



Reforming The Un Security Council : Past and Future

Lal Vineet Singh*, Dr. D. K. Bajpai**

*Research Scholar, Department of Political Science, MLB College of Excellence, Gwalior, MP, India.

**Research Supervisor, Department of Political Science, Govt SLP College, Morar, Gwalior, MP, India.

ABSTRACT

The Security Council is the executive wing of The United Nations whose primary responsibility is to promote and maintain peace and security in the world. To this end the council has been entrusted with extensive powers by the UN charter. This makes the council the chief and foremost body of the UN. But council has not been able to fulfill its lofty goal as per the vision of its founders. The reason behind its failure has been attributed to among other things its very structure which has remained unaltered ever since its inception. Therefore there has been a demand to reform the Security Council so that it reflects the realities of the modern world and is effective enough to fulfill its great mandate which is to protect and promote peace in the world at large.

KEYWORDS: UN Charter, cold war, veto system, security council, P5, general assembly,

INTRODUCTION

The demand for reforming the council is nothing new but from 1993 the call for its reform has become more pronounced and emphatic in the new century. However from India's perspective the demand for the same has received a new impetus in recent times. India feels that it is the time UN Security Council is reformed in order to reflect the realities of the modern world rather than of the cold war era. India aspires to be a permanent member of the council and therefore is not against its expansion and also supportive of other legitimate candidates' inclusion. It's is not just India but several other nations who feel the same about it and are also willing to cooperate with India and other nations to make it happen. Efforts in this direction have been there but little has moved till now. This article attempts to underline these efforts and also why nothing substantial has been achieved in terms of reforms of the council.

The demand of reforming the UNSC is longstanding one and has surfaced every now and then before dyeing down finally due to numerous hiccups and challenges that come in the way of any such attempt. Undeterred the aspiring countries who wish to sit on the high table have attempted to join the council as permanent members sooner or later. Such demand and efforts keep getting made and of late several aspiring states have come together to form certain groupings in a hope that this will synergise their efforts and put a bigger pressure on the UN to reform.

There is a growing sense of disconten in emerging powers like India, Brazil, Japan and other nations against their absense from the high table and with the oligarchic nature of the council and its working. One odd member for its vested interest can stall an absolutely necessary action even

when the rest of the council has agreement. This system of decision making is hardly democratic and is responsible for paralysis of the UN and makes it pretty ineffective and unpredictable organization thereby diminishing its relevance and efficacy in restoring peace and order around the world. Over the years this has gone on to make the UN unable to discharge its mandate efficiently. This had serious repercussions on global security and human rights over the course of its history. If world wishes to change this scenario the most significant step would be to make structural changes in the council.

THE Security Council is the apex body of the United Nations entrusted with the task of securing peace and security around the world. That is why it is imperative that it goes on to be a bulwark for democracy, peace and security. However in spite of the enormous power that it enjoys it has failed to live up to the expectations of the world community. Great power politics, cold war, and veto system are primarily responsible factors for this. This is the reason why the need to modify the structure of the UNSC has been called upon time and again by voices both inside and outside of the un. This is why reforming the Security Council is all the more crucial. But that's not really a contentious issue as most of the states agree on the need to reform the council. What is really tough is to agree on what should be the composition of the council i.e. who are the countries which would compose the new council and what would be its form. Whether the veto system should prevail; how will the decisions be taken; will there be permanent and non permanent members and what should be their tenure. None of these has got any easy answers and there is want of any real agreement on any of these matters. The difficulty is not just that. Any initiative for modification of the current system has to undergo the same existing oligarchic system of decision making which explains little headway we have made in this direction. In the present article we shall delve into these matters in some detail and also try to figure out the ways in which all these reforms can be affected considering the obvious bottlenecks that exist today.

THE NEED TO REFORM- The need to reform the UNSC is not felt just because of the inadequate representation that it provides to the different continents or the new global reality of the 21st century but also the abject failure of UN to act promptly in crisis situations that warrant swift and decisive decision making as the current security council time and again gets paralyzed due to lack of consensus among the P5 due to the vestiges of cold war politics among the big powers leading to delayed and inadequate reaction to the crisis thereby losing precious time to act and mitigate the issue.

Along with that the the requirement to have consensus among all these five permanent members(US, UK, FRANCE, CHINA and RUSSIA) and veto with each of them, it gets increasingly hard to settle any contentious issues as any one of them not agreeing is enough to derail the process and as interests of each of these nations is bound to be divergent at times and lack of any provision to bypass this in the charter makes it nearly impossible to resolve a deadlock and go ahead with the best course of action needed at the time to restore peace where decisive use of force maybe needed to check the tide of violence. All this leads to impairment of the council specially when it is needed most as only this body of UN is authorized to order use of force. This is the reason why

UN has failed many times to arrest the tide of violence and war from Africa to Gulf to East Europe and Asia a number of times.

PAST EFFORTS TO REFORM THE UNSC- The attempts to reform the council began in only 1993 in post cold war climate of easing of tensions and thaw in relations between rival nations also known as detente. Several aspiring nations came together to put collective efforts so as to get permanent seats in the council. The most prominent forum to press for the reforms was G4 comprising Brazil, Germany, India and Japan. They have been most consistent and vociferous about the need to reform the UNSC. However it was not the only one to lobby for reforms. There were a number of states who opposed the claims of this forum and instead put forth their candidature on a different ground. They have argued to give representation to all the regions of world instead of going for reforms of increase in the number of permanent members. This was named the Coffee Club. Later this group was also called 'Uniting for Consensus' and its members are Argentina, Italy, Pakistan and South Korea. Another lesser known group was of small nations called the Small 5(S-5) which also claimed their entry into the council.

All these groups are not working in unison and rather are working against the interests of each other thereby making it even more difficult to arrive at a consensus for reforms. The regional rivalry and conflict like between Indo-Pak and Brazil and Argentina has only damaged each others case before the UN as instead of joining forces and building confidence and consensus among the members of UN it merely enfeebles the overall attempt to reform the world body in a agreeable manner for the good of the world. Several chiefs of the un time and again come up with their own formulas for reforms. Important among those were Malaysian UN Ambassador who doubled as UNGA president Ismael Razali during 1996-97, who advocated the formula wherein new permanent members without veto and 4 non permanent members had to be included in the council. This proposal was blocked by countries like Italy and Mexico who resisted inclusion of Japan and Germany in the council.

Next after a decade of indecision, UN secretary general Kofi Annan too came up with his own plan of the expansion of the council in 2003. He set up a high powered panel to give suggestion of reforms which submitted it's report in 2004 where it recommended addition of 6 permanent members into UNSC without a veto and 3 additional non permanent seats. it also suggested an alternative plan where 8 four year renewable seats and one non permanent seat will be introduced. These proposals were debated thoroughly without however reaching a consensus. The African union however decided the first suggestion to be its formal choice for SC reform. And that became its official policy.

THE WAY FORWARD- The major ground of the demand for reforms is the fact that council does not reflect the realities of the modern world and also it hardly adequately represents all the regions of the world with areas like Latin America and Africa being unrepresented and areas like Europe being overrepresented and much larger regions like Asia being underrepresented.

For changing any fundamental provisions of the UN, like the size, majority threshold, composition or the veto it is required to amend both article 23 and article 27. This can be done in two ways. Article 108 of the charter has provision wherein any such change can be introduced when two thirds of the UNGA members and all the P5 nations vote in favour. Alternatively article 109 can be

also invoked which requires the support of two third majority in UNGA and 9 members out of 15 in the security council to convene a conference of UN states where any amendment can be made if two third majority in UN General assembly and all the P5 approve. Article 109 has however not been invoked till now.

It maybe said that generally, a higher voting threshold in any political institution, such as a two-third instead of a simple majority rule reduces chances of a winning coalition being made. It increases in inertia or "status quo bias". Even after repeated attempts to change the status quo has once in a while gained traction as there is a broad understanding in the UN that reforms are overdue however given these provisions of the Charter even after securing two third majority in the general assembly any move towards changing the composition of the council inevitably stonewalls into the veto power of the P5. This translates into an unresolvable crucible as no matter how much consensus is built in the UN about everything just one P5 member can veto the move and bring all effort to naught.

To deflect any criticism for being anti reform the P5 have very deftly gone for carrying procedural day to day change in the working of UN instead of going for the much needed structural reform. They tried to improve efficiency and transparency in the body just as to avoid the issue of overhaul of the council which they have been reluctant always.

One of the main bones of contention for any proposal for reform has been on the name of the new entrants. There is no consensus on the names or the criterion of selection of new entrants. Several attempts from both inside and outside of the UN has been made although with little success. In spite of the above mentioned bottlenecks in the path of reforms the regional and inter state rivalry as well as geopolitical considerations play the spoilsport in finding a mutually agreeable middle ground by the aspirant nations.

CONCLUSION- Despite making some headway into the reforming of the UNSC there exists a serious lack of consensus and trust among the members of the UN and also among those aspiring for the permanent seat in the council. The biggest hurdle is the system of veto along with the institutional hurdle in the form of UN charter with too high a threshold for any change. Hence the original design of UN itself is anti reform due to path dependency inherent in it. The P5 have been reluctant to let go their veto power or allow any new member to share that power and apart from lip service hardly willing to change the status quo as they stand in a privileged position in the world order due to the permanent membership of security council. Despite the gloomy prospects of any positive development in this there is a glimmer of hope because there is one instance when a new member was added into the P5 which is republic of China replacing Taiwan in 1971. So there is a precedence there where some change to the membership of P5 was done in the past so it can also happen again in the future if all the members realize the pressing needs of reforming the the UN and especially UNSC has come now and the world cant wait for this anymore. Therefore all the member need to rise to the occasion and work around the issues and constructively come to an agreeable solution which is good for the world community. If this has happened once in the past it can surely happen again.

REFERENCES

1. Ade-Ibijola AO. The United Nations Security Council Reforms and The Permanent Five Challenge: A Historical Perspective. *J Int Stud.* 2020;11:131-140. doi:10.32890/jis.11.2015.7967
2. Mangapul JH. REFORMING THE UNITED NATIONS: REALITIES, EXPECTATIONS, AND THE WAY FORWARD. *Padjadjaran J Int Law.* 2019;3(1). doi:10.23920/pjil.v3i1.323
3. Gould M, Rablen MD. Equitable representation in councils: theory and an application to the United Nations Security Council. *Public Choice.* 2016;169(1-2). doi:10.1007/s11127-016-0368-x
4. Schaefer K. Reforming the United Nations Security Council: Feasibility or Utopia? *Int Negot.* 2017;22(1). doi:10.1163/15718069-12341348
5. Reform of the Security Council and its Implications for Global Peace and Security. *J Mil Strateg Stud.* 2004;7(1).
6. RISING BRICS: A PATH TO MULTIPOLAR WORLD REALITY? RISING BRICS A PATH TO MULTIPOLAR WORLD REALITY?. 2018;9(1). doi:10.24411/2221-3279-2018-00008
7. Kalyadin AN. What reform does the unsc need? *World Econ Int Relations.* 2016;60(7). doi:10.20542/0131-2227-2016-60-7-48-59
8. Petrone F. BRICS and Global Governance: Will the Grouping be able to Reform the United Nations Security Council? *Int Stud.* 2021;58(3). doi:10.1177/00208817211029409
9. de Paula FR, de Albuquerque MRA. UN Security Council reform: the political and the desire to be seized of the matter. *Sul Glob.* 2020;1(1).
10. Gould M, Rablen MD. Reform of the United Nations Security Council: equity and efficiency. *Public Choice.* 2017;173(1-2). doi:10.1007/s11127-017-0468-2
11. Kaura V, Singh C. India and the Geopolitics of UNSC Permanent Membership. *Strateg Anal.* 2021;45(4). doi:10.1080/09700161.2021.1938943
12. Maseng JO, Lekaba FG. United Nations Security Council reform and the dilemmas of African continental integration. *African Secur Rev.* 2014;23(4). doi:10.1080/10246029.2014.948896
13. Winther BZ. A Review of the Academic Debate about United Nations Security Council Reform. *Chinese J Glob Gov.* 2020;6(1). doi:10.1163/23525207-12340047
14. Hosli MO, Dörfler T. Why is change so slow? Assessing prospects for United Nations Security Council reform. *J Econ Policy Reform.* 2019;22(1). doi:10.1080/17487870.2017.1305903
15. Mahbubani K. Resolving the Dilemma of UNSC Reform. *Survival (Lond).* 2021;63(2):57-62. doi:10.1080/00396338.2021.1905983