

Three Score & Ten: Time to Reform the Security Council

The Sunday Statesman

17 May 2015

The United Nations (UN) is celebrating its seventieth anniversary this year. It was founded on October 24 1945, in the aftermath of the devastation wrought by World War II. The United Nations Security Council (UNSC) was established as one of its six organs with primary responsibility for maintenance of international peace and security and “to save succeeding generations from the scourge of war”. Mercifully, the world has not seen another global war and the likelihood of one too appears to be small, but the world is far from becoming free from the scourge of war, conflicts and violence. There are too many trouble-spots in the world today - Syria, Ukraine, Nigeria, Sudan, Mali, Middle East, Afghanistan -to name but a few - where UNSC is powerless to stop innocent blood from getting spilled. The UNSC, instead of brokering the resolution of conflicts, is often reckoned as a part of the problem. The conflicting interests of its five permanent members (P5) often hold it hostage to take a decision in the interest of securing peace, as we have seen in case of Syria in recent times, where China and Russia had repeatedly halted resolutions against Damascus. Arguably, UN no longer commands the collective respect of the international community, making one wonder if will fade into history as an ‘ineffective, irrelevant debating society’, as President George Bush had once mocked. It has also ceased to represent the global power configurations in today’s world.

The UN was founded on two principles: the sovereign equality of all member nations, as reflected in the principle of “one state, one vote,” and the responsibility of major powers to maintain global stability and peace. The UNSC is the only agency with the right to adopt resolutions which are legally binding on all UN members for maintaining and enforcing international peace, stability and security, if necessary, by authorising the use of economic sanctions, or even force. At the birth of UN, UNSC consisted of five permanent (P5) and six non-permanent members. Permanent members were represented by the major powers of the world at that time. The criteria applied for their election included population and territory, economic and military power and intellectual resources, which restricted the number of potential candidates to only a handful of countries - the same handful who continue to dominate the UNSC even today, irrespective of the erosion of their military, economic and intellectual capabilities, and in total disregard of the emergence of other competing powers possessing substantial demographic, economic and intellectual capitals.

In 1963, the numbers of non-permanent members in UNSC was increased to 10, on the basis of regional representations: three from Africa, two each from Latin America, Asia and Western Europe and one from Eastern Europe. They are elected by the United Nations General Assembly for a term of two years each, on the basis their contribution to the maintenance of international peace and security and also to the objectives of UN Charter.

The decision threshold in the UNSC is nine affirmative votes. Each permanent member has a veto with which they can block any decision; often a decision is prevented by the mere threat of a veto. All UN member states are obliged to comply with the decisions of UNSC. While nine affirmative votes suffice for a decision on procedural matters, other decisions - like establishing peace-keeping operations or

application of coercive measures against a state – also require concurrence (at least non-opposition) by each of the P5.

There have been endless debates and extensive disagreements about reform and reconfiguration of the UNSC. Apart from Japan and Germany, the second and third largest contributors to UN budget after USA, emerging powers like Brazil, India, South Africa and Nigeria have staked strong claims for permanent seats in UNSC. They have also served for considerably long periods in UNSC as non-permanent members: Japan has served in UNSC for 35% of the total time it has been a UN-member, Brazil 30%, Germany 25%, Argentina 24%, Pakistan, Italy, India and Columbia each above 20%, and Nigeria about 15%. Only South Africa, because of its apartheid past, served the UNSC only for 2 terms.

If the criteria for membership that was applied for electing the P5 countries at the birth of UN in 1945 are recomputed and reapplied today, the top 5 countries would include USA, China, Japan, Brazil and Germany, followed by Russia, India, France, UK, Italy, Spain, Canada, Australia and South Africa, in that order, calculated on the average of their relative world rankings in respect of their shares of: (1) world population, (2) contribution to UN regular budget and (3) GDP on purchasing power parity basis, all pertaining to 2014 IMF and UN data. Obviously the configuration of power distribution in today's world are quite different from what it was seventy years ago. If UN cannot find a way to reflect this reality in the UNSC and its other organs, it runs the risk of gradually sliding into irrelevance and oblivion.

To effect any change in its structure, the UN Charter needs to be amended. As per article 108 of the UN Charter, an amendment will need ratification by two thirds of the members of the UN General Assembly (UNGA), including all permanent members of the Security Council. This is obviously a tedious process testified by the fact that the UN Charter has only been amended four times during the last seventy years of its existence. There is an alternative provided in Article 109 of the UN Charter, which is even more tedious - by convening a general conference of all member states and ratifying the proposed amendment by two thirds of the UNGA membership, in addition to ratification by nine of the 15 UNSC members including all the P5. No wonder, Article 109 has never been used so far.

Any P5 member has the power to block any reform proposal by casting a veto, but even the regional groups within UN have the clout to block such proposals. Currently, African and Asian countries together constitute 56% the total General Assembly membership – more than required for a majority. An amendment will thus necessarily need the political support of the majority of all regional groups of the world. This is not an easy task, given the delicate balances that need to be struck between conflicting interests of power and requirements of legitimacy and justice in a world where these are increasingly becoming rarer.

At the 2005 World Summit, Mr Kofi Annan had highlighted the need for urgent UNSC reforms. Several reform proposals have since emerged envisaging expansion of the UNSC. The G4 proposal put forth by Germany, India, Brazil and Japan seeks to expand the size of UNSC to 25 by adding six permanent seats without veto power including two from Africa, and four non-permanent seats. A second proposal was presented by the group 'Uniting for Consensus' (UFC) that includes the regional rivals of G4: Italy, Spain, Pakistan, Mexico, Columbia, Argentina and South Korea; it sought to expand the UNSC to 25 members with 10 new, rotating, non-permanent members without veto rights. African Union presented a proposal suggesting addition of six permanent seats with veto power and five non-permanent seats. In 2012, a group of 69 small and middle-sized developing countries (L69), including Brazil, India, Nigeria and South Africa, presented another proposal seeking permanent membership

with veto powers for these four countries, besides adding eight new non-permanent members, thus expanding the size of UNSC to 27 members. But none of these proposals ever got the backing of required majority, and the resulting status quo embodies the formidable hurdles and contentious divisions. All P5 members except China have pledged support to India's candidature for a permanent seat in UNSC which is fiercely opposed by Pakistan. China and South Korea oppose Japan's permanent membership, while Argentina and others oppose Brazil's and Spain and Italy that of Germany. Hope for a consensus is still a long way off.

As regards contributions in UN Peacekeeping operations, India, Pakistan and Nigeria have been among the top five troop contributing countries, followed by South Africa and Brazil. Italy, Argentina, Germany, Japan and China have also contributed significantly in this.

The real bone of contention is the permanent membership and veto rights. Mr Kofi Annan has recently attempted to break the gridlock by proposing a category of new members in place of permanent members, with much longer terms and eligible for immediate re-election - thus making them de-facto permanent members. He has also advocated that the P5 should cast their veto only in the interest of world peace and not just to defend their own strategic interests; they should pledge not to allow their disagreements to stand in the way of preventing atrocities being committed upon people, as in Syria. Given the fragmented vision that guides geopolitics today, such hope seems to be rather utopian. There are too many obstacles, diplomatic and political, and too many differences to overcome. The world will perhaps remain a divided place for a long time, with increasing violence, conflict, suffering and deaths of innocents. UN might lapse into history unobserved, negotiating only fragile ceasefires and abandoning the ultimate objective of saving the world from the scourge of wars and conflicts.