

# UN reforms — a fading mirage?

► *Greater transparency in the working of the Security Council is necessary. The choice of permanent members should be more democratic and based on objective criteria, and the veto needs to be abolished.*

**Bhaskar Balakrishnan**

**R**eform of the United Nations, especially the issue of enlarging the Security Council, has been a major objective for India and several other aspiring permanent members. It is widely accepted that the Security Council needs enlargement, but there are serious differences over how to accomplish this.

Without broader and stronger international cooperation, key global challenges cannot be met, whether in security, economy, or environment. The recent moves for a G-8, E-8 and G-20, to discuss major challenges outside the UN forums are in itself a tacit admission of this. The UN itself is seen as incapable of tackling new challenges and meeting expectations of the civil society, and has lost credibility and public support.

One formula, promoted by the G-4 (India, Brazil, Japan, and Germany), calls for addition of six more permanent seats (for the four sponsors plus two more for Africa) and four non-permanent seats. A rival proposal, promoted by regional rivals of the G-4, is called the Uniting for Consensus (UFC) proposal, seeks to add 20 non-permanent seats with two-year terms and a required majority of 16.

The African Group has proposed enlarging the Council by 11 seats, with two permanent seats with veto and five non-permanent seats reserved for Africa. Some African countries are opposed to permanent seats for countries such as South Africa and Nigeria. This has prevented progress in unifying the G-4 and African positions.

The existence of permanent



**Giving civil society** a role with voting capabilities could give the UN greater relevance — Bloomberg

members with veto power makes the UN inherently non-democratic. The P-5 does not have to seek election and thus can afford to ignore the concerns of the vast majority of member-states. Increasing the number of permanent members, some argue, would only make the democratic deficit worse. In most other UN agencies, the size of the executive bodies is around 15 per cent of the membership, and the major powers are re-elected each time under various regional arrangements.

The diverse proposals reflect differences and rivalries among the various aspirants for Council membership. Some P-5 members such as the US and China are not keen on expansion of the Council and relish this discord as it makes reform more difficult and preserves the status quo. The recent change in the US administration, the wars in Iraq and Afghanistan, and the global economic downturn have preoccupied the major players, and the case for UN reform has been put on the backburner.

## **INDIA'S BID**

India has been seeking support for a permanent seat in the enlarged Council. Many countries have supported India's claim, including some of the P-5. India's campaign for an elected seat for 2011-12 has gained momentum. India has so far won an elected seat six times, compared with Brazil (nine), Germany (four) and Japan (10). There is thus nothing strange in seeking an elected seat while campaigning for a

permanent seat. The UN was created in 1945, at the end of World War II, embodying the hopes and aspirations of people emerging from a terrible war.

But the new UN was non-democratic, giving permanent membership with veto power in the Security Council to the US, Britain, France, the USSR, and Republic of China (represented then by Chiang Kai-shek regime) — the allies victors in the war.

The negotiations leading to the UN Charter were replete with unsavoury incidents of arm-twisting and coercive diplomacy, including spying on delegations participating at the conferences during this period. The allies soon fell out, and the Cold War period saw the US and USSR exploit their veto power to the hilt, vetoing membership of states and in other disputes involving peace and security.

Ironically, around 1955, Prime Minister Jawaharlal Nehru was offered the disputed Chinese Permanent Security Council seat by the US to keep out the People's Republic of China, and he also was sounded out by the USSR Prime Minister, Nikolai Bulganin, to allow China to take this seat while giving India a sixth permanent seat in the Security Council. Nehru rejected this offer in deference to China. History may have been different if this offer had been subjected to serious negotiations. Now, 54 years later, we are struggling for this seat.

While the UN membership expanded considerably from 45 in

1945 to 192 today, the Security Council was expanded only from 11 (in 1945) to 15 (in 1965), and the required majority from seven (in 1945) to nine (at present), with no changes in the P-5.

The Council has become increasingly opaque and secretive in its functioning, with the P-5 often working to promote their individual national interests. The other Council members and the General Assembly have become increasingly marginalised. Adding to the woes is the pressure by the UN's largest contributors, who use the threat of withholding contributions to blackmail and pressurise the UN and its Secretariat. Such behaviour by largest taxpayers in a state would attract penalties, but not so in the case of the UN, which is regularly reduced to penury.

## **COMPARISON WITH ILO**

Compare the UN with the International Labour Organization (ILO), set up 90 years ago, as an agency of the League of Nations. It has survived World War II and is the only international body where civil society (employers and workers) members have voting strength equal to governments, with a unique tripartite structure with each body composed of government, workers, employers representatives in the ratio of 2:1:1.

The ILO's executive body, the Governing Body, is composed of 56 members, including 14 representatives each of workers and employers, and 28 of governments, of which, 10 are from countries of

“chief industrial importance”. The list of these 10 countries is drawn up by a committee of statistical experts, and takes into account various indicators. These 10 states — Brazil, China, France, Germany, India, Italy, Japan, the Russian Federation, the UK, and the US — are permanent members of the Governing Body, but have no veto powers.

The P-5 have been explicitly designated by name in Article 23 of the Charter (this article still names the USSR and China). Charter amendments require the consent of the P-5, so it is impossible for other UN member-states to force the P-5 to agree to a Charter amendment. Forgotten is the fact that China's P-5 seat was made possible by a General Assembly resolution, while Russia's P-5 seat was based on UN member-states' consent.

## **REFORM AGENDA**

What reforms could save the UN from fading into irrelevance? It would seem that giving civil society a role in the UN with voting capabilities could give it a greater relevance, robustness and credibility. Delays or non-payment of contributions should attract severe interest penalties. Greater transparency in the working of the Security Council is necessary. The choice of permanent members should be more democratic and based on objective criteria, and the veto needs to be abolished.

How can pressure be mounted for UN reforms? First, seven of the non-permanent members could block decisions of the Council if enough solidarity and unity can be built up. Second, the more democratic General Assembly can assert itself. Under the Uniting for Peace Resolution, within 24 hours of a stalemate in the Security Council, the General Assembly can meet to consider the matter. Either seven members of the Security Council or a majority of the members of the General Assembly can invoke the Uniting for Peace Resolution.

This scenario seems unlikely but may be the only option. Meanwhile, the mirage of UN reform is fading away.

*(The author is a former Ambassador to Cuba and Greece.)*