and requested the Secretary-General to report on grave violations of international humanitarian law (see Chapter 6: 151-152).
- SC Resolution 955 (1994) of 8 November. This resolution decided to establish an International Tribunal to prosecute persons responsible for genocide and violations of humanitarian law in the same country (see Chapter 6: 152).
- More recently, SC Resolution 1572 (2004) of 15 November. This resolution condemned the attack against French troops in the Ivory Coast, imposed an arms embargo and the freezing of all assets of those people who represented a real threat to the reconciliation of the country (see Chapter 7: 189).

In Spain's last period on the SC (2003-2004), the country continued to increase its participation in peacekeeping operations, but in a rather different context. The frequent differences of the permanent members of the SC, and the terrorist attack of September 11 tilted the US towards increasing unilateralism. In this situation countries have three options: align with the hegemonic power; form an alliance with other countries in an attempt to counterbalance the preponderance of the former; or remain aloof. These options had advantages and drawbacks, especially for a country in the SC. The first option may seem the easiest because the follower can enlarge its political stature and obtain favours from the hegemonic power in exchange for its support. However, there are two important problems with this option: first, states in this position will encourage the hegemonic power to continue and deepen its unilateralist policy instead of refraining from it; second, the followers may lose control of the course of events.

The second option was to join the other permanent and non-permanent members in the SC in an attempt to counterweight the hegemonic power. This position is risky because of the retaliatory measures that the hegemonic power can carry out against those who try to get in the way of its initiatives. Another way of counterbalancing the hegemonic power was the use of the collective veto, but this option was highly unlikely because the non-permanent members constituted a very heterogeneous group, with very diverse interests, which made it extremely difficult to reach an agreement or a common position against the US. Moreover, this strategy is extremely unlikely

because of the pressures that the US can exert over the other members, to avoid its isolation in the SC. In addition, the US could wield its veto power as a last resort.

Finally, a country could try to stay aloof of the issue, but this option is also unlikely for the high political costs that it involves. As we discussed, the case of the Yemen in 1991, is an example of the political costs that opposition or abstention can imply. Moreover, if SC members split up into two conflicting sides, a country that tried to stay away would place itself under intense pressure from both competing forces in search of its support. This is a no-win situation because any country that adopted such a strategy would probably suffer retaliatory measures from the side it decided not to support. It could be argued that the election of Spain to the SC is an example of the first option. Spain's Conservative government's strategy was to increase the political status of Spain within the international community. To that end, the Conservative Party aligned Spain with the US and Britain, and Spain became a follower of the hegemonic power, the US. The case of Iraq is an example. Spain not only acted as a follower of the US in the SC, but it also lobbied other countries to gather as much diplomatic support as possible for the US initiatives. The good personal relationship between the US President and the Spanish Prime Minister helped. But this option is risky because the follower (i.e., Spain) is not totally in control of the course of events.³

Spain's last term in the SC (2003-2004) was also a period of Spain's great activism in the SC:

- Spain co-sponsored SC Resolution 1551 (2004) of 9 July. This resolution was about the former Yugoslavia, which among other things, reaffirmed the Council's support of the peace agreement, welcomed the decision of the EU to launch the EU mission to Bosnia Herzegovina in replacement of SFOR, and authorised the latter to adopt all the necessary measures to carry out its mission (see Chapter 7: 183).
- SC Resolution 1556 (2004) of 30 July. This resolution endorsed the deployment of international monitors in the Sudan, and imposed a weapons embargo upon this country under Chapter VII of the Charter (see Chapter 7: 188).
- SC Res 1572 (2004) of 15 November. This resolution under Chapter VII, among other things, imposed an arms embargo upon the Ivory Coast, and forbid entrance into the

³ After obtaining the support of Britain and Spain to invade Iraq to destroy Iraqi WMD, the US changed the goalpost and argued that the objective was regime change.

country of those people designated by the SC as a threat to peace and national reconciliation (see Chapter 7: 189).

- The boost that Spain gave to the question of Western Sahara (see Chapter 7: 189-190).
- The resolutions co-sponsored with regard to Iraq (see Chapter 7: 205-206). Spain co-sponsored 6 out of 10 resolutions, which the SC adopted with regard to Iraq during 2003-2004.

Nevertheless, after the victory of the Spanish Socialist Party (PSOE) in the general elections of 14 March 2004, Spain abandoned its role of US follower, and its activism in the SC diminished considerably. The hasty withdrawal of Spanish troops from Iraq was a symbol of this trend. The role of Spain shifted towards an alignment with the core European states, France and Germany. These two countries were the most critical of the US unilateralism, especially on the campaign in Iraq. Spain, therefore, passed from being a follower of the hegemonic country, to become a middle power that allied itself with others in an attempt to counterbalance the hegemonic power, the US.

Changes in the decision-making process in the SC, during the four periods described in this thesis, had an influence on the behaviour of Spain when in the SC. The most significant change was the holding of informal consultations prior to the adoption of resolutions. Although this procedure was used during the Cold War, there was a considerable increase in its use when the permanent members entered into the stage of cooperation after the end of the bloc confrontation, and it was continued in the following years. The aim was to avoid paralysis in the SC by the permanent members' use of the veto. So the SC members met behind closed doors with the aim of reaching an agreement on the wording of the resolutions. This did not mean the end of the veto, because its use or threat of use is always available in the course of the negotiations. The advantages of informal consultations are that not only do they avoid inactivity in the SC, the resolutions gain strength if they achieve the support of all the SC members, and the SC members can benefit from greater freedom of action. As meetings are held out of public scrutiny, the SC members can make concessions, which many not have been possible in public in fear of domestic opposition. In public, SC members may adopt a tougher position and become more inflexible at the time of bargaining. Alternatively, behind closed doors SC members may make proposals in search of

reaching a consensus, which could be perceived as very generous by their domestic constituencies and public opinion in general.

On the less positive side, informal consultations face a number of difficulties. As they are held behind close doors, out of public scrutiny, the decision-making process becomes opaque and unaccountable. Furthermore, on occasions the resolutions get so watered down to satisfy the interests of all the SC members that they often become too vague, ineffective, or an object of deep controversy.⁴ In addition, the opacity of this procedure also prevents external observers from seeing the contribution, which non-permanent members like Spain, make to the decision-making process. However, there is no reason to think that Spain did not continue with its role of facilitator or catalyst, with the aim of achieving a consensus that allowed the adoption of resolutions. Although as Chapter 7 has shown, in the last years this role declined. Nevertheless, with the increasing relevance of the SC in the years after Cold War, there were attempts to amend the obscurantism within the SC. As discussed in Chapter 2, in 1992 the “Arria Formula” was introduced, this insisted on the holding of informal meetings with state and non-state actors. The following year the General Assembly appointed the Open-Ended Working Group, which among other tasks, had to advance proposals to improve the working methods, transparency and decision-making procedures.

To conclude, this thesis has provided evidence of the significant role of Spain within the SC. However, Spain’s performance has clearly evolved during the four periods of its service in the SC. Spain’s evolving role is a consequence of the Council’s efforts to adapt to changes in the international context. Furthermore, domestic events have also played a key role. Therefore, domestic and international events reflect the performance of Spain’s different roles and different strategies. In Chapters 4 to 7, in which we have described Spain’s four periods in the SC, the evidence clearly shows that Spain has managed to create and consolidate its image as a reliable middle power. Spain is a country committed to search for multilateral solutions, the formation of coalitions, the upholding of international law, and the defender of the SC as the main world organ in

⁴ UN members, aware of the lack of transparency of this decision-making process, have in recent years implemented a number of measures to alleviate this problem. For example, holding more public meetings; releasing briefings from the President of the SC; holding meetings between SC members and troop contributing countries to peacekeeping operations; publishing the SC agenda; and holding open sessions.

charge of the maintenance of international peace and security. At the same time, the roles played by Spain in the SC have shown the versatility of some countries, and demonstrated the important function that non-permanent members in general fulfil in the SC. Furthermore, the inactivity that characterised the SC during the years of confrontation between the Western and the Communist blocs would have been greater if countries like Spain, with the ability to narrow differences, seek compromises, and build coalitions, had not been in the SC. This applies to recent years of US hegemony, where the inclination to build coalitions led Spain to play the role of follower of the hegemony power. As the thesis has shown, the role of follower is another way of building coalitions, even if in a passive way. From the normative approach, Spain has been a defender of international law within the SC, and this has helped to reinforce its role in peacekeeping operations. In fact, Spain's has contributed to the maintenance of international peace and security through its participation in peacekeeping operations, which has made it an active and important agent in the maintenance of world stability. In short, the evidence presented in this thesis shows that the image of Spain has consolidated the country's reputation of that of a middle power and indispensable actor in the SC, and in the international arena.

The Security Council and Spain

It is as important to think of what non-permanent members can do for the SC, as it is to think of what the SC can do for the non-permanent members and states in general. In Chapter 1, we described the positive economic consequence that presence in the SC has for developing countries. However, more important for Spain are the political repercussions. The SC is a source of status and recognition for those countries who serve in it. This was especially important for Spain in the first two periods (1969-70; 1981-82). The election of Spain for a seat in the SC during the first period gave recognition to Franco's regime in the international arena. This was important considering the hostility of Western European countries towards the Spanish dictatorship. As discussed in Chapter 4, the importance of the election of Spain in 1968 to serve in the SC as a non-permanent member was significant. In earlier years, the SC itself had considered Franco's regime as a threat to international peace and security. Similarly, the election of Spain in the second period was especially important

for Spain because it represented support, recognition, and legitimisation of the democratic regime, which during those years was in a stage of consolidation.

However, these are not the only advantages that the SC offers to states. As the SC is the main UN organ in charge of international peace and security, states are always interested in being a member, and having a say on important matters, which can affect not only the members that occupy a seat in the SC, but the whole international community. As we discussed in Chapter 6, this is what motivated Spain to compete for a seat in the SC in 1993-1994. These were the years in which Spain's participation in peacekeeping operations increased. The Spanish government at this time thought that it was important for Spain to have a voice and vote, on matters or in areas where Spanish troops had been deployed. Finally, the SC is also a source of prestige for those states that serve in it. As discussed in Chapter 7, this was precisely what motivated the Conservative party in 1996 to campaign for a seat in the SC for the term 2003-2004. The Conservative party was aware that Spain's presence in the SC was a fundamental achievement. This is because the SC gives its members prestige and aggrandisement for their country. Nevertheless, presence in the SC may also have costs. There is an obligation that its members have to pronounce on every matter the SC deals with, this may place its members in very uncomfortable situations. The case of Yemen, during the Gulf War in 1991, is an example. Nevertheless, the Spanish government was aware of this situation.

The multiple benefits that the SC grants to its members make the campaigns for a seat extremely competitive. As a result, states have developed different strategies with the aim of obtaining not only the support of their respective geographical groups, but also the greatest number of votes in the General Assembly. Candidates tend to seek first the support of those states with similar backgrounds (i.e., history, language or culture). However, this tactic is not always enough to get the necessary majority of two thirds in the General Assembly. For this reason candidates resort to other strategies, which often involve a wide range of activities: from hosting events such as lunches or dinners with the aim of attracting the support of the guests; to different political trade-offs; to establishing diplomatic relations; to proposing its candidacy a long time in advance with the aim of putting off potential competitors; to the direct purchase of votes. Spain has not been an exception and has resorted to some of the strategies mentioned. In the

campaign for the period 1969-1970, Spain sought the support of the Latin American, Arab, and African countries by appealing to historic and cultural links in the case of the former, and by appealing to the friendship and good political relationship formed with the latter two groups of countries. Spain's strategy was motivated because of the lack of support among the members of its geographical group, the WEOG. As discussed in Chapter 4, these countries had not forgotten the fascist past of the Franco regime. In the campaign for the term 1981-1982, however, Spain had already gained the support of the majority of its regional group and the Latin American, African and Arab countries. But the Spanish government had to utilise political trade-offs with India and Barbados. For the term 2003-2004, as described above, the Spanish government started to campaign in 1996 in an effort to put off potential candidates in its regional group. This strategy was successful. Nevertheless, although these strategies can help, countries still have to campaign in order to obtain the necessary two thirds of the votes of the General Assembly.

Spain, the European Union, and the Security Council

Spain became a member of the EEC (now the EU) in 1986. As a result of Spain's admission into the EEC, Spain joined the already established European Political Cooperation (EPC), introduced in 1970. This attempted to coordinate and harmonise the foreign policy of its members. After the Cold War and the emergence of new security challenges, the construction of a common European policy moved forward. In 1993, at the same time when the EEC was renamed the EU, the EPC was superseded by the Common Foreign and Security Policy (CFSP) by the Treaty on European Union (commonly known as the Treaty of Maastricht). A further step to promote a common foreign policy was the Treaty of Amsterdam in 1999, which created the post of High Representative for the EU, and incorporated the Petersberg tasks. These are the military tasks of a humanitarian and peacekeeping nature, which meant the assumption of peacekeeping, peacemaking and humanitarian responsibilities by the EU. In December of the same year, after the embarrassing episode of Kosovo,⁵ the European

⁵ In 1999 NATO peacekeeping forces were deployed in Kosovo as part of the Rambouillet Agreement to guarantee the autonomy of this territory within the Republic of Serbia. The Serbian leader rejected the agreement, and between March and June NATO bombed Yugoslavia to force the withdrawal of Serbian forces from Kosovo. Despite European diplomatic efforts to find a solution to the ethnic conflict, it was incapable of enforcing the Agreement and had to rely on NATO capabilities, which were largely dominated by US forces.

Council established the Helsinki Headline Goal (HHG), which tried to give the EU its own military resources to fulfil the Petersberg tasks, and Kosovo style operations, without relying on US.

Although this increased harmonisation of foreign policy among the EU members should have transferred into the UN, with the exception of the General Assembly, in which the EU members agree to adopt common positions when voting on resolutions, in general the EU has failed to coordinate the foreign and defence policy of its members in the UN. There is neither a common European contribution to the UN regular budget, nor an EU contribution to the peacekeeping operations budget. Similarly, there is not a common position among the European members in the SC. As discussed in Chapter 7, the most striking example, while Spain was in the SC, was the disagreements between the UK and Spain on one hand, and Germany and France on the other, with regard to the Iraq War. This was not the only example. The question of Western Sahara was also a source of disagreement between France and Spain. While Spain supported a referendum so that the population could choose its future among three possible options (integration with the Kingdom of Morocco, autonomy, or full independence), France supported Morocco, which has always refused to recognise independence as an alternative to the solution of the status of the former Spanish colony.⁶

There are a number of reasons that explain why a common European foreign policy has not been reached in the SC, and most of the UN system. First, it is the fact that the Common Foreign and Security Policy still allows EU members having a discretionary margin of manoeuvre and freedom to act as they see fit. This explains why there are differences between the European members in the SC. Second, some EU member states are reluctant to give up their independence on foreign policy matters. This is especially the case with some of the larger powers within the EU, which have special relationships with their former colonies: France with the countries of the Francophonie; Britain with the countries of the Commonwealth and the US, and Spain with the Latin American countries. Third, and most important, is the fact that national interests still prevail over the common ones. The SC provides us with evidence of this. In Chapter 2, we described how Britain and France refused to give up their privileged

⁶ Outside the framework of the SC, the recognition of Croatia, Slovenia and Kosovo are examples of disagreements among European members and the prevalence of national interests.

status, which gave them power within the SC. A full common European foreign policy would question the presence of two European countries as permanent members of the Council with the right of veto, plus two more as non-permanent. This is why countries like Spain would be reluctant to implement changes, which would translate a common European foreign policy into the Council's structure. In Chapter 7, we described how the SC was a most important venue for Spain in which it enlarged its international stature in 2003-2004. Nevertheless, as mentioned above, national interests are often placed over the common good. The German and Italian candidacies for permanent seats in the Council, and Germany's more self-confident and assertive foreign policy after reunification, are also indications of the prevalence of national interests over the common ones. Therefore, the unwillingness of some Western European countries to lose their privileged status, and the reluctance of others to give up the opportunity of being in it, makes changes in the SC unlikely. An EU seat in substitution is thus, out of the question, at least for the time being. Nevertheless, it is a thorny issue that the EU will have to face sooner or later as long as the European Common Foreign and Security Policy deepens.

The future of the Security Council and Spain

After the Cold War, reform of the SC became a hotly debated issue. An agreement that would satisfy all of the UN members has so far remained elusive. All the member states without exception agree that enlargement of the SC is necessary. This would make it more representative and more capable of dealing with the geo-strategic changes, which have taken place since the enlargement of 1965. It is believed that an increase in its membership would bring greater legitimacy to its decision-making process. However, the consensus ends there. In Chapter 2, we described the disagreements, which have emerged with regard to the eventual candidates for the enlargement of the SC, and the expansion of the right of veto for the potential new members. Spain has not been on the outside in this issue. Spain belongs to the "coffee club" (later called "Uniting for Consensus"), a group of about forty middle powers, who support the enlargement of the SC, with only non-permanent members, and no right of veto. Their proposal is to enlarge the SC with ten more members, elected for a two years term, and no veto power. This is the choice that suits middle powers interests because, among other reasons, it offers the best scenario to perform the roles

that Spain has been playing in the SC, during the periods we have analysed. The incorporation of new members such as Italy, Pakistan or Mexico would enrich the SC. Ultimately enlargement would bring in a new diversity of states, with different interests, and different agenda priorities, but they would not acquire structural power, or the ability to paralyse the SC. This would make the SC a more fertile place for countries like Spain to develop further their skills in narrowing differences, building coalitions, and reaching consensus. However, the “Uniting for Consensus” proposal, although it is probably the best, it is not the only one, and it could fail. Whatever proposal is chosen, the prospects of an enlargement offers middle powers the possibility of playing a significant role in the SC, in the years to come.

Before the enlargement of the SC materialises, Spain's transition from an isolated dictatorship to a middle power recognised by the whole international community, and its performance in the SC during this long process, is an excellent case study, from which other European middle powers, such as Poland or Ukraine could learn. These two countries have much in common with Spain. Both can be considered as middle powers by size, population, and strategic location. Both have experienced a peaceful transition to democracy. Poland is in the process of defining its foreign policy after years of diplomacy focused on integration into Europe, like Spain after Franco's death. These characteristics and their strategic location offer them great potential to act as facilitators, catalysts or consensus builders in the SC and other international organisations. Similarly, Poland could take advantage of its former Soviet legacy to act as a bridge-builder or seeker of consensus between other Western European countries and the US on the one hand, and Russia on the other. More recently, the relationship between the Western countries and Russia has been difficult with reference to issues such as: the US missile shield programme; the conflict between Russia and Georgia in 2008; and the gas dispute between Russia and the Ukraine between December 2009 and January 2010. Similarly, the Ukraine for its part could play a significant role as a bridge-builder or seeker of consensus between Poland and the Baltic states on one side, and Russia on the other. However, this will depend greatly on whether the Ukraine is able move on from the Orange Revolution of 2004, in which the presidential election was claimed to be marred by corruption, intimidation and electoral fraud. The case studies in this thesis clearly show that Spain

has the potential to become a source of inspiration for these countries, and this is further proof of the important role middle powers play in international relations.

To sum up, in Chapter 1 it was said that the majority of states show a predilection for multilateralism to solve international problems, an inclination for reaching compromises in disputes, and a proclivity to act in accordance with good neighbourhood principles. All of these behaviours will depend on their significant power, capacity to influence, and their diplomatic skills. Throughout this thesis we have described how Spain has provided us with numerous examples of this. Thus, we can conclude that Spain is a middle power, which has made good use of its membership of the Security Council to secure its standing as a developed democratic country able, ready, and willing to play a most important part in the interest of the international community at large. And there is no reason to think that Spain will not continue to do so in the years to come.

APPENDIX

Questionnaire to ambassador Inocencio Arias, Spanish representative to the UN between 1997 and 2004

Question 1

Which are in general the guidelines that inspired Spanish policy in the SC during the period in which you were in the Council?

Question 2

How much autonomy did you have at the time of making decisions or adopting postures during your period in the SC? Did the Ministry simply offer guidelines or by contrast were its instructions detailed and accurate?

Question 3

Spain is a middle power, and middle powers are often characterised by their inclination to multilateralism and their predilection to reach compromises. Would you say that this was the case for Spain when it was in the SC? Could you indicate any example during your term in the SC in which Spain contributed to the formation of consensus with the aim of adopting a resolution? Could you quote any example of Spanish leadership to adopt one? Do you remember any special difficulty?

Question 4

Spanish politicians, when in power, always say that their objective is to achieve prestige for Spain in the international context and ensure that the country occupies an appropriate place in relation to its economic and political weight. The presence of Spain in the SC would be part of this objective. However, once achieved the seat in the SC, with all the diplomatic and economic effort that requires, Spanish policy seems to be characterised by its low profile. Would you agree with this analysis? Was Spain nevertheless able to achieve its goals?

Question 5

It is often said that the domestic issues in Spain condition the Foreign policy perhaps too much, in the sense that politicians and decision makers in general spend more time and energy in dealing with internal problems (terrorism, nationalist demands, internal quarrels, economic crisis now, for instance) than in dealing with international matters. Does this situation lead to Spain not playing fully the role that it should in relation to its size, economic and political weight, or its geo-strategic position? Can you give examples?

Question 6

With regard to the previous question, why does Spain not participate more in peace keeping operations? And in those missions in which Spain takes part, why does it not contribute with more personnel and resources? For instance, Spain did not participate in MONUC on the ground, only with personnel in the Headquarters in Paris. It only participated in ISAF with 400 personnel on the ground, 3 aircraft and 2 frigates. The

Spanish contribution to the occupation of Iraq seemed not to be very substantial either, because Madrid only dispatched 900 men, 3 warships, 7 aircraft and 1 helicopter, which in any case were not to participate in combat missions. Australia, for instance, a country with theoretically less economic and political weight than Spain, contributed with 3 warships and 18 combat aircraft. Do you think the Spanish participation in international missions is quite limited? If so, what do you think is the reason?

Question 7

What is Spanish foreign policy with regard to Africa? Why did Spain not participate in MONUC (United Nations Mission in the Democratic Republic of Congo) while it did in ONUB (United Nations Operation in Burundi)? Why did Spain not participate in Liberia (UNMIL)? Why did Spain support the SC Resolutions but did not contribute to the missions? For instance, Spain did not participate in UNMIL but voted in favour of the SC Resolution. Why did Spain not abstain as Germany, France and Mexico did? And why, by contrast, did Spain participate in UNMEE, the UN mission in Ethiopia and Eritrea? What are the criteria of Spanish governments at the time of considering the contribution of Spain to the different UN missions? Was the frequent lack of interest in Africa, a lack of political will, a lack of strategic interest or lack of available resources?

Question 8

Did you or the Spanish government receive requests from the UN to increase the participation of Spain in more UN missions?

Question 9

Very often, the Council meets behind closed doors and only goes to the Chamber to adopt resolutions after the necessary consensus has been reached. How are those meetings behind closed doors? Is the threat of the veto by the permanent members frequent? Does Spain try to reach common positions with the Latin American countries to exert more influence or is the adoption of common positions with the European members more important? How does Spain reconcile the special relationship with the Latin American countries and the European countries under the terms of a foreign common policy? Have you acted as a mediator among the Arab countries and Israel with the aim of obtaining the necessary consensus to adopt or soften any resolution?

Question 10

What effect did the agreement to link the positions of Mexico and Spain, which you mention in your book "Memorias de un diplomático", have in the SC? In what occasions did it take place during your term in the SC? Did that agreement exist with Chile? If so, what roles does Spain adopt? (Leadership, mediator, follower, etc)

Question 11

If the European Common Foreign Policy is increasingly convergent, is the existence of separate seats for France and the UK plus the European non permanent, contradictory

with such a Common policy? Is there any mechanism of coordination within the Council? If so, are there ways in which it could be improved?

Question 12

Does the issue of Gibraltar affect the relationship between Spain and the UK in the Council?

Question 13

Did you help to convince the other representatives in the Council to lift the sanctions on Libya? What was the reason for the lifting of the sanctions? Was the suspension of the sanctions motivated by the search for support among the Arab countries to invade Iraq or was it more motivated by the European (and Spanish) interests in that country?

Question 14

Could you give me an idea of why Spain never contributed to the UN mission in Cyprus? Why hasn't Spain contributed to the UN mission in Lebanon until very recently?

Question 15

What is the Spanish policy with regard to the Caucasus? In the period 1993-1994 Spain supported the SC resolutions and in the period 2003-2004 Spain supported the continuation of UNOMIG, but it did not make any contribution. Why?

Question 16

The Conservative party claimed to be about to find a solution to the question of Western Sahara thanks to the firm support of the Spanish government to the Baker Plan. However, the new Socialist government shifted and looked for a closer relationship with Morocco. Has the Spanish policy with regard to Western Sahara been characterised, in general, by a lack of determination? Should Spain have been more active in search of a solution? After all, Western Sahara is a Spanish ex-colony. What has the Spanish policy been in the SC with regard to this question?

Question 17

The reform of the Council has been a matter that has been discussed for a long time. What is Spain's official posture with regard to the reform? What changes do the Spanish governments consider should be implemented to make it more effective?

Question 18

What are the issues not mentioned above that I should consider? Are there sources that you recommend that I should consult or people that I should try to see?

Tue, 26 January, 2010 21:53:50

RE: Tesis doctoral

From "Arias Llamas, Inocencio"
<inocencio.arias@maec.es>

Add to Contacts

To: Tomas Machin <tomasmachin2@yahoo.co.uk>

Comienzo a contestar alguna de sus preguntas

1) No recuerdo exactamente, imagino que "paz amor y fantasía" amen de espíritu comunitario

2) En general bastante concretas. Cuando no estábamos en el Consejo no tanto, en el Consejo mucho y en el conflicto de Irak MUY concretas, a veces hasta en la comas.

3) Sí, somos multilateralistas y disciplinados miembros de la UE

Quizás como ejemplo de resolución la aprobada sobre el Sahara a fines de Julio del 2003. España presidía el Consejo y trabajamos bastante para que saliera. Estados Unidos fue básico en la aprobación (Francia no estaba por la labor)

4) No puedo juzgar siendo diplomático en activo, la "timidez, la cicatería o la incoherencia" a que usted alude. Ganas no me faltan para pronunciar pero no debo.

4) Eso ocurre a veces, no sólo en España pero por lo expuesto en 4 debo callarme

5) España sí participa. Cuando nos quedamos cortos puede obedecer a tres razones:

a) Prioridad de otras necesidades en la asignación de los recursos (en mi época incluso participación en fuerzas de paz no onusianas)

b) El pacifismo, trasnochado y mal entendido en ocasiones, de los españoles fomentado a veces por los políticos. Luego, cuando no hay más remedio que contribuir, hay que hacer esfuerzos rebobinando y predicando hasta la saciedad a la gente que nuestros soldados no van allí para matar. (¿Es que los cascos azules de Túnez, Pakistán o Francia van a un sitio para matar?)

c) El rampante antiamericanismo. Si está envuelto Estados Unidos (Afganistán) la cosa es inmediatamente impopular aunque tenga la bendición de la ONU. Caso extremo es Irak. No entro a definir cual era la misión de las tropas extranjeras en el país en el 2004 pero lo que está claro es que, se proclamara o alegara lo que se proclamara aquí, la presencia de nuestras tropas en Irak el día en que se decidió retirarlas era TOTALMENTE LEGAL.

Estaba TAXATIVAMENTE AMPARADA por una resolución del Consejo que fue aprobada unanimemente

Sigo con alguna otra en otro momento

Inocencio-Félix A.

De: Tomas Machin [mailto:tomasmachin2@yahoo.co.uk]

Enviado el: martes, 26 de enero de 2010 2:58

Para: Arias Llamas, Inocencio

Asunto: Re: Tesis doctoral

Estimado Sr Arias.

Muchisimas gracias por responder a mi cuestionario. Lamento decirle que no he recibido las 6 primeras respuestas. Por favor, podria enviarmelas de nuevo?

Tomas Machin

From: "Arias Llamas, Inocencio" <inocencio.arias@maec.es>

To: Tomas Machin <tomasmachin2@yahoo.co.uk>

Sent: Mon, 25 January, 2010 18:32:14

Subject: RE: Tesis doctoral

Estimado Sr. Machin,

¿Recibió usted las respuestas a las 6 primeras?

Le envío otro lote:

7) Pregunte al Ministerio. Yo no la defino y es usted muy prolíjo.

8) Si, con frecuencia pero se me decía que estábamos sobre desplegados con la UE en Balcanes, etc... En alguna ocasión contribuimos de otra forma, poniendo un avión a disposición de Baker para que recorriera los países concernidos con el Sahara etc...

9) La amenaza de veto es rara pero está todo el rato presente aunque no se formule. Se intervino en Kosovo al margen de la ONU por temor de que Rusia vetara etc... España intenta todo e informa a los iberoamericanos de lo que se cuece dentro pero las consultas regulares son con los europeos. Con ellos se disiente a veces en el Consejo (caso Irak) aunque no en la Asamblea.

Las reuniones en la gran sala son para Galería, para que otros miembros se desahoguen y para votar. Se cocina dentro.

10) No influyó para nada. Era un poco químérico pero la disensión sobre Irak lo hizo explotar. Los mexicanos, por las divergencias, estaban tan poco conscientes del acuerdo que no parecían muy inclinados a que nos reuniéramos sobre el tema. Se escandalizaron de que Aznar pasara por Méjico para tratar de influir en Fox (Está en mi libro). Nada al respecto con Chile.

11) Los permanentes NUNCA aceptarán compartir su asiento en el Consejo. ¿Qué diferencia a Francia, y la agranda en la ONU , respecto a Alemania o la India ? La permanencia. El tema, en el siglo XXI, es un escándalo pero no va a cambiar.

12) En el Consejo se va por libre cuando el tema tiene calado.

13) No mayormente

14) Se levantaron porque Libia aceptó veladamente la responsabilidad y directamente pagar una buena indemnización. El papel protagonista claro lo llevó el Reino Unido aunque España lo apoyara.

Inocencio F. Arias

De: Tomas Machin [mailto:tomasmachin2@yahoo.co.uk]
Enviado el: viernes, 27 de noviembre de 2009 4:19
Para: Arias Llamas, Inocencio
Asunto: Re: Tesis doctoral

Estimado Sr. Arias,

Muchas gracias por su disponibilidad. En el archivo adjunto se encuentra el cuestionario.

Atentamente,

Tomas Machin

From: "Arias Llamas, Inocencio" <inocencio.arias@maec.es>
To: Tomas Machin <tomasmachin2@yahoo.co.uk>
Sent: Fri, 25 September, 2009 20:56:11
Subject: RE: Tesis doctoral

Si, puede enviármelas.

Atentamente,
Inocencio F. Arias
Cónsul General de España en Los Angeles

De: Tomas Machin [mailto:tomasmachin2@yahoo.co.uk]
Enviado el: lunes, 21 de septiembre de 2009 17:08
Para: Arias Llamas, Inocencio
Asunto: Tesis doctoral

Estimado Sr. Arias (conozco el tratamiento que se da a los embajadores pero desconozco el que se da a los consules, disculpeme por favor)

Estoy haciendo el doctorado sobre Espana en el Consejo de Seguridad de las Naciones Unidas y como usted ha sido representante permanente de Espana en las Naciones Unidas y en el Consejo, constituye una valiosisima fuente de informacion. Por ese motivo, me pregunto si podria enviarle por e-mail unas preguntas con relacion al tema que me ocupa.

Le saluda atentamente,

Tomas Machin

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Interview

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