
UN Security Council Reform: A Perspective

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Abstract

The United Nations Security Council (UNSC) is a powerful entity within the United Nations (UN) system. However, the current structure of the body and the representation of UNSC members proved to be ineffective and expedited. An immediate reform process is needed to maintain its effectiveness, legitimacy, and fair representation. Its system has not been conducive to UN decision-making for most countries. Perhaps due to the lack of representation, poor transparency, moral injustice, and undemocratic. This article aims to examine the context of reform proposals and the issues preventing reform efforts. The applied methodology is a qualitative research approach using both primary and secondary information. Reform of the UNSC is therefore difficult to achieve as the five permanent members continue to shape UN decision-making. In addition, the current political realities of the United Nations system are no longer satisfactory to the majority of member states.

Keywords: United Nations (UN), United Nations Security Council (UNSC), Reform, Veto Power.

1. INTRODUCTION

The United Nations (UN) is an international organization established in 1945 after World War II. The primary role is to replace the League of Nations. The UN seeks to promote global cooperation, mutual understanding, peace and security, dialogue among member states, and the defense of human rights (UN Security Council, n.d.). According to the UN Charter, there are six principal organs in the UN system: the General Assembly, the Economic and Social Council (ECOSOC), the Secretariat, the Security Council, the Trusteeship Council, and the International Court of Justice (ICJ) (United Nations, n.d.).

Meantime, the UN Security Council (UNSC) is the authoritative and influential body of the UN. It shall be responsible for maintaining peace and security and for the right to allow any resolution binding the other UN members to be adopted. Significantly, the permanent members of the UNSC acquired influence and power by exercising their veto privileges, including filling significant positions in the UN Secretariat, International Court of Justice (ICJ), and several decision-making bodies in the UN (United Nations Security Council, n.d.).

The UNSC consists of 15 members divided into two-fold categories: the Permanent Members and Non-Permanent Members. First, the five permanent members are the big world power nations, namely the United States, Britain, France, China, and Russia (P5). They possess solid military might and, are also known as the “Nuclear WeaponStates (NWS)” (Davenport et al., 2020). The P5 has the veto exclusivity that distinguishes them from the other UN members. Second, the ten non-permanent members are selected on a rotation basis for two years according to the geographical areas. Under Article 4 of the UN Charter, Chapter II: Membership underlines that the “UN membership is opened to all peace-loving states that that accept the obligations contained in the United Nations Charter and, in the judgment of the Organization, can carry out these obligations” (United Nations, n.d.). States interested in being part of the UN must first get the permission of the UN General Assembly with the recommendation from the UNSC. Meanwhile, the UNSC Presidency is rotated each month among the UNSC members to hold meetings and monitor the ongoing crisis.

International peace and security maintenance is the core business of the UNSC. The way this body tackles global issues through “collective measures for the prevention and removal of the threats to the peace, and the suppression of acts of aggression or other breaches of the peace...” (United Nations, n.d.). In addition, the UNSC deploys its veto power and influence to eradicate any necessary threats that occur on the international platform. Through the ready access of management and competencies, the UNSC enabled open investigation to evaluate potential threats to global security and suggest solutions or peaceful settlements of any disputes. Thus,

this article aims to examine the context of the UNSC reform proposals and the issues that halt the reform efforts. This article is designed into five sections: Method, the reform proposals, matters that hindered the reform efforts, and conclusion.

2. METHOD

This study uses a qualitative approach to understand the intricacy of relationships between international players. Miles and Huberman (1994) stated that qualitative information offers a practical and holistic approach to such work. The qualitative research method also provides insight into the interactions between human attitudes and perceptions. Hence, this study acquires primary and secondary data. First, the preliminary data come from various institutions, such as the official UN website and the UNSC website. Meanwhile, secondary data attain from multiple sources, including journals, books, reports, newspapers, including documents on the Internet. This study, therefore, starts with a reflection on the UNSC reform proposals.

3. THE REFORM PROPOSAL

Over the years, numerous proposals for the UNSC structural reform in coordinating with the present geopolitical realities remain a deadlock. The P5 has never intended to quash the attempt to regulate Article 108 of the UNSC. Uwimana (2006) argues that the current veto in the practice of the P5 symbolizes the status of enormous power; therefore, it is significantly less likely and difficult to amend the UN Charter, which could jeopardize their status and privileges. Hence, since the establishment of the UN, demand for the expansion of the UNSC arose in the 1960s, and six new non-permanent category members were added (Bourantonis, 2004). Since then, the growth and inclusion of new members in the permanent category of the UNSC failed. It is due to the rejection of the permanent members and causes the UNSC to disfunction.

Conceptually, reform is a progressive action to improve performance and modify something to upgrade for better conditions. It is a matter of repairing defects and exceeding the limits to achieve higher performance or efficiency. Assuming that the UNSC is flawed, the reforms should fix the flaws and thus improve the effectiveness of the UNSC (Nadin, 2014). If the UNSC fails to reform, the UN's decision-making will confront a critical situation as it will not represent the interests of all member states (Federal Foreign Office, 2020). According to Hosli and Dorfler (2015, p. 136), "The issue of UNSC reform is relevant because the ability of the UNSC to maintain international peace and security is a vital global concern."

Thus, the idea of the UNSC reform has aroused a great deal of interest from politicians and academics. Despite the reform proposal tabled in the UN General Assembly in 1994, it has yet to progress. On September 6 to 8, 2000, the United Nations held an important event, the United Nations Millennium Summit. At the summit, all delegates endorsed and urged "greater efforts for a comprehensive reform of the Security Council in all its aspects" (United Nations, 2000). Increased representation ensures that the UNSC is effective and efficient as a legitimate UN body. In the same tone, academicians attending an international conference called 'The reform of the United Nations Security Council' in Madrid on June 29, 2007, concluded that the reform is vital (London, 2007). Hence, the following are several UNSC reform proposals.

3.1 Group of Four (G4)

The Group 4 (G4) nation countries, Brazil, Germany, Japan, and India, support bidding for the permanent seats and proposed adding non-permanent categories. In a resolution submitted jointly to the UN General Assembly in 2005, these countries recommended an increase of six permanent seats and four non-permanent members. Hosli and Dorfler (2020) stated that two seats should be assigned to African countries, increasing membership from 15 to 25. Require as well that the right of veto be equivocal for additional members. The G4 asserts its willingness and capacity to play the role of a global leader. Therefore, the G4 shall be considered and accepted as a member of the UNSC.

India, for example, "help for fast reforms on counterterrorism and Security Council reform, reflecting a shorter time horizon for the issues, furthermore, prevents interest with India's states on these issues at the UN" (Singh & Joon, 2018). Although India thinks that it deserves a more significant role in global leadership, the US, China, and Russia refuse to entertain the proposed reform by India. Not only that, but Pakistan also refused to accept India as one of the permanent members of the UNSC. Pakistan shared disputes on water and fought on war over Kashmir with India, and the issues were among others debated on the UN agenda. Consequently, Pakistan disagrees with its membership role in the UNSC as it will tilt the balance of power in the region in favor of India (Singh & Joon, 2018).

Japan and Germany known as one of the highest contributors to UN assessed budget and world rising leading economies, shall be acknowledged for their role in an international platform. Japan was against China and South Korea on the quest. Both China and Japan shared bad blood history. China's inadequacy accused Japan of apologizing for its brutal offense in China and other East Asian countries during World War 2 (Fung, 2019). As for Germany, the candidacy for a seat in the UNSC led to a threat to the rise of international political and diplomatic power, which may imbalance the European continent (Winther & Lindergaard, 2020).

At present, there is no seat in the UNSC for Latin America. Viewing Brazil state in the rise of economic and military power in Latin America, (Brazil) considered itself the best fit to hold membership in the UNSC. However, countries like Argentina, Mexico, and Colombia on Brazil's move specifically towards permanent membership in the UNSC, worrying about Brazil's consideration of the permanent members would boost the country's competitiveness in the region of South America and doubting to Brazilian veto (Nadin, 2016).

Moreover, the most significant financial contributors to the UN, Germany, and Japan insisted on being part of the permanent members to voice decisions in all essential matters of peace and security (United Nations, 1996). Although Brazil and India are not accepted as the top financial contributors to the UN yet, Indian possessed a contribution to the international military mission of the UN, and both respective countries dominate the largest populations in their region of the world. Having them as the Permanent Members in the UNSC seat allows the opportunity to have better region representation. Furthermore, the inclusiveness of having developed and developing world countries, the UNSC encompass world power with different economic make-up represented and may contribute more towards decision making a wide range of views and perspectives.

In the review of the G4 proposal again, the representation of South America and Africa, the populous continents are the major highlight because member states from Africa and South America are unavailable within the representation composition of the UNSC (Okochi, 2017). Having representation seats to both continents mentioned above enables geographic representation, allowing regions united to become a part of the UNSC. Overall, the G4 proposal focuses not only on expanding UNSC membership but also on making it available and equal representation across the region in the UNSC.

The vitality of this proposal is towards its support from countries that have no prospects of gaining a seat in the UNSC, specifically the Permanent Seat (Okochi, 2017). Notably, the proposal seems to cut across different geographical boundaries, enabling garner regions to support that may not appear to benefit directly. Member nations have confidence in representing the majority interest rather than a few in this proposal. On the contrary, the extensive challenges for this proposal to be adopted and ratified would need at least 2/3 of the UN members' support. Some countries in the same regions are against the respective countries in this proposal. For instance, candidacy for Brazil in the UNSC received rejected by other Latin American countries. At the same time, China profoundly objects to Japan's candidacy in the UNSC because of its historical background and participation during the World War.

Despite this, Japan tried to negotiate with the United States on a favorable option, but they dropped out of supporting the proposal (Global Policy Forum, 2006). Japan would need to gain support from 2/3 of UN member states support and the US against the G4 proposal (James, 2006). Some European countries do not favor Germany to secure a permanent seat in the UNSC. They are afraid of the powerful coalition between the EU power nations, Germany, the United Kingdom, and France. However, it is unlikely to happen as it would require the support of P5 for any proposals to be ratified. Currently, Russia, France, and United Kingdom supported this proposal.

3.2 African Union (AU).

The AU proposed eleven (11) seats with (6) permanent and five (5) non-permanent. The proposal recommended that two (2) permanent and two (2) non-permanent members serve Africa with privileges and power as the current permanent members. AU made the proposition because Africa was lack of representation in the current UNSC existing structure. However, it remains a challenge as the AU failed to identify potential and suitable member state candidates for the permanent seats in expanding the UNSC membership size (Maseng&Lekaba, 2014).

The AU proposal is favorable to solving the poor representation of Africa's continent in the UNSC (Winther, 2020). If the continent proposes two members act on behalf, the consensus in selecting these countries is allowed instead of one country chosen from the geographical location. The proposal does recommend increasing the UNSC seats, particularly non-permanent members for Africa than currently existing. These non-permanent seats would allow continent member states to rotate among them to have their turn serving in the UNSC. If this proposal is adopted, it will eventually lend to the legitimacy of the UNSC to deal with conflicts on the continent and show the representation of Africa in the UNSC since it is the second-largest continent with 54 member states in the world. It carries 28% of the overall population of UN membership.

However, a significant issue in this proposal was the selection process for countries to take up Permanent member seats in the UNSC (Maseng&Lekaba, 2014). After that, South Africa, Nigeria, and Egypt were the best options and opportunities made for this case. Nigeria, for instance, is a populous African country with significant military contributions to peacekeeping and missions on the continent. Meanwhile, South Africa deems to be the most important financial contributor to the UN. However, the contributions are significantly according to a UN formula evaluation of a country's economic performance and ability. Egypt is an Islamic country and considers a rising and stable economic nation. However, the uprising of Arab Spring, a series of anti-government protests, and armed rebellions spread across Eastern/Northern African countries, including Egypt, have destabilized any claims.

Following the call to adopt this proposal with veto privileges to new permanent members will be unlikely to have an affirmative vote from UN General Assembly. Indeed, the P5 may compete strongly against the sharing of veto rights and power with new members and see hopelessness in ratifying the proposal with such terms and conditions.

3.3 The United for Consensus Group (UFC).

The UFC Group comprises Italy, Mexico, South Korea, Malta, Pakistan, Spain, Argentina, Canada, and Turkey. They are rivals to G4 countries, and are against and counter bids for the permanent seat expansion UNSC for its unfair behavior. They challenge the UNSC enlargement in the permanent category would divide the nation countries apart instead of uniting them causing a cascade effect. Nonetheless, the geographical factor of a regional representation was invalid as a country from one region unrepresented all the nations (Vicente, 2013).

This group proposes without seeking changes of the Permanent Members by increasing from 10 to 20 seats of the non-permanent member seats in the UNSC equivalent to a total seat of 25 membership overall and increased voting majority from 15 out of 20 and prohibit immediate reelection upon the end of terms (Sarwar, 2011). This proposal is favorable to driving for equality and a democratic manner as it avoids resistance of the P5 and other member states where their interest is unrepresented. Nevertheless, equally presentation of most continents and individual states may have the opportunity to stand a seat in the UNSC from their respective region. To add on, the call for veto restraint of the P5 in this proposal before important matters on international peace and security enables the misuse and reduces the veto in advancing their interest.

However, the increase of the non-permanent members would not contribute to necessary improvement towards the UNSC efficiency and effectiveness as the P5 still exists with its privileges. It would perceive that the increase of non-permanent members in the UNSC may affect the decision-making ability to reach a consensus on issues, altering the UNSC's effectiveness before the change of the UN Charter.

3.4 Razali Reform Plan

Following the attempt of the Razali Reform Plan to break the deadlock recommended several stages of reform processes that could result in a swift conclusion in a negotiation process. The Open-ended Working Group highlighted that the UNSC should not be seen as an endless talk place as it would reflect the bad reputation of the United Nations. Razali Ismail (1997), the President of the General Assembly, highlighted that the first outlined proposal was to pass a resolution calling for the enlargement of five new (5) seats of Permanent members. Two are from industrialized nations and three from developing countries from Africa, Asia, Latin America, and the Caribbean, following four (4) non-permanent Members.

Besides, the resolution motion is to identify a specific state's candidature (Wirkola, 2010). As industrialized countries and nations campaigning for permanent seats in the UNSC, Germany, and Japan were in the Razali Reform Plan. The suggestion on the enlargement of the permanent members would not entitle the privileges of veto power but encouraged to adopt and limit its use for the cause of actions in the UN Charter under Chapter VII.

Undoubtedly, this resolution would need to put a vote of two-thirds (2/3) majority support from UN Assembly members who present and vote according to the UN Charter (Article 18). The plan was in favor of most western powers. The former Ambassador of the US in the UN, William Bill Richardson, expressed his support for the plan but opposed membership seats increasing to more or not exceeding 21 states.

The same goes for John Weston, former British Ambassador to the UN, who extended his support for this proposal claiming that it is the first concrete step to break the deadlock. The Western powers regarded it as a realistic plan successfully compromising conflict points of view (Penketh, 1997).

Even so, the Razali Plan ignited the outright rejection of most developing states from the Non-Aligned Movement (NAM) member states as a legally flawed deviation from Article 108 (Wirkola, 2010). As aforesaid, Razali's plan envisages three levels of the UNSC Enlargement. The final resolution in this proposal would need 2/3 majority support of the member states according to Article 108, whereas the previous resolutions suffice with present members and voting with a 2/3 majority.

The UN Charter is not simply regulating before the provision of Article 108 adhered. The decision for UNSC enlargement and fundamental issues on the structure and functioning of the UN is not necessarily applicable and implying with the Charter amendment on the earlier first two resolutions of the Razali Plan. The experience in the 1963 enlargement precedes from 11 to 15 members by increasing additional four non-permanent members. These are illegitimate to assess or as a tool used to testify the Razali Plan because, during the time, the UN Assembly voted on a single resolution under Article 108. Also, the constitutional requirements stipulated for Charter amendments were observed faithfully (Nadin, 2016).

3.5 UN High-Level Panel Enlargement Proposals (UN HLP)

In September 2003, Kofi Annan, the former UN Secretary-General, proposed dual models of UNSC expansion based on the report by "HLP on Threats, Challenges, and Changes" (Global Policy Forum, n.d.). The UN HLP proposed Model A and Model B for the UNSC enlargement. Model A called for an increase of six permanent and three non-permanent seats, which increased current membership to 24 seats. In contrast, Model B suggested increasing eight non-permanent categories only with seven renewable seats, one non-renewable, and four years duration of instead seating instead of concurrent two years with immediate reelection. However, Model B remains a query as unjustified to a particular country on the limitation allows for reelection or an unlimited provision with its maximizing duration limit (Palma, 2019). Consequently, both models allow more representation of the UN member states where membership could expand through these models either permanently or on renewable terms. More likely, states are disposed to solve issues given the possibility and chance to be re-elected (London, 2007).

In such a case, Model B's dissatisfying performance of any regional state's representative is more likely to reshuffle whereas Model A vice versa where recommended regional representation to broader the accountability (Okochi, 2017). Model A calling six new permanent members seats in the UNSC without veto exclusivity is like building a barrier between veto and non-veto-wielding membership, creating a disparity (London, 2007). Review in a closer analysis, both panel's laid out models demonstrate the incompatibility of the principles. Concerning the need for the UNSC seats membership expansion and reform for equal regional representation. Including an opportunity for other member states to play a global leadership role. An assessment ruled to evaluate why states seek membership seats in the UNSC, which studies broadly adhering to specific theories of international relations.

Overall, the reform process of the UNSC remains a deadlock despite decades of debate, and several presented proposals have not led to any possible solution. For this reason, the veto powers that exist in the UNSC affected the reform process. The veto player theory justifies that a veto player has exclusivity to sanction a status quo change. Thus, the status quo prevails. The expansion of member seats made in 1965 reform processes combined lobbying and voting power from the Non-Aligned member states demanding a fair, equal, and broader geographical representation in the UNSC (Leigh, 1997). At first, it was against the P5 in such enlargement as it meant a downturn in their power. However, in the end, they deposited the instruments for ratification on the amendment of the UN Charter, Article 23 and 27, to make the enlargement possible. Since then, it has been considered one of the significant UNSC reforms made in 1965 (Bailey & Daws, 1998).

Thus, Winther and Lindegaard suggested that the G4 aims to enlarge "the numbers of both elected and non-selectable seats; meanwhile, the UFC only wants to increase the number of electors seats" (2020, p. 6). Moreover, the G4 and the Razali Reform Plan support recognizing an industrialized nation among Council members as permanent members. G4, for instance, wants to ensure that they have the role and capacity as world leaders. Instead, the AU Group emphasizes strengthening Africa's representation for equal treatment within the UNSC. Nevertheless, administrative skills, financial and economic ability, or involvement in the work of the UN and other aspects consider possible admission needed. The dual model proposed under the UNHLP remains uncertain. No guidance on terms and conditions for renewing non-permanent members.

In particular, the increase in council membership exceeding 20 seats is not acceptable to most permanent members (Kausikan, 1997). Such an increase would undermine the flexibility to reach consensus on decision-making, the power imbalance within the council, and jeopardize permanent members' interests. Above all, the main criticism of these reform proposals is to include developing states and increase the size of a Council member's seat to adapt to the current geopolitical realities. Among the reasons behind the reform are low

geographical representation, legitimacy, and democracy. Gould and Rablen (2017) said the most promising structural reform could be to vote against a resolution so that a veto would be effective. This reform can improve both fairness and efficiency, but like any proposal for reform by the United Nations Security Council, it is subject to severe political constraints.

4. ISSUES ON THE UNSC REFORM

Successful reform of the UNSC is the key to determining the effectiveness of the UN in the world system (Afoaku & Ukaga, 2001). The UNSC is well-known as a powerful organization within the UN. However, the efforts to reform the UNSC remained a deadlock and challenge for decades due to several contributing factors. Firstly, the veto power among the Permanent Members is the crucially criticized and colossal challenge to reform the UNSC. It allows the big power nations, China, Russia, the UK, the US, and France, to halt any resolution that is not procedural. The veto decision-making was considered by many countries fundamentally unjust and contributed to the poor effectiveness and inadequate response to the arising world crisis.

Since the UN's formation, Wen (2008) asserted a total of 194 times veto power was used between 1946 and 1990, except the period from the year 1990 to 1993 was a lengthy period of UN refrained from the use of the veto. The statistical figure for adopted resolution increased each year steadily (Lowe, Roberts, Welsh, et al., 2008). However, the veto applied heightened dramatically notably due to the arising conflict of the Syrian Civil War. The Russian Federation is the most constant player using the veto, followed by the United States, China, France, and the United Kingdom. Russia has applied veto usage 117 times, the US 82 times, the UK 29 times, France 16 times, and China 17 times (Security Council Report, 2020).

Secondly, the process to amend the UN Charter remains a foundational challenge to the effort of the reform process. The charter drafter considers the necessity of amendment in the future, and the procedures to amend the Charter are attached (Office of Legal Affairs, n.d.). Underlying Article 108 of the UN Charter, the amendment of the Charter is only possible by 2/3 of the General Assembly and the UNSC (including Permanent Member) vote (Wilson, 1996). Following that, any possible reform structure means amending the UN Charter conclusively depending on the P5 and the UNSC. Realistically, many countries are siding with reform efforts. However, it is going to be a long and complicated process. Smaller nation-states are least likely to put pressure on big power states. The P5, with the maximum global political and economic control, continues to repress other member states with political pressure to block demand.

5. CONCLUSION

Since the inception of the UN Security Council, the global system has changed dramatically, both politically and economically. As a result, the existing political realities of the 21st century reflect the UN Security Council's decision-making on global problems. Indeed, most United Nations member states continue to push for reform and make it a top priority on the United Nations agenda, despite existing barriers. Most Member States would like to eliminate the veto power of permanent members. On the contrary, the P5, whose votes in favor and ratification control even the slightest amendment of the Charter of the United Nations, rejects outright any limitation of the veto. Despite all criticisms over the veto power, the P5 existence persisted in the UN Charter. Privileges are only available to protect their interests, politically, economically, and globally, by blocking undesirable resolutions.

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