

Reforms in UN and India

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Introduction

India's relationship with UN started in 1945 when UN came into existence. UN, in its 75-year-old existence, has made an indelible impact on the nations and its people with its functioning. Much more needs to be done. There cannot be two opinions on this count. With its varied institutions, UN has been actively contributing to the growth and development of the world. Its decisions and comments carry gravitas among the comity of nations. Needless to add, these decisions and comments are the outcome of a structured debate and planning in the UN and its agencies of the UN, its important subsidiary institutions across the world, headed by capable and experienced persons and run by competent people.

Since 1945 much water has flown in the Turtle Bay neighbourhood of Manhattan, of New York. In-depth analysis of the functioning of the UN all these years warrant a thorough restructuring and revamping of its various agencies, particularly the expansion of Security Council. Time has come for reshaping and reforming the United Nations, keeping in view ever changing world order, strife and conflicts surrounding it. Instability looming large in every part of the world – be it in Afghanistan or the West Asia or the African subcontinent, to name a few. There is a need to bring in a semblance of sanity in a stressful world through the initiatives of the UN and arriving at consensus with a lasting resolution of issues. We are in a changed world, in a new world order. To cater to such a set-up, UN needs to come up with a new system for international peace and security by expanding Security Council.

UN Charter

In its Charter, in the Preamble, UN expressed its determination to save succeeding generations from the scourge of war, and to reaffirm faith in fundamental human rights. The UN Charter is considered as one of the noblest documents. In Chapter I - the Purposes and Principles – it aims at achieving international co-operation in solving international

problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and to be a centre for harmonizing the actions of nations in the attainment of these common ends.¹ Though each Member-country shall have one vote but in the Security Council, five countries – USA, Britain, France, China and Russia (prior to the disintegration in December 1991, USSR) - have veto powers. According to C.S. Jha, former Indian Foreign Secretary in the 1960s, the recommendations of the UN other than those under Chapter XII are not mandatory but only recommendatory but its recommendations have had in the past a powerful effect in moulding world public opinion and in advancing the cause of freedom and human rights.² How far the recommendations of UN had an impact on its member-states, particularly, the P-5 countries?

In the Security Council, as per Article 23 of the UN Charter, there are 15 Members with five permanent members with veto power. To discuss the expansion and restructuring of Security Council, a resolution of the General Assembly with two-thirds of the vote and a vote of any nine members of the Security Council are necessary for convening a general conference which can take up the review of the present Charter as per Article 109. This method should be mooted to move close to the expansion of the UNSC.

To start with, an effort at the highest level in the UN should be made to discuss and debate in reforming the UN, revamping, and overhauling the Security Council. The very purpose of establishment of the UN will be defeated if military power is considered as a yardstick. To ensure international peace and security, each country, irrespective of its size, financial and military prowess should be treated alike, be it a country - big or small, underdeveloped or developed or developing, should be respected.

Why Reforms needed in UN?

Reforms in UN has been long overdue. Every nation has been raising the matter of reforms in UN for decades. India has been persistently and painstakingly raising it at every given opportunity and in every available forum. Records reveal that the founding Charter of the UN has been amended three times between 1963 and 1973.³When it comes to key reforms at the UN level, since 1997 a number of efforts have been carried out. In 1997, the then Secretary General of UN announced his plan to bring about reforms in two reform packages – Tract One

and Track Two. In 2004, two models were proposed for expanding the Security Council. In 2005, a most comprehensive reform and policy agenda was presented by then SG, Kofi Annan with his report “In Larger Freedom”. In the same year, the Peacebuilding Commission was established. In 2006, the Human Rights Council had replaced the former UN Commission. Between 2007 and 2016, reforms continued with the launch of the 2030 Agenda for Sustainable Development and adoption of the Paris Climate Agreement. Between 2017 and 2020, reforms continued to focus on the UN’s peace and security pillar.⁴

In the recent Stockholm Initiative, a proposal was mooted to modernise the UN, to broaden the Security Council, to review veto powers by the permanent members. Time has come for overhauling the UN in its entirety. It should start with studying the methodology being adopted in the UN in arriving at a resolution. In the days of social media, news spreading swiftly to the nook and cranny of the world in no time, process of arriving at a decision in UN need to be relooked. The process in place in UN to resolve should be reviewed by going through its capabilities to prevent conflicts and put in place a well-oiled preventive mechanism.

There was a proposal for convening “Summit on Global Governance” with similar tasks to those tackled at the meetings in San Francisco and Bretton Woods in the 1940s was mooted for developing wider understanding, and to have an in-depth study of economic and ecological issues to have clear security.⁵ World has witnessed many landmark incidents impacting every country. A serious study needs to be undertaken in UN in this regard. Colonial era has gone completely from the planet. Democracies have become the order of the day; new nations were formed, many nations were bifurcated; disintegration of Soviet Union, apart from huge economic crisis too were witnessed, the latest being in global financial and economic crisis in 2008 and liberalisation, privatisation and globalisation have been adopted in many countries, including China and India during the interregnum, resulting in more poverty, rich becoming richer and poor becoming more poorer, having pushed further down the road. Why not UNSC be made more democratic? Why not majority decision prevails in taking decisions in the UNSC and other UN agencies?

There has been a clamour for reform in the UN. Apart from the countries which rightful own a place in the UNSC as a permanent member, other developing countries too urge for the reforms in the UN considering the vast changes that took place since 1945. India is in the forefront of 120 countries which has supported reforms at the UN. Donald Trump,

former US President, in his first UN speech in 2017, on the theme, 'Reforming United Nations: Management, Security, and Development', while asking the UN to improve the way it does its business and funding joint projects like peacekeeping, expressed his opinion that UN has not reached its full potential because of bureaucracy and mismanagement. He lashed out at the UN as a 'bloated' body and called for 'truly bold reforms' so that it could be a greater force for world peace.⁶ Incidentally, Trump was silent on UNSC expansion. Further elaborating, he said that the budget of UN has increased by 140 per cent and its staff has doubled since 2000.⁷ US is the single largest contributor to the UN.

How would expansion of UNSC impact the world? This is a question which plagues the minds of the stakeholders. With a balanced representation of the regions, UNSC helps to stop the P5 countries from promoting their vested interests, specifically the use of veto, which nullifies the good intentions of the UNSC. Do we need veto powers in UNSC? If India becomes a part of the UNSC, then the decisions arrived at it, would be different. India can bring with it its own leverage in geopolitics and negotiations and UNSC would be bound by a limited say of P5 countries. World would be placed in a different plain if in effect expansion of UNSC do take place, with less conflicts, peace zones across the continents and oceans, resolutions emanating from UNSC would be acceptable all the 193 UN member-countries.

In a volatile situation as it exists today, with Covid ravaging the world unabated mercilessly since January 2020, with little or no vaccine equity, economies of even developed countries have gone for a toss, what to talk of underdeveloped and developing countries! In such a trying and challenging times, UN is the only global international body which can bring a semblance of hope, to find sanity, to bring equity, and to overcome grief and pandemic, and bring back normalcy in the vast firmament we live in. This is the apt time to think of reforming the UN in its entirety. A need has arisen to conduct a study into the past performances of the UN. Whether to do away with 'veto' powers of the P-5? To what extent 'veto' powers of P-5 has resulted in peace or resulting in lingering strife between nations? Would replacing 'veto' powers of P-5 countries with 'consensus' among all nations or decisions are made by way of voting, in a democratic way with each country gets to voice its say in the happenings across the world? These are some of issues that needs immediate attention.

Joseph E. Schwartzberg, a peace and justice activist, with an interest in the United Nations system thinks that it is time to have extensive reform in the UN. In his talk⁸, he "outlines systematic reforms that balance the

needs of shareholders and stakeholders in diverse UN agencies and allow the voices of civil society and ordinary citizens to be heard.” He is emphatic when he states that one nation-one vote decision-making in most UN agencies results in failure, and it does not reflect the distribution of power in the world at large.⁹

In 2015, UN General Assembly (UNGA) decided to adopt “text-based negotiations” for reforms of the Security Council. This decision was hailed universally as it is a significant step.¹⁰ Editorials were written on this announcement that technically this is the first time in UN history that a concrete effort is undertaken by the UNGA to negotiate for the reforms of the Security Council. Even the Ministry of External Affairs described it as a “significant development” the UNGA’s decision to adopt text-based negotiations for the Security Council reforms. We are no more in an ideal world; let us be pragmatic. There is a need for a world body like UN to represent the world with equal powers among the nations. UN must study the geopolitical realities of the changing world. Many countries over the years have made sincere attempts to bring reforms in the UN and taken up the cause of expansion of UNSC. G4 initiatives, of which India is a part, made earnest attempts to seek expansion of UNSC.

India and G4 Initiatives

India, a country of 138 crore people, and being a largest democracy with demographic dividend and its contribution to the world economy over the past many decades becomes the rightful claimant for a permanent membership in the UNSC. India has an impeccable history of not going to war with its neighbours. It is for no reason that every other country, barring a couple of countries in our neighbourhood, has been extending equivocal support to India for its entry in the UNSC. With democracy flourishing in the past seven decades, with successful transition of power after 17 Lok Sabha elections speak for itself. It is very ticklish issue to address as and when a debate or discussion and voting comes up for inclusion of India in the expansion of the UNSC, the veto power of the Permanent 5 (P5) crept in and the effort is nipped in the bud.

For nearly two decades, G4 countries have been demanding to be included in the UNSC. From time to time, G4 countries met not only to discuss expansion of the UNSC and their inclusion in it but also steps taken for effecting reforms in the UN. To say India is screaming for permanent seat at the UNSC is no exaggeration. In order to aim for

permanent member seats on the Security Council, the G4 nations, comprising of Brazil, Germany, India, and Japan, was formed in 2005 so that they support each other's bids for permanent seats on the United Nations Security Council. Overwhelming majority of nations backs India's UNSC permanent membership. Almost every other country head who visits India extends their support to India to become a permanent member of the UNSC. Even before 2005, by 1992 all the four G4 countries started asserting their claim to be a member of UNSC.

When reforms and reshaping of the UNSC has come to a standstill, so to say, in 2017, G4 nations took an initiative to ensure that reforms in UN start moving. They had expressed their openness to not exercise veto initially as permanent members. Efforts were made at an inter-governmental negotiation meeting in March in UN headquarters when the G4 nations emphasised and supported the expansion of both permanent and non-permanent membership in a reformed UNSC. Ambassador Syed Akbaruddin, India's permanent representative to the UN, stated: "The issue of veto is important, but we should not allow it to have a veto over the process of Council reform itself," while speaking on behalf of the G4 at the Inter-Governmental Negotiations (IGN) on Council reforms.¹¹ Ambassador, on behalf of the G4, has also expressed the openness of the Group to 'innovative' ideas to achieve UN reform and they find no other way to proceed but this.

Several proposals were mooted by UN and countries like India and G4 as an entity. A necessity has arisen, by studying the past records of UNSC decisions, to bring in reforms, be it its membership, transparency, functioning, and above all veto powers of P5 countries. It is high time to venture into reforms in the UN by overhauling every conceivable body, particularly the expansion of the United Nations Security Council (UNSC), so that the decisions of the UN do not look lopsided with the flagrant misuse of veto power by P5 countries to safeguard their ally but even-handed with more representation in the UNSC. P5 countries were granted a permanent seat on the UNSC by the UN Charter of 1945 based on their importance in the aftermath of the World War. Realities need to be investigated threadbare. Situation has changed drastically since 1945 and more claimants are in queue for decades to enter the UNSC, which they rightly deserve.

It is clear as daylight that India has grown in terms of economy. Even if other parameters are to be taken into consideration – population, territory, GDP, UN peacekeepers, defence budget, military prowess – we are in the top five or seven, among nations. Irrespective of support from many of the P-5 member-countries, India deserves a rightful place

in the UNSC as permanent member. India is bestowed with the second largest population next to China, and the largest democracy of the world, apart from our extraordinary contribution in the UN Peacekeeping Force since its inception.

India and UN Reforms

India's efforts at bringing about reforms, paving way for the same, and taking up at every given opportunity is there in the public domain. India also keeps making steps to ensure broader cooperation between UN and other nations. In 2018, India's Deputy Permanent Representation to the UN, Ambassador Tanmaya Lal stressed the need to have broader cooperation between UN and Shanghai Cooperation Organisation (SCO). He said, "The fight against terrorism and drug trafficking can be an important area of broader cooperation between the United Nations and the SCO," while speaking at the High-Level Special Event on UN and Shanghai Cooperation Organisation Cooperation.¹² He further said that UN can extend its cooperation to strengthen regional security, economic cooperation, transit, and energy linkages and deepening of cultural ties.

The theme for the 75th UNGA General Debate was "The future we want, the United Nations we need: reaffirming our collective commitment to multilateralism – confronting COVID-19 through effective multilateral action". Addressing the General Assembly (through per-recorded message) in the General Debate on 26 September 2020, Prime Minister Shri Narendra Modi said called for urgent reform of the United Nations and for inclusion of India's voice in its decision-making structures. He also outlined India's contribution to the global response to the COVID-19 pandemic, announcing that India will make available its vaccine production and delivery capacities to the rest of the world, in keeping with its philosophy of seeing the world as one family.¹³

External Affairs Secretary Harsh Vardhan Shringla in a UNSC briefing on 15 July 2021 said that India would make best use of UNSC two-year term for permanent seat. For India, August is going to be one of the most landmark events in our engagement in the UN when India will be president of the UN Security Council. Shringla said, adding, "We will make the best of our two-year term. He has stated, we will leave our mark in the Council and our point is to say that India really, by its contribution, establishes the right to be a permanent member of UN Security Council."¹⁴

India has been making renewed efforts for its inclusion in the UNSC as a permanent member. Such an effort found reflections from time to time. In his message on the 70th year of UN, Narendra Modi, Prime Minister of India has stated; “Today, all of us in the international community acknowledge and respect the unparalleled reach and the unique legitimacy that the United Nations has achieved as the institution that embodies our aspirations to act for the common good. Equally, we are increasingly aware of the imperative need to reform this institution, so that it may better serve us to meet the challenges of the 21st century.”¹⁵ It is incumbent on the UN as a world entity to arrive at a consensus to ensure active participation of all regions in all its institutions, including the UNSC, considering the vast changes that took place in the past 75 years. On its part, expectations of India to become a permanent member of the UNSC is based on its growth and development in the past over seven decades. Its record speaks for itself. The core aim of UN is to serve the common good and to see every human being free from insecurity, hunger, poverty, injustice and deprivation of all sorts. As has been stated by the former UN Secretary General, Bank Ki-Moon on the eve of celebrations of the 70 years of UN, it is time for all of us to work to secure a future of freedom and opportunity for all. This exalted aim would only be attained by UN by ensuring genuine and fair representation of countries like India, which can contribute more to the world by being a part of the UNSC.

While Asia is underrepresented with China being the only member in the Security Council representation in the Security Council, Europe is overrepresented with three out of five permanent member countries, Africa and Latin America lack a permanent seat on the Council, this imbalance must be set right. South Africa in the African Continent deserves to be a permanent member of the UNSC. When five permanent members names were proposed for the Security Council, then, the sole criterion was the military and economic clout. In that case, if we take G-4 countries which includes India, they fulfil the sole criterion adopted in 1945. Further delay in the expansion of the Security Council would only show that world is not fair and expecting a rightful place for India is anathema to the P-5 countries. Time is ripe to see that UN is not undermined by the veto powers of the P5 countries. More representation would bring in responsibilities and semblance of parity in the fast-changing turnstiles in the new world order. At present, it is a clear case of UN taken for granted by the P-5 countries. This hegemony needs to be changed. Time has come for the P-5 countries to introspect by allowing its power to get diminished with the expansion of UNSC, which would pave way for the resounding international peace and security

across the continents. Precisely for this very reason, Security Council of the UN needs to be expanded and restructured for a balanced representation. It is high time UN should plug imbalances in the Security Council and UN to bring in legitimate claimant like India into its fold.

India's Claim for a Permanent Member of UNSC

From time to time, India has been bringing in demand for more representation to UNSC. In June 2021, External Affairs Secretary, Harsh Vardhan Shringla stressed on making UNSC more representative of developing countries to build trust and confidence in its ability to provide leadership to the entire world. He further stated, "India's clarion call for a reformed multilateralism, which reflects appreciation of contemporary geopolitical realities, is a pressing need now more than ever before. Multilateral institutions must be made more accountable to their membership, they must be open and welcoming to a diversity of viewpoints and cognisant of new .

As for the bid of India's UNSC permanent seat, for a long time, China has been putting hurdles on India's UNSC bid. The last being on 11 February 2021 when Chinese Foreign Ministry spokesman Wang Wenbin has called for a 'package solution' to India's UNSC bid. From January 2021, India has begun its two-year tenure as a non-permanent member and from August 2021 India is scheduled to serve as the president of the UNSC. While stating that both countries have exchanged views on upholding multilateralism, peacekeeping operations, and counterterrorism, he stated, "As for India's bid for permanent membership to the UNSC, I can reiterate China's principled position on this issue. China supports UNSC reforms in a manner that increases the authority and efficacy of the UNSC, increases the representation and voice of developing countries so that small and medium-sized countries have a greater opportunity to participate in the decision making of the UNSC. It should be done through the widest possible democratic consultation and seek a package solution that considers the interests and concerns of all parties."¹⁶

China is the only country which stops India's bid to become permanent member of the UNSC. Other four permanent members of UNSC – the US, the UK, France and Russia – support India. In its bid to become permanent member of the UNSC. Along with India, Germany and Japan too are vying for permanent seat in the UNSC. There are opposition to India's bid from Pakistan too from time to time.

Though not very often the issue of India foregoing its UNSC seat for

China comes up in the public domain, in 2019, it was clarified that the American “offer” to India of a permanent seat in the Security Council replacing China was not an offer in real sense but merely a vague feeler to explore Indian reactions to such a contingency. It was also cited that the US offer was nothing but a bait to entice India into an alliance with the West against the Sino-Soviet block, as it was then known, and lure it into becoming a member of the “defence” organisations it was setting up in Asia to contain presumed “Communist expansionism”.¹⁷

Conclusion

The performance and functioning of the organisations of the UN also needs to be reviewed. An international discussion on how to make effective and acceptable the resolutions of UN by the member-countries should be convened immediately. For example, the UN Human Rights Commission (UNHRC) considering the growing human rights violations across the world.

A day is not far off when in the UN we have ‘One nation, one vote’ decision making process in place. Then, we can call the UN and its agencies are truly representative in nature. At present, it is not so simply because it does not reflect the developments that took place in the last three or four decades in the world. There is a need to bring balance in the functioning of the UN. At present, it is lopsided and inequitable with the present five permanent member countries with veto powers, sway the decisions in their favour, at the cost of other countries which deem themselves as having a rightful place in the UNSC and in other important UN bodies. Whenever an attempt is made to add a permanent member to the Security Council, P-5 countries use their veto weapon to scuttle the move to the change of countries who richly deserve to be part of the Security Council by all parameters. If at all P5 countries show willingness to add new permanent members, they would be hesitant to give veto powers to new permanent members. In that case, it would be of new use of expansion of UNSC with India being a permanent member. The ideal situation would be to abolish the veto powers and adopt ‘one nation, one vote’, which would lead to a democratic set up in the UN and its bodies including the Security Council, where majority decision would prevail.

There is a need for reformed and expanded UNSC to bring a semblance of parity. Reforming UN is long overdue. Post-1945 scenario has changed. Then, it was about importance of countries in the aftermath of World War II, added to military and economic standing that tilted

the scales in favour of five permanent members of the Security Council. Time is ripe to venture into reforming and expanding the UNSC by going through its performance over the last many decades with an open mind and change in mindset. Needless to say, expansion and restructuring of UNSC and UN bodies would bring more vitality to the UNSC and UN institutions and there would be a much-needed balance in its functioning and make the world a better place to live with no war, strife and conflict. Only then, can we think of a strong UN and aim for a better world.

In 1945, when UN took shape, it had only 51 members, now it has 193 members. Five countries with veto powers tilt the scales in favour of them. Time has come to change the outdated set up in the UN by expansion of UNSC, both permanent and non-permanent membership, and also give effect to reforms. Democratisation of the UN structure has become inevitable after 75 years by providing equal representation to all regions and all interests. Reform in the real sense is nothing but increasing or restructuring the UNSC permanent seats so as to bring in parity among different continents and rightfully eligible countries given their due based on their population, economic and military strength, etc. Change and reform in the structure of the UN and UNSC is delayed inordinately. Time has come for ushering in changes so that the claims of G4 countries including India is not denied or ignored anymore in the long run.

References:

- [1] UN (United Nations) “United Nations Charter”, available online at <https://www.un.org/en/about-us/un-charter/full-text> (accessed 3 July 2021)
- [2] Jha, C.S. (2013) “Fifty Years of UN and the Future,” *Best of India Quarterly* (1945-2010), (Indian Council of World Affairs: New Delhi) 289-300.
- [3] “United Nations”, (2021), available online at <https://www.un.org/en/about-us/un-charter>, accessed 4 July 2021.
- [4] Fengyuan, Duan, (2020), “UN Reform: What to change and what to keep?”, *CGTN* (3 September), available online at <https://news.cgtn.com/news/2020-09-03/UN-reform-What-to-change-and-what-to-keep—SXkY62EUoM/index.html>, accessed 23 July 2021)
- [5] Carlsson, Ingvar. Nyerere, J. and Brandt, W. (1991), *New World Order: Reshaping UN*, (World Focus: New Delhi) (Vol.12, No.3, March).
- [6] "In 1st UN speech, Trump lashes out at 'bloated' body", (2017), *The Times of India*, (19 September).
- [7] Ibid.

- [8] Schwartzberg, E. Joseph, (2013) *“Transforming the United Nations System: Designs for a Workable World”*, (New York: United Nations University Press), available online at <https://unu.edu/publications/books/transforming-the-united-nations-system-designs-for-a-workable-world.html#overview>, accessed 10 July 2021.
- [9] Ibid.
- [10] "Let's not celebrate as yet" (2015), *The Pioneer*, (16 September)
- [11] IANS (Indian Abroad News Service) (2017) "UNSC permanent membership: India offers to temporarily give up veto power", *United Nations* (8 March), available online at <https://indianexpress.com/article/india/unsc-permanent-membership-india-offers-to-temporarily-give-up-veto-power/> (accessed 23 July 2021)
- [12] Singh, Yoshita, (2018) "Need for broader cooperation between UN and SCO: India", *The Millennium Post* (30 November)
- [13] MEA (Ministry of External Affairs) (2020-21) "India and United Nations", Permanent Mission of India to the United Nations, New York, available online at https://www.mea.gov.in/Images/amb/India_United_Nations_new.pdf : 1-21 (accessed 3 July 2021).
- [14] "India to make best use of UNSC term for permanent seat": Shringla", (2021), *The Hindustan Times* (15 July), available online at <https://www.hindustantimes.com/editorials/on-the-border-china-isn-t-listening-101626355147992-amp.html>. (accessed 16 July).
- [15] United Nations Information Centre for India and Bhutan (2016), "Seven Decades and Beyond – The UN-India Connect", (December).
- [16] Varma, K.J.M. (2021) "China harps on 'package solution' for India's bid to become UNSC permanent member", *The Indian Express* (11 February), available on line at <https://indianexpress.com/article/world/china-harps-package-solution-indias-become-unsc-permanent-member-7182945/>, (accessed 20 July 2021).
- [17] Ayoob, Mohammed. (2019) "Nehru, China, and the Security Council seat", *The Hindu*, (18 March), available online at <https://www.thehindu.com/opinion/op-ed/nehru-china-and-the-security-council-seat/article26561751.ece> (accessed 23 July 2021)