

# United Nations Security Council Reform: A Shattered Illusion

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## Introduction

The Restructuring of the United Nations Security Council (UNSC) is not a new subject matter in the domain of global politics. Over decades, it have emerged as one of the topics on the United Nations (UN) agenda, international forums and other public domain with least final output. Throughout its history, UN reform proposals seem to have ebbed and flowed with the political developments inside as well as outside its headquarters. For the last 75 years, a robust drive to redesign its basic practices and structures seemed to produce an ineffective exercise. Theoretically, the reform of the Security Council is the most significant and politically exciting issue facing the United Nations. There hasn't been any reform since the funding of the United Nation in 1945 except for one expansion of non-permanent membership in 1963. The five permanent members of the United Nations are China, France, the Russia Federation, United Kingdom and United States and they exemplify the global power and sustained their domination. Since 1945 the economic and political changes that have taken place have rationally questioned the validity of permanent member seats. In December 1993, the General Assembly established an Open-ended Working Group to consider an increase in the membership of Security Council and reforming the working methods. The demands placed on the reform were the increase in both permanent and non-permanent categories of membership, the veto as an anachronistic and undemocratic instrument, the improvement of working methods and the enhancement of transparency. They requested the conclusion of the reform be as quick as realistically possible. Different opinions could be found in the size of increase by category of membership, the total size of enlarged Council, the composition of an expanded Council and in the approval of a reform. This was the outcome after initial consultation of the member states about this topic in 1997. Over this period many resolutions were proposed but a unanimity failed to produce any positive result.

The United Nations was founded in 1945 after the Second World War (WWII) to replace its predecessor, the League of Nations. It was founded with the special purpose to maintain international peace and stability, to promote global cooperation and dialogue between states, to defend and guarantee human rights.<sup>1</sup>

The foundational treaty of the organization, called the United Nations Charter was signed in San Francisco on June 26, 1945 and came to force on October 24, 1945. According to the charter of the UN, there are six principal organs of the organization. These are: the General Assembly, the Security Council, the Economic and Social Council (ECOSOC), the International Court of Justice (ICJ), the 14 Secretariat, and the Trusteeship Council.<sup>2</sup>

Among the organs of the organization the Security Council (SC) is considered to be the most commanding organ. It consists of five permanent members- China, Russia, United Kingdom, France and the USA- each of which has a veto power. A veto power is an absolute vote that permanent members can use to unilaterally block any resolution or directive. Besides the five permanent members, there are 10 non-permanent members in the committee and some observer nations. These ten elected or non-permanent members have a tenure of two years. At present, the non-permanent members are Estonia, India, Ireland, Kenya, Mexico, Niger, Norway, Saint Vincent and the Grenadines, Tunisia and Vietnam. The Non-permanent members of the Security Council, however, do not have veto rights. This, in the eyes of several observers, makes them a toothless grouping because they cannot assert their will on any matter of international concern, merely persuade or dissuade other member states from acting in a certain way. The present geographic distribution employed in the election of the non-permanent members is: two elected from Western European and other States, five nominations from African and Asian States, one to be elected from Eastern European States, and two to be elected from Latin American States. The Security Council has the obligation for preservation of international peace and security. Moreover, it passes resolutions binding on member states. The Security Council normally debates through a Speaker's list and moderated caucuses. The committee passes directives or resolutions, or a combination of both. The Security Council has the power to take direct actions that General Assembly (GA) committees may not, such as sending troops and imposing sanctions. The council retorts to crises around the world on a case-by-case basis and takes action based on options that do not involve armed force. For instance, economic and trade sanctions, arms embargoes, travel bans and financial

or commodity restrictions. However, Chapter VII of the UN charter permits the council to approve the use of force “to maintain or restore international peace and security”. Each permanent member of the Security Council hold significant power through their exercise of veto, which these countries enjoy, besides this UNSC have also adore other privileges such as filling positions in the major UN Secretariat posts, the ICJ, and other decision making bodies of the organization.

However, since its establishment, the UNSC has been facing ample criticism regarding its working methods, its relationship with the General Assembly, regional representation, decision – making methodology, the composition of permanent members, and the abuse of the veto power. Therefore, all of the above mentioned factors contributed to the discontent of the international community with the inability of the UNSC to fulfill its moral responsibility the way international community expects from it. In particular, the right of veto became the main cause of the criticism directed towards the UNSC. There are many debates and controversy occurred around the infamous veto power, which grants the P5 with the right to block any resolution which is contradictory to the principles of the UN. It has been amply clearly that the right of veto, when exercised in accordance with the national interests of the permanent members of the United Nations Security Council, it generates huge frustrations among the non-permanent members. In fact, there are number of instances when the UNSC failed to make a timely response with special reference to Rwanda, Somalia or Kosovo issues, which threatened the peace, security and humanity in the early years of post-Cold War years and thereby the question of UNSC reform came into limelight. The purpose of this article is to highlight the different reform proposals that are initiated over the years for the increased numbers of permanent membership of the Security Council and the misuse of veto powers by five permanent members over the years. The article will also review the key issues of the reform of the Security Council and proposes some possible solutions regarding the composition of the Council and the issue of veto.

### **Down the Memory Lane: Track Records of Veto Power**

Since its inception in 1945, the Security Council was totally composed of eleven countries, in which permanent and non-permanent members were five and six respectively. Countering the pressing demand for the increase in its membership on the eve of the explosive growth in the UN membership in the early 1960s (from 51 to 114), the Security Council reluctantly increased its nonpermanent members to ten, while

the number of permanent members was remained stagnant. Since 1965, the UNSC membership has stood at fifteen. Therefore, no one virtually can deny that the composition of the Security Council no longer reflects and is compatible with the increase in the UN membership and the geopolitical realities of the world today. The international community demanded a better reflection of their numbers and priorities in the UNSC. Over the years, the role of the Security Council's has been questioned by all the members of the UN related to its effectiveness, proficiency and validity of its task. Since its inception, the permanent members of the Security Council (SC) used the veto to defend their national interests, to uphold a tenet of their foreign policy or, in some cases, to promote a single issue of particular importance to a state. An example can be cited in this context that in February 1946, when the Union of Soviet Socialist Republics (USSR) cast the first veto on a draft resolution regarding the withdrawal of foreign troops from Lebanon and Syria and the veto has been recorded 293 times.<sup>3</sup>

During the Cold War period, the USSR cast most of the vetoes, with a considerable number of these used to block the admission of a new member state. Over the years, the USSR/Russia has cast a total of 143 vetoes, or close to half of all vetoes. The US cast the first of its 83 vetoes till March 1970. The USSR had by that point cast 107 vetoes. Since 1970, the US has used the veto far more than any other permanent member, most frequently to block decisions that it regards as detrimental to the interests of Israel. The UK has used the veto 32 times, the first such instance taking place on 30 October 1956 during the Suez crisis. France used the veto for the first time on 26 June 1946 with respect to the Spanish Question and has cast a total of 18 vetoes. Besides this, France and the UK have not cast a veto since 23 December 1989 when, in pushbike with the US, they prevented condemnation of the US invasion of Panama. Similarly, China has used the veto 16 times, with the first one, on 14 December 1955, cast by the Republic of China (ROC) and the remaining 13 by the People's Republic of China after it succeeded ROC as a permanent member on 25 October 1971.<sup>4</sup> However, the end of the Cold-War, following the disintegration of the Soviet Union brought about the brighter prospect of the Security Council to play the explicit role of a world actor vested with the task of maintaining peace and security as being specified by the terms of the UN Charter. Unfortunately, that expectations were soon belied within a short span of time. In fact, during the Cold War period, the Security Council appeared to be born for the sake of the two superpowers, the United States and the Soviet Union (now succeeded by Russia) who are the two of five permanent members. These two superpowers used the UNSC

to prevent one another from becoming the dominant superpower, or to play a biased protected role in favor of their allies.

Since the end of the Cold War in 1991, a new trends in the usage of the veto by the different permanent members have emerged. The way the UN sanctioned liberation of Kuwait, which was followed by failures in decision-making or in action in Somalia, Rwanda and Bosnia led a severe acrimonious environment and big questions were resurfaced regarding the use of Veto power as used by the US in the absence of the former Soviet Union. Besides this, during this time China, which has historically used the veto the least, has become increasingly active on this front and cast 13 of its 16 vetoes since 1997. Russia cast 24 vetoes in this period, whereas the US has resorted to the veto 16 times since the end of the Cold War. The use of the veto by Russia and China rose considerably since 2011, with the conflict in Syria accounting for the bulk of these. Since 2011, Russia cast 19 vetoes, 14 of which were on Syria. Eight of the nine Chinese vetoes during this period were over Syria and one was on Venezuela. The remaining Russian vetoes since 2011 were against two resolutions related to the conflict in Ukraine, one on the 20th anniversary of the genocide in Srebrenica, one on sanctions against Yemen, and one on Venezuela. (The US cast three vetoes since 2011, all of them on Israel/Palestine issues.) The picture of the UNSC was even shoddier after the terrorist attacks on 11 September 2001 and the US-led war in Iraq in 2003. International community was absolutely depressed by the fierce division and failure within the UNSC, which was unable to vow and decide ‘either war or negotiation’, and finally had to bow before the US leadership who applied the logic that if you are not with us, you are against us. While describing this event, the Tanzania President Julius Nyerere used a proverb in this regard that, *“when two elephants fight, it is the grass that suffers”*. While former Singaporean Prime Minister Lee KuanYew spoke of in a gentler manner that, *“when elephants make love, the grass suffers equally”*<sup>55</sup>

Thus the “power of veto” has remained the crucial attack point of critics of the Security Council. The veto power is criticized on grounds that the five permanent members of the Council (United States of America, Russia, France, United Kingdom, and China) retain the power to quash any non-procedural matter with their negative vote, irrespective of its level of international support and necessity. Since the establishment of the Security Council, permanent members have used their power of veto in accordance with their national interests, and not in the interest of international peace and security, nor the interest of the whole mankind.

## Multiple Proposals of Security Council Reforms

Over the years, the world has changed in a number of ways. With the process of globalization and liberalization, it has been witnessed that a resurgence of Asia, Africa and Latin American countries. Growth and development have not only made these countries more interdependent, but new and increasingly complex challenges have also ascended. Since its formation as an international institution, the UNSC performance, especially the misuse of Veto power by five core members time and again have created severe commotion among the members states of the UN regarding the credibility and effectiveness of the Security Council's accountability, coherence and transparency and accelerated the demand of necessary reform on the use of Veto power in the UNSC.

The deliberation on expansion of the Security Council has been going on continuously for decades with a consensus still evading the international community. The time has now come to move ahead from words to action and take a decision on the way forward based on the wishes of majority of the UN membership. During Secretary-General Kofi Annan's tenure, in June 2002, the Security Council had made a number of reform efforts on issues regarding transparency, inclusiveness in proceedings, and accessibility to the General Assembly.<sup>6</sup> Given that environment, the majority members of the UNSC agreed at the 2005 World Summit to achieve an 'early' reform of the Security Council and expected that the world community would work together for a concrete result before the 77th anniversary Summit of the United Nations in 2022. In fact, while assessing the current scenario, it is not surprising that today there is a widespread understanding of the essentiality of the reform of the Security Council in order to change its present composition especially the increase the number of permanent members and its Veto power in the context of changing global order, which could more responsive than its past performances. This could be the only way to convey rightfulness and steadiness for the democratic way of functioning of the SC and thereby restore its reliability as the prime organ of the UN for the maintenance of international peace and security.<sup>7</sup>

As against such backdrop, over the years, critics and reformers advocating a reform of the SC and time and again expressed the size of the Council and the issue of regional representation as the major issues which deserves core attention. The existence and practice of the veto power has been slated by various countries and stakeholders over the functioning of the UN system, and they held a common views that the concept of veto or permanent membership in the Council, should be

rejected and needs necessary reform. They even felt that the use of veto power by the P-5 most of the time amply reflected according to their pursuit and realization of the national and hegemonic interests at the expense of other member states and which remains quite undemocratic in nature. Besides this, most member states, though divided on which states should be elected to the Council, they are quite unanimous in their call for the enlargement of the Council and the expansion of its regional spread and representation.<sup>8</sup>

These antipathy and frustrations among the members of the UN, led from the time of its inception until date, called for necessary reforms of the UNSC and the core issues are the working procedures of the SC, the geographical representation of the various continents in the Council, the type of membership to be billeted within the Council, as well as the size of the Council and especially the use of veto power. As a result, there are a number of proposals submitted by the member states of the UN for necessary reforms and they are as follows:

### **The 1965 reform**

The first session of the Security Council was held on 17 January 1946. At that time the Council consisted of eleven members – the five permanent and six non – permanent members. However, in 1965 the first reform of the Security Council happened when the number of non-permanent members was increased from six to ten. The main reason for this reform was to enhance the number of the member states. After this reform the number of the UN Member States has enlarged substantially after the fragmentation of the Soviet Union and when many new members joined the UN.<sup>9</sup> Today, the United Nations has 193 members.

### **The Razali Plan**

The Razali Plan is named after Ambassador Ismail Razali, a one-time President of the United Nations General Assembly between 1996 and 1997. On 20 March 1997, the then president of the General Assembly, Ambassador Razali of Malaysia, attempted to break the deadlock by introducing a three-stage reform plan. Razali believed that his initiative could result in a swift conclusion to the negotiating process. The core idea of the Razali Plan was intended to expand the effectiveness of the SC, through the expansion of its membership and the reconfiguration of the working methods. To this extent, the proposal called for the stimulation of a 24-member Council, where in addition to the existing

members, five new permanent members would be admitted, alongside four non-permanent members into the Council. Three out of the five permanent are to go to Africa, Asia, and Latin America, while the other two are reserved for industrialized states. With regards to the non-permanent seats, states from Africa, Asia, Eastern Europe and Latin America are to enjoy this allocation.<sup>10</sup> Besides the recommendations of the expansion of permanent and non-permanent members of the Council, the Razali Plan invigorated the limitation of the use of veto by the former veto players, and with regards to the new permanent members, they would be divested of the veto, and would only enjoy permanent membership. The structure also attempted to restructure the working methods of the SC, and recommended that the ICJ must be included into the operations of the SC by seeking its advisory opinions, while regularizing and increasing the number of meetings held by the Council. This Plan also enticed for regular briefing of the greater majority of the UN members in the General Assembly and the adoption of open debates prior to the Council's vote on any specific issue. However, by reason of disagreement among different groups, this proposal was impossible to implement. The implementation of the Razali Plan required the support of the all P5. However, the response of the P5 was hugely critical and negative. For example, Non-Aligned Movement group considered the proposal as a threat to cohesion within their group, coupled with the opposition of Italy, which considered the allocation of permanent membership to Germany and Japan as a threat to their national interest. Although, there severe difference were evolved among the NAM members that led spoil the entire initiative and ultimately spoiled all their hopes for a grander role in UN affairs. Similarly, the USA openly threatened to use its right of veto if the Razali Reform Proposal was admitted to voting. However, the fact remains that the P5 did not veto the plan directly, although the USA threatened to use it and in fact all the P5 expressed their views which were absolutely contradictory to the proposal. Thus, the reform proposals of the UNGA President concerning the UNSC were not achieved. Although considered a failure, the Razali Plan is seen to have presented a significant reform in the UN, whereby decisions in the General Assembly are arrived at upon two-third yes votes of the member states, as reinforced by Resolution 53/30 of the General Assembly.<sup>11</sup>

### **Kofi Annan's United Nations Security Council Reform Proposal**

Another important reform proposal is Kofi Annan's working plan on the change of the important spheres in the UN. In march 2005, Kofi



Annan, the then UN Secretary – General, submitted a proposal entitled “In Larger Freedom: Towards Development, Security and Human Rights for All” where he made several recommendations concerning the security, development, human rights and international institutions, including the reform of the UNSC. The report originated pathways for institutional reforms within the UN, including the SC, and with respect to the SC, the report proposes Model A reform framework, which envisages the expansion of the Council, by the addition of six new permanent seats, alongside three new non-permanent seats that would enjoy a two-year tenure. In the case of Model B, it did not tamper with the permanent member seats already existing in the Council, it rather created two seats that enjoy a four-year tenure, but are renewable; the proposal made room for one seat in the non-permanent category that is two-year tenured and non-renewable also. And in all the seats proposed in Model A and Model B of the Annan report, no new vetoes were proposed, and the seats are to be allocated on regional basis.<sup>12</sup>

The both models of Kofi Annan, both Model A and Model B were designed to placate certain interests within the UN; the former model aims to satisfy the agitations of the G-4 group, while the latter intends to incline towards the yearnings of the **Uniting for Consensus** (UfC) group. Surprisingly, both the proposals generated and projected by member states of the UN, including Model A and Model B that was placed by Annan, all generated towards making an inroad to the World Summit of 2005, saw the light of the day, as none was put to vote; they all died a sudden and unnatural death.<sup>13</sup>

The Model A advocated for the addition of three non-permanent and six permanent members respectively to the Council. The six permanent members proposed by the report are to be drawn from Africa (two seats), Asia and the Pacific (two seats), Americas (one seat), and Europe (one seat). Model B proposed by the report entails the addition of eight new seats that are renewable every four years, as well as one seat for a two-year term, which is non-renewable. The eight new members are to enjoy a four-year tenure that is renewable once, and are to be divested of the veto.<sup>14</sup> Besides this, the report advocated a new voting pattern in the Council, where initial voting would be conducted in the absence of veto, before the activation of a formal voting, where the usual procedures, including the right of veto applies; the purpose is to make the process of decision-making more transparent within the Council. It is though unfortunate that none of the models were adopted by the member states of the UN.

The hardliner position maintained by both US and China, both of which

resisted the inclusion of Germany and Japan in the Council, as well as the position of Africa, which insisted on being allocated a permanent seat in the Council, with an accompanying veto, are factors cited as being responsible for untimely death of this proposal.<sup>15</sup> But many commentators felt the opportunities offered by the Annan proposed reforms were not fully explored. At that time for example, the UfC were open for and much willing to negotiate with the G-4, which closed the doors of negotiation, because it assumed its plans and proposal would scale through the rigorous hurdle of reforming the SC and when it became evident that the G-4 proposal would die a premature death like other proposals intending to reform the SC, the G-4 sought to negotiate with the UfC to consolidate the chances of getting its proposals adopted, but unfortunately, the UfC then had its own doors to negotiations tightly shut.<sup>16</sup> Furthermore, many analysts conceive the reform proposals of Annan to be too ambitious, especially when weighed against the backdrop that member states of the UN are defined traditionally to have a penchant for picking and choosing from a wide range of options with respect to issues of reforming the UN.<sup>17</sup> The Annan initiative was also deemed to have committed the sins of past reformers who attempted reforming the SC; in the UN, it has been noted that “political convergence precedes institutional change, not the other way around”, but the proposals of Annan took reforms the other way round (from institutional change, while political convergence has not been attained).<sup>18</sup>

### **The Group of Four Proposal**

The Group of Four (otherwise referred to as G-4) consist of four countries viz: Brazil, Germany, India, and Japan, who consolidated their respective proposals and presented on July 6, 2005, during the 59th session of the General Assembly. Being major donors (Japan and Germany), having one of the world’s largest populations and economies as well as being the third largest contributor of troops to UN peace-keeping missions (India) and, ultimately, being the largest country in terms of population, economy and territory in South America (Brazil), these countries ambitiously expressed their will to become the permanent members of the Security Council.<sup>19</sup> This proposal of G-4 proposal was generated as a reaction to the Razali Plan and the High level Panel Report and suggests the augmentation of the geographical representation of states, especially those from developing countries, as a means of fostering and promoting legitimacy within the Council, in line with the Razali Plan and the Model A position of the High Level panel Report.<sup>20</sup> The main discontent of the G4 was with the institutional

perseverance of the UNSC. They believed that the Council no longer resembles to the then international realities because of its old – fashioned nature. This G-4 further proposes the addition of ten new members into the SC, ten of which would be permanent members, while four would be non-permanent members. To this extent, two permanent seats would be allocated to Africa, Asia would be allotted two seats, Latin America and Caribbean states would enjoy a seat, likewise Western Europe and other states similarly situated. Africa, Asia, Caribbean and Eastern Europe, as well as Latin America would each be allocated one non-permanent seat and advocates withholding the veto from the new permanent members of the Council with the same rights which the existing P5 possess.

The campaigners of the G-4 proposal have made noteworthy impacts in the UN twice in 2005 and 2011 respectively, when it repeatedly pushed for reforms in the SC along the lines of its sponsorship. In fact, in 2011 it was witnessed the collection of signatures of member states supporting the proposal encapsulated in a “short resolution”, but unfortunately, only eighty signatures were reportedly acquired,<sup>21</sup> which fell short of the two-third affirmative votes of the member states in the General Assembly, but as expected, it generated reaction from other interest groups like the UfC, who were visibly against the positions projected in the proposals of the G-4.<sup>22</sup>

### **Uniting for Consensus**

“The Uniting for Consensus” is a group of 40 countries, which was initially originated at the end of 1990s from the organization called “The Coffee Club”.<sup>23</sup> 48 The core idea of the working group was in improving the working methods of the UNSC as well as expanding the seats in the council. This proposal was a framework of reform generated by countries like Argentina, Canada, Italy, Pakistan, Mexico, Spain, and Turkey. The proposal of the Uniting for Consensus was spawned to counter the G-4 proposal, on grounds that attaining permanent membership by the countries advocating the G-4 plan would have negative strategic effects on their neighboring states. This incidentally happens to be the only group that is not advocating for an increase in the permanent seats of the Council.<sup>24</sup> The crucial focus of the Uniting for Consensus group is crossable geographical representation within the SC. The proposal of the Uniting for Consensus was fabricated with ideological atoms created by the Model B of the High Level panel Report birthed by Kofi Annan, the then Secretary General of the UN. The Proposal of the Uniting for Consensus (UfC) objectives at promoting

liability within the SC, while also pointing for acceptable representation, by recommending the addition of new non-permanent members into the Council, where equal representation of the respective geopolitical blocs would be sustained.

Voting reforms and rotation of members was also introduced into the operations of the Council. An increase in the number of states in the SC was proposed to be increased to 25, with the status quo of the P-5 retained, while the non-permanent members were intended to serve a two-year tenure, which is subject to renewal, upon approval by their regional grouping or organization. The non-permanent members seats are to be distributed on the basis of regions, with six seats for Africa, five for Asia, four for Latin America and the Caribbean, three for Western Europe and others, while two seats was reserved Eastern Europe. To the proponents of this framework, there is need for transparency within the SC, and the veto was considered an impotent tool that should be used frugally by the P-5, as it will be eliminated with time, being a tool not accommodated within their master plan for the reform of the UN. This proposal also concentrated on the improvement of the working methods of the UNSC, namely regarding the transparency in decision-making process, including accountability in performance, access to information and interaction with all interested parties in its work.

### **Ezulwini Plan**

The Ezulwini plan is a consensus UN reform proposal proposed by the countries of Africa<sup>25</sup> to the UN in 2005, wherein the position of the continent, with regards to anticipated reforms in the SC, is compressed. This African proposal saw the SC from a broader perspective where it not only represented an embodiment of the hopes of the international community, with regards to the protector of international peace and security, but a fountain, from which flows “freedom from want, freedom from fear, and freedom to live in dignity.”<sup>26</sup> The protagonists of the Ezulwini Plan see African countries and other developing countries as the underdogs that are sidelined by the developed countries in the SC. The framework therefore aims at terminating the inferior status allocated developing countries by the developed countries by advocating for the enlargement of the Council to become a 26-member organ, with Africa enjoying two permanent and two non-permanent seats in the Council, while Asia would have two permanent members and one non-permanent member in the Council; Western Europe would have only one permanent member seat, whereas, Latin America and the Caribbean would be allocated one permanent and one non-permanent

seat in the SC.<sup>27</sup> Under the framework of the Ezulwini Plan, the veto players are to retain and exercise their veto rights, while the regional organization, the AU in the case of Africa, would be responsible for selecting African countries that would serve in the SC.<sup>28</sup> Unfortunately, internal wrangling and divisions have frustrated the momentum that the African group initially gathered, hence, they have not gone too far beyond the Ezulwini proposal. The weight of remaining focused and maintaining the regional unity, upon which their strength is based. The group dynamics has also created an environment where linkages between African states with any other regional grouping is viewed with suspicion, and conceived as betrayal of the cause being pursued by the continent.

### **Overarching Process Plan**

Like the other plans, the Overarching Process Plan is one of such proposals generated to find a common ground between the proposals of Uniting for Consensus, the G-4, and the Ezulwini Plan. The basic inclination of this proposal is the implementation of all the common and accepted grounds reflected in the aforementioned reform plans, while disregarding the respective points of divergence in the Ezulwini, UfC, and the G-4 proposals, with breaking the solid deadlock that has become the bane of reform proposals concerning the SC. This proposal advocates the expansion of the Council to accommodate twenty-two members with geographical spread, that would be drawn from Africa (two members), Asia (two members), Latin America and the Caribbean (one member), Western Europe and others (one member), and Eastern Europe (one members); thus, the overarching Process Proposal advocated the addition of seven members, who are to be elected by the GA, in addition to the fifteen that are already existing in the Council.<sup>29</sup> Issues such as the renewal of the tenure of members and the length of their respective tenures are left open to negotiation by the proposal. Surprisingly, the veto issue was left untouched by this proposal, which leaves it open to conciliation; it is seen to be critically aligned with the S-5 proposal.

### **L69 Proposal**

The L69 is originated from a resolution of the General Assembly, Resolution Number A/61/L69 (2007) which was a resolution drafted by India, but finally placed to the General Assembly by an accumulation of several states, whose objectives revolved around reinforcing the pillars of the chairperson's report, while resolving to continue along the paths

of the Open-Ended Working Group (OEWG), with regards to questions of equitable illustrations, as well as an increase in the membership of the SC, together with other issues pertaining to the SC. The L69 group consists of 11 countries from the AU, and 11 other members from Caribbean Community (CARICOM), and two observers from CARICOM. It consists of forty-two states, the L69 can be categorized in line with its own definition of itself, which is consist of a diverse group of developing countries from Africa, Latin America and the Caribbean, Asia and the Pacific, who are united by a common cause – to achieve, lasting and comprehensive reform of the UN Security Council.<sup>30</sup> The core proposal of the L69 is the extension of veto power to the any new permanent seat created in the Council, while room should be made in the Council for small island states, thus, non-permanent seats should be extended to these small island states from all regions of the world.

### **Model X Plan**

Model X is more of an academic model that was originated by scholars. The model advocates the increase of the SC membership to 20, following a proposed addition of five non-permanent members. The basic inclination of the Model X is creating a point of congruence between adequate regional representation and the incorporation of the needs of developing countries. The Model X sees an imbalance in the current structure of the SC, where Europe seems over-represented, hence in its proposal, it did not allocate any seat to Europe, and the aim is to create a balance. The new non-permanent members are to have a four-year tenure that is renewable. The geographical distribution allocates two seats to Africa, two seats to Asia, and one seat allocated to the Americas and the Pacific. According to the Model X proposal, regional groupings or organization would be responsible for electing member states from the region for seats, as well as nominating such members for reelection.<sup>31</sup> Besides this, there are number of regional proposals put forward for the reformation of the Security Council and among them are as follows:

### **The Arab Group**

The Arab League, a regional grouping that represents the Arab nations, consists of 23 Member States has its proposal publicized and pursued by the Arab Group, and this group had remained critical of the almost inept reaction of the SC to crises in the Middle East, especially the Syrian crises; an issue that culminated in the rejection of an elected seat in the SC by Saudi Arabia. The Arab Group continues to lament the under-representation of the Gulf States in the SC, as they demands

a permanent Arab seat in case of any future expansion of permanent seats in the Council.<sup>32</sup>

### **Eastern European Group**

The Eastern European Group calls for their inclusion in the SC, by a seat in the non-permanent category, whenever membership of the Council is expanded in that category.<sup>33</sup>

### **Caribbean Community (CARICOM) Proposal:**

The CARICOM proposal has recently been in the limelight. In this proposal, the reform of the SC, in line with the position of the African Group, which is in the direction of affording the Small Island Developing States (SIDS) adequate representation in the SC, by allocating non-permanent seats to these states, cutting across all regions, etc. has been initiated through a communiqué issued after its 24<sup>th</sup> Inter-Session Conference of Heads of State and Government, held between 18<sup>th</sup> and 19<sup>th</sup> February, 2013. This group holds similar position and standpoints as the L69 Group and the African Group, since it calls for reforms in the SC, by the addition of six permanent seats and five non-permanent seats. The permanent seats are to be elected by the General Assembly, and distributed to different regions, with Africa getting two seats alongside Asia, while Latin America and the Caribbean gets one seat, alongside Western Europe and other states, which also gets one seat. The non-permanent seats are to be regionally allocated, inclusive of Small Island Developing States, whose allocated seats are to be rotated, as well as coordinated by regional groups to ensure effective representation of these states in the Council.

Moreover, the CARICOM is of the view that Africa, Asia, Latin America, and the Caribbean are underrepresented in the Council, and ought to be allocated permanent and non-permanent seats in the Council. This position according to political watchers opens the door for viable alliance between CARICOM and the African Group. Also, the position of CARICOM is that veto power should be extended to new members of the Council, while regional groups play a key role in the activities of states within the UN. But since February 2013 when its draft resolution was presented, it seem it has hibernated, as no further action has been taken to activate and further the precincts of the proposals beyond the stage of a mere wishful scheme.

### **Italian Proposal**

The Italian proposal is unique in that the plan creates actual regional seats, not seats for individual states assigned by region. By embedding truly regional voices on the Council, wider collective interests may triumph over the more narrow interests of single states. The Italian proposal gives two additional permanent but veto-less seats to Africa, Asia, Western Europe and other groups, Latin America and the Caribbean, and Eastern Europe. “Each regional group would have the ‘operational management’ of the seats and would define principles and mechanisms with appropriate checks and balances to prevent national occupation of the seats and ensure regional representation.”<sup>34</sup>

### **Panama Proposal**

In 2007, Panama proposed a simple plan to increase member representation. Under its proposal the Security Council would seat an additional six members with five-year renewable terms.<sup>35</sup> It was proposed that the seats would be spread among the current regions: two for Asia, two for Africa, one for Latin America and the Caribbean, and one for Western Europe and other States. Any state elected “for four consecutive terms . . . would automatically become, and for this reason only, a permanent member” with no veto.<sup>36</sup>

### **France’s Proposal**

Over the years, France has long been in favor of Security Council reform in order to increase its authority and representativeness, while maintaining its decision-making abilities. It is in favor of expanding the Security Council in both categories of members- permanent and non-permanent. In 2019, France’s Permanent Representative to the UN Francois Delattre, at the meeting of the Plenary on the Intergovernmental negotiations on the question of equitable representation on and increase in the membership of the Security Council raised its voice in favor of the expansion permanent Security Council seats for Germany, Brazil, India and Japan, as well as a greater representation of African countries at the Security Council, including among permanent members for a better reflection of contemporary realities and pointed out that “this is for us a matter of priority.”<sup>37</sup> Before, this proposal, in 2013 France launched an initiative proposing a collective and voluntary agreement by permanent members of the Security Council whereby permanent members shall not exercise the right to veto in the event of mass atrocities. The Security Council’s



capacity to prevent or put an end to situations of mass atrocities is key to its rightfulness. In September 2020, the political declaration in support of this initiative set out by France and Mexico had been approved by 105 countries.<sup>38</sup>

In addition, the above mentioned reform proposals there are several other countries have submitted their individual proposals. In fact, different countries time and again interpreted the use of Veto power as totally obsolete considering the present political realities. Some described the Veto power as ‘anti-democratic’ and ‘anachronistic’, while some branded it parallelisms between the veto power and the goal of pursuing of self-interests. However, among these multiple types of reform proposals, it is evident that among these reform efforts, the reform of the 1965 is considered to be the most successful reform of the UNSC. The other reform efforts faced challenges from the side of the P5 and where time and again regarding the issue of the veto power, the United States always opposed to ‘any alteration or expansion of the veto’.

It is quite alarming that increased membership of the UNSC as proposed in all proposals demanded over the decades appears quite a futile exercise. The different plans suggestion for a variety of reasons to increase UNSC’s membership strength. The Razali, G4, United for Consensus, REP, and Model C plans, in particular, contended that the Council’s effectiveness, credibility, and legitimacy depend on a representative character that the existing body lacks. The High Level Panel Report, G4, and Model C plans also add that a membership increase would create a Council better adapted to the actual contribution of states. The Ezulwini plan, on the other hand, contends for increased membership based practically on important justice and egalitarian values. In calling for increased membership, the plans all make valid points, but these plans both ignore the original purpose of the Council and neglect the functional complications that the changes may cause.

What emanates reasonably clear from the above analysis is that, starting from 1992, most of the countries of the globe demanded expansion and reform of the UNSC. They viewed that considering the present global scenario, especially after the fall of former Soviet Union, the UK and France as well as Russia are no longer “great” powers, but their permanent status with vetoes magnifies their voices in international politics to louder decibel levels than their actual power merits. In their pursuit of *raison d’état*, states use whatever institutions are available to serve their national interests. Also, some differences among claimant countries have also remained a prime factor for a long time. Among

the reasons, First is the difference in understanding the object of equitable representation. While India has remained steadfast on equitable representation for developing countries, Africa's countries have come to justify regional representation. As part of Organization of Islamic Conference (OIC) and League of Arab States (LAS), they also seem open to consideration of a religious or cultural criteria within developing countries. Second is the issue of veto. Formally, India is committed to not having veto powers for new permanent members to begin with, however, Africa's countries are firm on having veto powers. Third is the process of election of new members. While India continues to favor election by the GA, Africa favors a two-step process with a selection by the African Union (AU) coming before an election by the GA. On the methods of working of the SC, there are not many serious differences.<sup>39</sup> Finally, on a number of occasions the core financial donor of the UN funds by taking advantage of their economic strength have exhibited its economic muscle power. For example, at one point of time, the United States publically threatened that if the Security Council materially disagrees with U.S. foreign policy with any incidence over critical issues, the United Nations could come to resemble its defunct predecessor. In this context, President George W. Bush in one of his statements in September 2002, while addressing in the General Assembly, firmly said: "We created the United Nations Security Council, so that, unlike the League of Nations, our deliberations would be more than talk, our resolutions would be more than wishes"<sup>40</sup> and clearly display the mindset of the United States leadership regarding its outlook on UNSC reform.

Therefore, while coming back to the use of veto power, the main idea of which was the interests of veto players and their ability to block any resolution with their negative vote, can explain the entire deadlock in the reform process of the UNSC. Moreover, non-coherent and lack of understanding among the non-permanent members have also gave a space to P5 members to keep their position intact. All the above analyzed reform proposals somehow strengthened to the views of the P5 and they used their right of veto or the threat to practice the veto according to their narrow national interest and through which they were able to keep their monopolistic status which they are enjoying over decades and occasionally led the UNSC quit volatile, irresponsible and weak in functioning in its entirety. In this connection, it is essential to discuss further what the UN Security Council can do to help states to practice the primary institution of peaceful change in contemporary international society, especially in the context of power transition, and how it should be reformed so as to enhance its ability in this respect.

## Conclusion

The world is changing, but not the Security Council. While humanity is helpless in the face of armed conflicts raging across our planet, United Nations Member States have been, for almost a quarter of a century, unsuccessfully trying to reform the body which they themselves entrusted with the primary responsibility of maintaining international peace and security. The Security Council was established in accordance with the realities of 1945 but, as a dynamic and flexible institution of the UN, has had to keep its structure abreast of the changes in the world environment in which it has lived ever since. It follows that the reform of the Security Council is not an end in itself but rather an essential means of it retaining its relevance to an evolving world. The need arises for the institutional structure of the Security Council to be periodically overhauled in order to avoid facing the danger of remaining behind the reality in which it is supposed to function.

Whatever may be the outcome of the ongoing debate on the issue of expansion of UNSC membership and the use of veto power, one thing can be said with confidence that a failure to reform the Security Council and bring it in line with contemporary realities will sooner or later lead to its deep alienation from the larger part of its membership and in turn could lead to a greater crisis of legitimacy in the UN—a crisis it can hardly afford as it contemplates the next steps of its development in the current twenty-first century. This is precisely what makes the current debate on Security Council reform inevitable such a crucial issue under the present juncture. As a matter of fact, all UN members should realize their accountability as sovereign actors in international relations, unite together to find out a comprehensive solution for the matter of UN Charter amendment and the UNSC's reform based on a common value of work together, move together, and acting together for the shared destiny and this will be core principle of any type of hegemonic attitude and mindset of the P5 members, who often manipulates their position according to the national and collective interests and produces the main stumbling block for the Security Council's efficiency and annihilates the reform process as well as delays UNSC's peacekeeping activities, otherwise it amply display 'the emperor has no clothes'<sup>41</sup> or they are all sightless and riddle.

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