Review

Reforming the UN security council- challenges and prospects

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ABSTRACT

This paper examines the prospects for and challenges against reforming the UN Security Council based on the 2005 Reform Proposal and the three main reactions that followed (the Group Four (G4), the Uniting for Consensus (UFC) and the African Union (AU) Proposals) based on review and analysis of relevant secondary sources in the main. The study showed that bringing changes in the membership and veto power of the Council require amending the UN Charter, which is really impossible even to go beyond the first step of gaining two-thirds majority in the General Assembly (128 out of the current 192 UN member states) under a condition in which member states are divided on the issue. In addition, the position of the Permanent Five is an insurmountable impediment in the attempt to amend the Charter since the opposition of one permanent member curtails the effort. Even if the permanent members support to reform the Council, it is nominal since they put various criteria on how to bring about reform so as to keep their own interests. Finally, the study comes up with the conclusion that it is unlikely to reform the membership of the Council particularly the permanent category and veto power in the near future.

Keywords: United Nations, Security Council, Group Four, Uniting for Consensus, African Union

INTRODUCTION

This paper is about the prospects for and challenges against reforming the United Nations Security Council. The Security Council being the most powerful organ of UN has the responsibility for maintenance of international peace and security and it passes resolutions binding on member states. Despite this fact, it suffers from a quadruple legitimacy deficit in terms of performance, representation, procedural arrangements and accountability. Its performance legitimacy suffers from two angles like an uneven and selective track record. It is unrepresentative from almost any point of view, since only few members of the organization play leading roles. Its procedural legitimacy is suspected on grounds of lack of democratization and transparency in decision making. The Security Council is not answerable to either the General Assembly or the International Court of Justice (ICJ) and hence is not seriously accountable. The five permanent members, with their vetoes and many special privileges, now face widespread criticism as self-appointed oligarchy (Thakur, 2006:302). Due to these and other illegitimacies, there is a need to reform the Security Council. In this regard, this study has been conducted to analyze the different proposals made aimed at reforming the Council and to evaluate the feasibility of reforming the Council.
Methods of data collection

Data that informs the study is based on secondary sources (books, journal articles, seminar and workshop reports, and the UN documents and publications) relevant to the subject examined. Moreover, the Secretary of the AU Peace and Security Council was solicited through unstructured interviews.

Proposals submitted to reform the security council

While there is a general agreement that the Security Council needs to be reformed, there is extensive disagreement on how to reform it, making the issue both extremely divisive and contentious. To many, the reform of the Security Council is a question of legitimacy. Expansion of the membership could help enhance their authority. A review of the working methods could make it more transparent, and agreeing to limit the use of the veto power in cases of jus cogens “Jus cogens (Latin term for compelling law) is a principle of international law. In brief, jus cogens refers to crimes generally accepted by the international community as unlawful, and from which no derogation is ever permitted. Although no clear cut definition exists what constitutes jus cogens, it is generally accepted that the term includes the prohibition of genocide, piracy, slavery, torture, and wars of territorial aggrandizement”. crimes, or at least explaining a cast veto, could broaden its appeal. To others, reforming the Security Council is mainly about increasing their own power; a seat at the table could potentially translate into greatly increased influence over much of the UN system, including the Bretton Woods institutions (World Bank and International Monetary Fund) and the ICJ (Freiesleben, 2008).

The 2005 reform proposal

In 2003, the then Secretary-General, Kofi Annan told the General Assembly (A/58/PV.7):

I respectfully suggest to you, Excellencies, that in the eyes of your peoples the difficulty of reaching agreement does not excuse your failure to do so. If you want the Council and the Council’s decisions to command greater respect, particularly in the developing world, you need to address the issue of its composition with greater urgency.

Later, that year, on November 3, Annan announced a group called High-Level Panel on Threats, Challenges, and Change, (a group consisting of 16 eminent persons " The Panel members were Anand Panyarachun (Thailand-chairman of High-Level Panel), Robert Badinter (France), Joao Clemente Baena Soares (Brazil), Gro Harlem Brundtland (Norway), Mary Chinery-Hesse (Ghana), Gareth Evans (Australia), David Hannay (UK), Enrique Iglesias (Uruguay), Amre Moussa (Egypt), Satish Nambiar (India), Sadak Ogata (Japan), Yevgeny Primakov (Russia), Qian Qichen (China), Nafis Sadik (Pakistan), Salim Ahmed Salim (United Republic Tanzania), and Brent Scowcroft (US)" by a letter addressed to the then president of the General Assembly, Julian Robert Hunte (Saint Lucia). The Panel was given a three-fold task: to examine the major threats and challenges the world faces in peace and security, to prepare a rigorous assessment of the contribution that collective action can make in meeting these threats, and to recommend the changes needed to make the UN an effective instrument for collective response (Thakur, 2006; Freiesleben, 2008).

In December 2004, the Panel released its report A More Secure World: Our Shared Responsibility (A/59/565). The report is comprehensive presenting a total of 101 recommendations. The Panel’s recommendations address central issues of contemporary international relations as the use force and self-defense (A/59/565: 53-58), peacekeeping and peace enforcement (ibid: 58-60), terrorism and transnational organized crime (ibid: 45-51), weapons of mass destruction (ibid: 38-45) and poverty, diseases and environmental issues (ibid: 26-31). Moreover, the Panel not only recommended overhauling the work of some of the UN organs, but also suggested some amendments to the UN Charter. These are the deletion of Chapter 13 of the Charter (dealing with the Trusteeship Council) (ibid: 77), Article 17 (the Military Staff Committee), and related provisions in other articles (ibid), and the revision of the enemy states provisions in Articles 107 and 53 of the Charter (ibid). Of these all, the recommendation concerning the enlargement of the Security Council has attracted the greatest attention internationally (ibid: 66-69, Blum, 2005; Slaughter, 2005; Malone, 2005).

The Panel brought two alternative models (Models A and B) for enlargement of the Council. These models were later endorsed when Kofi Annan, presented the report In Larger Freedom: Towards Development, Security and Human Rights for All, on 21 March 2005, which is his follow up report to the High-Level Panel’s report (A/59/2005).

Thematically, this report focuses on development, security, human rights and their relationship to one another. The report consists of UN institutional reform proposals. The proposal which is about expansion of the Security Council is called the 2005 Reform Proposal (Ronzitti, 2010).

The two suggestions presented by Annan in the 2005 Reform Proposal, Model A and B emerged from the analysis made by the High-Level Panel Report. Both models suggested expanding the Council to 24 members. Model A proposed adding six permanent seats, but with no veto power, and three new two – year term elected seats. The permanent members of today would maintain their right to use the veto. On the other hand, Model B would not enlarge the number of permanent members to the Council, instead a new category is created. Accordingly, eight so-called semi-permanent members would sit in the Council for a four- year period and they are re-electable. In addition, one two-year non-renewable seat would be
Table 1. Model A

<table>
<thead>
<tr>
<th>Regional area</th>
<th>Number of seats in UN</th>
<th>Permanent seats (continuing)</th>
<th>Proposed new permanent seats</th>
<th>Proposed 2 year (non-renewable) seats</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>53</td>
<td>0</td>
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<td>4</td>
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<tr>
<td>Asia and Pacific</td>
<td>56</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Europe</td>
<td>47</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Americas</td>
<td>35</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>191</strong></td>
<td><strong>5</strong></td>
<td><strong>13</strong></td>
<td><strong>24</strong></td>
<td></td>
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</tbody>
</table>


Table 2. Model B

<table>
<thead>
<tr>
<th>Regional area</th>
<th>Number of seats</th>
<th>Permanent seat (continuing)</th>
<th>Proposed 4-year renewable seats</th>
<th>Proposed 2 years non-renewable seats</th>
<th>Total</th>
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<td>Asia and Pacific</td>
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<td>Europe</td>
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<td>Americas</td>
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<td>6</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>191</strong></td>
<td><strong>5</strong></td>
<td><strong>8</strong></td>
<td><strong>11</strong></td>
<td><strong>24</strong></td>
</tr>
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The seats would be administered geographically; the regional areas would be Africa, Asia and the Pacific, Europe and the Americas. The permanent members from Model A are to be two from Africa, two from Asia-Pacific, one from Europe and one from the Americas. The renewable seats of Model B will be distributed as follows: two each from Africa, Asia-Pacific, Europe, and the Americas. No candidates were identified in the report. But, according to Blum (2005), it is not hard to identify which states are suggested for the new seats. The proposed allocation of those seats among the various regions leaves little for conjecture. Germany form European, Japan and India from Asia-Pacific, Brazil from the Americas and two namely Nigeria and either Egypt or South Africa from Africa would get the permanent seat suggested by Model A.

The UN Member States Reactions

In his report, *In Larger Freedom*, Kofi Annan called on member states to reach a consensus on expanding the Security Council to 24 members, and recycled the two proposals by the High-Level Panel, which are endorsed by his report. Without specifying which proposal he favored, he asked the members states to make a decision quickly, stating that “... this important issue has been discussed for too long. I believe members states should agree to take a decision on it – preferably by consensus, but in any case before the 2005 summit making use of one or other of the options presented in the report of High-Level Panel” (A/59/PV.83). However, Annan’s report was greeted by a host of objections from the membership, which immediately began to regroup and position itself for a new power struggle (Freiesleben, 2008). Three larger groups emerged with their own proposals for reforming the Security Council.

The group of four (G4) proposal

The influential middle powers namely Japan, India, Brazil and Germany came together on 6 July, 2005 presenting a draft resolution to the General Assembly in their effort to reform the Security Council. The draft called for an expansion of the Council by adding six permanent seats and four non-permanent seats. The permanent seats were to be distributed as follows: two each for Africa, Asia-Pacific, Europe, and the Americas. One candidate was identified for the new seats. The proposed seats would be one each for Africa, Asia, Eastern Europe and Latin America and Caribbean states. The new permanent members shall not exercise the right of veto for at least fifteen years until the question of the extension of the right of veto to new permanent members is decided by amendment of the UN Charter and review (A/59/L.64).

The uniting for consensus (UFC) proposal

UFC (nicknamed Coffee Club), is a movement consisting of approximately 40 states that was developed in the 1990s in opposition to any possible expansion of the Security Council. Recently, it was revived to counter the G4 proposal, whose leaders include Italy, Pakistan, South Korea, Argentina and Mexico, which are regional rivals of members of the G4. The reasons underlying this
opposition are easily understandable, since each of these states are fiercely opposed to what they call an unjust reduction of their international political relevance provided that the G4 proposal gets acceptance (Martini, 2009). After having agreed with the need to increase the representativeness of the Council, in 2005 the UFC made draft proposal that centers on an enlargement of the number of non-permanent members from ten to twenty. The non-permanent members would be elected by the General Assembly for a two-year term and would be eligible for immediate re-election, subject to the decision of their respective geographical groups (A/59/L.68).

**The African union (AU) proposal**

The AU, in January 2005, decided to consider the recommendations contained in the Report of the High-Level Panel. A committee of 15 foreign ministers was delegated to elaborate on the existing African common position, and a month later they presented their joint proposal known as the Ezulwini Consensus (Spies, 2008). The Ezulwini Consensus was formally endorsed by the AU summit in July 2005 called the Sirte Declaration on the Reform of the UN "Assembly/AU/Decl. 2 (V)" and was presented to the UN General Assembly that same month as the official African position (A/59/L.67).

In essence, the Ezulwini Consensus " Ext/EX.CL/2 (VII)" rejected both of the models proposed by the High-Level Panel, insisting that Africa has a claim to no fewer than five non-permanent and two permanent seats, and if offered would take up the permanent seats only if granted exactly the same prerogatives and privileges (including the right of veto) as the Permanent Five as a matter of common justice. The AU proposal claimed this due to the fact that in the year 1945, when the UN was being formed, most of Africa was not represented (except Egypt, Ethiopia, Liberia and South Africa (called Union of South Africa at that time) compounded by its population around one billion, Africa remains to this day the continent without a permanent seat in the Security Council (A/59/L.67; Kufour, 2006). Significantly, it avoided formulating any eligibility criteria, stating merely that the AU would be responsible for the selection of Africa's representatives and that the question of the criteria for the selection of African members should be a matter for the AU to determine, taking into consideration the representative nature and capacity of those chosen. But, there are political obstacles linked to the identification of the two African countries which are candidates for the permanent seats. A committee of ten Heads of State is created to resolve this matter. Nonetheless, the AU is still far from choosing which of its member states it would endorse for permanent seats. In addition, it has yet to establish the criteria for selecting countries to serve on the reformed Security Council (Martini, 2009; Alli, 2006).

**Prospects for and challenges against reforming the security council**

**Prospects for reforming the security council**

The end of the Cold War opened a new chapter for reforming the Security Council. The end of the Cold War also opened a new opportunity for revitalization of the Council’s performance. Its engagement became visible in various parts of the world as signified by the unity among the Council’s members in their stern response to Iraq’s invasion of Kuwait in 1991, which indicated that the Security Council could perform the role assigned to it by the founding states 45 years ago. Although the Council functioned relatively better when compared to the Cold War period, it remains characterized by allegations of ineffectiveness (Rwanda and Kosovo for instance) and lack of representativeness in its composition. Hence, reforming the Council has been the concern of the international community (Geeraets et al., 2007; Malone, 2007). Different impediments are facing attempts made to reform the Council in spite of possibilities for action to this end.

**Proposals for improvement in the functioning of the security council**

The various proposals submitted to reform the Security Council emphasized on aspects relating to composition, veto, and the mode of operation of the Council. While changing the Security Council’s membership and veto power requires the cumbersome process of amendment of the UN Charter, reforming the working methods of the Council do not call for such a move in which there is opportunity for consideration of such proposals in order to provide more transparency in the Council’s decision making (Schrijver, 2006; Birenbaum, 2007). Some progress has already been made towards making the work of the Security Council more transparent. Under pressure from members who provide many of the UN's peace-keepers, the Council has gone from being incredibly hermetic to being relatively open. For example, the Council publishes agendas in advance of its meetings, allowing non-members to lobby on specific issues. Direct meetings are being held between the President of the Security Council and troop contributing countries allowing the latter to convey their opinions to the Council (Weiss, 2005b; Malone, 2003).

As the level of activity within the Council dramatically increased, a decision was made to make information more readily available to member states not sitting on the Council. The Council also established the Informal Working Group on Documentation and other Procedural Questions, which deals with issues related to working methods within the Council. It was agreed that the
President of the Council should regularly provide reports to the General Assembly. To publish the Council’s agendas, a UN Journal was created (Bourantonis, 2005). Most member states were more interested in actually being present at the Council’s meetings rather than receiving information about what had been discussed in the Council. In response to this, the Council adopted a Presidential Statement affirming that the Council had heard the views of those demanding more openness and promised increased recourse to open meetings. See also, UN Doc. S/PRST/1994/22, statement by the President of the Security Council dated 3 May 1994, and UN Doc. S/PRST/1994/62, statement by the President of the Security Council dated 4 November 1994 (S/PRST/1994/81). Moreover, following the submission of different proposals to reform the workings of the Council in 2006, it came out with a Presidential Statement reaffirming the promise to expand consultation and cooperation with regional and sub-regional organizations, including invitation of relevant organizations to participate in the Council’s public and private meetings. The Council also underlined the importance of transparency and communication with the broader UN membership (S/2006/507). In 2008, at the Security Council’s 5968th meeting, the Belgian President of the Council at the time stated that the trend of systematically moving away from public meetings in favor of private consultations had been stemmed (S/PV.5968).

Although the frequency of open meetings has increased, there is still considerable dissatisfaction with the limited possibility for non-Council members to take part in or to have access to the decision-making process of the Council. The Council has increased the frequency of its so-called Arria Formula meetings. The Arria Formula was devised by Ambassador Diego Arria of Venezuela when he, in the midst of the war in the Balkans in 1992, invited all Council members to meet with a Bosnian priest in the UN Delegates’ Lounge rather than formally inviting the priest to address the Council in the chamber. The formula has gained popularity and is today frequently used as a way for the Council to be briefed on matters of international peace and security by outside actors, although they are no longer convened at the Delegate’s Lounge, to which outsiders can be invited. Complaints have been voiced, however, that Arria meetings are not formalized and that it continues to be entirely up to the Council regarding whom it wants to invite and when to do so. In other words, member states have not gained any formal rights from the increased frequency of the Arria meetings. This is an issue that exemplifies the dynamic in the Council where the Permanent Five generally averts formalizing anything regarding the Council’s working methods (Sohn, 1997; Wood, 1996; Weiss and Young, 2005). Hence even if useful reforms are to be undertaken, the problem is that they are not institutionalized yet and they are at the mercy and will of the Council and, therefore, there is a need for further improvements (Birenbaum, 2007). That is why the proposals submitted for reforming the Security Council has included the improvement of the working methods of the Council. The G4 proposal did so under paragraph eight of its resolution (A/59/L.64) to which the UFC group concurred under paragraph seven (A/59/L.68). Unlike these, the AU proposal in its’ draft resolution, A/59/L.67, did not include the working method as one component for reforming. Kampudzi criticized the AU proposal for not doing so in an interview made with him. He added that the reform of the Security Council cannot be full exclusive of improving its working methods.

The support of the permanent members of the security council

Reforming the composition and veto power of the Security Council requires amendment of the UN Charter. Hence, the support of the Permanent Five is indispensable for the feasibility of the calls for reform since the disagreement of even one permanent member could be a major stumbling block. In this regard, even if the permanent members fail to agree on how big the Council should become, which country should join and whether other nations should be given veto powers, all permanent members agree on the need for reform. This by itself is a leverage in an attempt to reform the Council, though it requires serious negotiations (Weiss, 2005a). Of all the permanent members "See, the position of the Permanent Five regarding Security Council reform under sub-section two (challenges against reforming the Security Council)". France showed great interest in reforming the Security Council including its permanent membership (GA/10367).

Contemporary realities

The work of the Security Council is increasingly becoming essential now- a days since humanity is afflicted by countless threats to peace and security. Sources of instability are abundant: dispute over resources or along ethnic lines, international terrorism, the proliferation of weapons of mass destruction, massive human rights violations resulting from failed governance, and poverty especially in post-conflict situations. The Security Council is in need of adapting to these realities and effect a swift and decisive response to various challenges so that peace may ultimately prevail (Matarazzo and Rebasti, 2006; Reus-Smit, 2004; Hanson, 2004; Thakur, 2004). On the contrary, the Security Council remains unchanged reflecting the world of 1945 rather than the 21st century’s distribution of power (Weiss, 2005c). The Charter of UN confers on the permanent members the responsibility of maintaining international peace and security acting on behalf of UN member states (Article
needs to be expanded, both in its permanent and non-permanent categories, adding new members from both developing and developed countries.

Challenges against reforming the security council

Reforming the Security Council has been a bone of contention for nearly twenty years in the face of the renewed interest of countries like Japan and Germany to become permanent members in the 1990s. The latest effort for reforming the Security Council is contained in the Report of the High-Level Panel on Threats, Challenges and Change (A/59/565), which was later reinforced by Annan’s Report In Larger Freedom: Towards Development, Security and Human Rights for All (A/59/2005). This was followed by three major responses: the G4, the UFC group and the AU proposal. Despite the submission of these proposals, the issue has been dragging on without any breakthrough. Neither of these was tabled for vote, yet due to obstructions by the following factors (Trachsler, 2010; Reisman and Washburn, 1994; Schlichtmann, 1999; Malone, 1997).

The requirement to amend the UN charter

The proposals submitted to reform the Security Council focused primarily on increasing the Council’s membership and modifying the exercise of veto power as well. For the feasibility of these issues there is a need for amendment of the UN Charter (O’Connell, 2005). The founders of the UN provided two avenues for amendment of the UN Charter under chapter XVIII: Article 108 Amendments Procedure and Article 109, Review the Charter through a General Conference.

Article 108 States

Amendments to the present Charter shall come into force for all members of the UN when adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two-thirds of the members of the UN, including all the permanent members of the Security Council.

The criteria of two-thirds of UN members for voting and ratifying a proposed amendment requires 128 out of the current 192 members of the UN. In addition, all the permanent members of the Security Council must also ratify before the amendment goes into force. This requirement for unanimous concurrence of the Permanent-Five is the biggest challenge to adopt any amendment to the UN Charter, particularly if the interest of any member of the Permanent-Five is threatened (Sharei, 2009).
Problem of interpretation arises as regards the meaning of two-thirds majority in the General Assembly in the sense that whether it should be two-thirds of those present and voting or two-thirds of all General Assembly members. While Article 18 of the UN Charter on vote by the General Assembly states that resolutions on important questions shall be taken by a two-thirds majority of the members present and voting, Article 108 on the amendment procedure does not qualify what is meant by a two-thirds majority (Ronzitti, 2010, p. 3). The issue was clarified by General Assembly resolution made on 23 November 1998, which states that the two-thirds majority for adopting a resolution on amending the provisions governing the Security Council refers to two-thirds of the UN members and not two-thirds of members present and voting (A/RES/53/30).

These rigid requirements have made any substantive amendment of the Charter almost impossible (Sharei, 2010; Bydoon, 2010). Throughout the UN’s sixty-five year history, the Charter has been amended only three times and only once with regard to the Security Council: in 1963, an amendment to Article 23, going into force in 1965, increased its members from eleven to fifteen but without any addition to the number of permanent members or modifications to the veto right (A/RES/ 1991A (XVIII)). The other two amendments were related to membership enlargement in the ECOSOC: the first enlarges ECOSOC members from eighteen to twenty-seven in the year 1963, implemented in 1965 (A/RES/1991B (XVIII)), and the second amendment was in 1971 which came in to force in 1973 increasing ECOSOC members to fifty-four (A/RES/2847 (XXVI)). Article 109 is the second path for changing to the UN Charter, which is stated as follows:

1) A General Conference of the members of the UN for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any nine members of the Security Council. Each member of the UN shall have one vote in the conference.

2) Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the members of the UN including all the permanent members of the Security Council.

The first paragraph of Article 109, calling for a General Conference of the members of the UN for the Purpose of Reviewing the Present Charter and its second paragraph on requiring ratification of two-thirds of the members of the UN including all the permanent members of the Security Council in effect put the same requirements as Article 108. Article 109 assumed a conference outside of the usual General Assembly meetings and for the purpose of a comprehensive review of the Charter for presumably major revisions rather than just a few amendments. The Review Conference has never been held yet. The methods of amendments provided for in Articles 108 and 109 differ procedurally but not substantively (Willson, 1996; Ronzitti, 2010)

**Lack of unanimity among UN member states**

The call for reforming the Security Council is aimed at recognizing the changed world by increasing the number of members and reforming the exercise of veto to reflect the new geopolitical world. But, the cacophony of views of UN member states debilitates the proposals submitted so far. The lack of agreement on this issue is due to the fact that individual states do not relinquish their ambitions and the associated prestige that would be gained by being a member of the Security Council. This brought various competing models. Three major proposals were introduced (G4, UFC and the AU) following the 2005 Reform Proposal (Trachtsler, 2010; Malone, 2005; Corell, 2005).

The disparities in the interests of UN member states never enabled any proposal to be submitted to the General Assembly for vote. If they were submitted, none got the required two-third majority of the General Assembly (Malik, 2005; Voicu, 2005; Schrijver, 2006). There is political paralysis over the exact candidates for non-permanent and/or permanent members, the later with or without vetoes. A more serious difficulty rests upon the new permanent members. If the problem is regarding too many industrialized countries, why are Germany and Japan obvious candidates? Would Italy not be more or less in a similar position in this regard? How do Argentina and Mexico feel about Brazil’s (the only Portuguese speaking country in Latin America) candidacy? How do Pakistan, Indonesia (a country having the biggest number of Muslim populations in the world) and South Korea view India’s and Japan’s candidacy for permanent membership? Most proposals do not single out the Arab world, and is the case regarding the most powerful Arab states like Egypt as part of Africa considered? And if so, would its inclusion display the interests of Sub-Saharan Africa and how do South Africa and Nigeria "According to Alden and Soko (2005) Obasanjo, the previous Nigerian president, proclaimed at the AU summit that South Africa and Egypt are not qualified to represent Africa on a reformed UN Security Council because they are not black enough." look at this? Similarly there is no agreement whether the veto should be retained, modified, or eliminated; how decisions should be made; and which working methods of the Council should be further refined. All these questions remain unanswered and indicate how much there is lack of consensus among UN member states regarding reforming the Security Council (Weiss,
The lack of consensus is due to the fact that, each UN member state has its own political agenda and foreign policy goals, which leads to providing its own definition of Security Council reform. As a result, member states often uphold differing views on how best to implement reform and how to measure the success or failure of a given initiative. Some member states package their policy priorities as Security Council reform to further their own policy goals. This causes distrust among member states as countries question whether reform proposals by other member states are based on self-interest or a genuine desire to improve the mode of operation of the Security Council (Blanchfield, 2009). The complex relationships that exist among member states outside of the UN system is also another challenge causing incongruence among member states. These relationships are entirely independent of the UN system but can affect how countries work together within the UN framework to achieve reform objectives. Military conflict, religious and ethnic differences, political conflict, trade and economic issues, and geography can all potentially impact on cooperation among UN member states (ibid: 24).

The position of the Permanent Members of the Security Council

Though the permanent members of the Security Council have their respective positions on the need for reform, they are reluctant towards immediate changes and their support in this regard is nominal. The Permanent Five are guarding their current status so as to meet their own interests and they put various criteria on how to bring about reform in the Council (Malone, 2005).

The Position of the United States of America (USA)

The US has chosen to focus on a UN-wide reform rather than focusing primarily on the Security Council. The focus on overall problems of the UN represents the desire to increase the effectiveness of the organization, but also illustrates US uncertainty on completely restructuring the Council. The US has publicly presented seven areas of reform regarding the UN including the Security Council in the list without putting the Council overhaul at the forefront of reform initiatives. The number one priority in any reform that includes the Security Council remains the effectiveness of the Council and its ability to make and implement decisions in a timely manner. According to the 2005 State Department publication, “US Priorities for a Stronger, More Effective UN,” the seven areas of the proposed reform include: Security Council reform, Budget, Management and Administration, Peace Building Commission, Human Rights Council, Democracy Initiatives and the UN Democracy Fund, Comprehensive Convention on Terrorism, and Development.

Regarding Security Council reform, overall effectiveness of the Council is of the utmost importance for the US government, and forms the basis of its line of thinking regarding any sort of reform of the Council (GA/10368). The US stresses the importance of a sound human rights and counterterrorism record as a prerequisite for any new member of the Security Council, but does not believe that any of the Permanent Five should be removed from the Security Council. The US Department of State issued the following statement in 2005 expressing its position on the subject as follows:

The US is open to UN Security Council reform and expansion, as one element of an overall agenda for UN reform. We advocate a criteria-based approach under which potential members must be supremely well qualified, based on factors such as: economic size, population, military capacity, commitment to democracy and human rights, financial contributions to the UN, contributions to UN peacekeeping, and record on counterterrorism and non-proliferation. We have to look, of course, at the overall geographic balance of the Council, but effectiveness remains the benchmark for any reform. The State Department has clearly expressed that the US is open to Security Council reform and expansion including potentially 2 or 3 new permanent members and 2 or 3 non-permanent members. Specifically, the US has expressed its support for immediate inclusion of Japan (also India “In remarks by the President of US, Barack Obama, to the Joint Session of the Indian Parliament in New Delhi, India in his official visit to the country in 2010, he said, “we salute India’s long history as a leading contributor to UN peacekeeping missions so as to fulfill UN’s founding ideals of preserving peace and security promoting global cooperation and advancing human rights. And we welcome India as it prepares to get a seat on UN Security Council.” very recently) as a permanent member of the Security Council and possibility for considering more long-term renewable seats. However, the US government continues to push for overall reform of the UN, not just of the Security Council and attempted to discourage other members of the Council and the General Assembly from focusing on the Security Council as solely subject to reform. In order to improve the efficiency and legitimacy of the UN, reform must not be isolated to one institution within the overall organization. The US reform proposal is a comprehensive one that includes issues of management and economic development, terrorism and peace building efforts, human rights and the prevention of weapons of mass distraction proliferation (GA/10368). US reluctance to focus on Security Council reform without addressing other areas that it views as important could significantly hamper the attempts of other nations to reform the Council unless they are willing to accept the
conditions of the US (Blanchfield, 2009).

The position of the United Kingdom (UK)

UK supported expansion of the Council in both categories in the sense that an enlarged and strengthened Council would be more representative of the membership of the UN and moreover, it enables to meet the challenges of today’s world (GA/10368). UK also favoured a Council which is more transparent could be engaged better with other UN bodies with more effective rapport with the wider membership. Besides, greater openness would enable the Council to perform its Charter responsibilities better and in view of this the UK welcomed the request of permanent membership for India, Brazil, Germany and Japan. UK also supported permanent membership for Africa but never believed that the extension of the veto beyond the current five permanent members is neither necessary, nor would it be in the wider interests of the UN (ibid).

The position of the Russian Federation

The Russian Federation supported the Council’s enlargement based on the widest possible agreement within the UN adding that voting in the Assembly should not cause a split among member states and should not lead to the weakening of the UN and the Council. Russia stated that the Security Council reform should aim at increasing the effectiveness of the Council on one hand and provide for a better balance of the Council’s membership through the inclusion of major and influential developing states on the other. Russia insisted that enlarging the number of members in a new Council should not exceed twenty so as not to undermine the effectiveness of the Council in the name of representativeness. Russia argued that there should not be any priori granting of the veto right before the list of new permanent members of the Council was defined. In case of a decision in favor of the Council’s enlargement in both categories, any dilution of the status of the five current permanent members, including the right of veto, remains to be unacceptable. Russia also opposes forcing any decisions through voting in the General Assembly or setting timeframes to adopt such decisions (GA/10368).

The position of France

For France the Security Council reform remains to be a very important part of the overall UN reform process since it is indispensable to enhance the effectiveness of the Council and that its membership should better reflect the realities of today’s world (GA/10367). France upheld the position that the Council needs to be enlarged in both the permanent and the non-permanent categories understanding the necessity to include other powers that could make a major contribution to global peace and security. The French government welcomed the draft resolution of the G4. Similarly, France insisted that Africa should get seat in the Council claiming that, Africa had been able to establish a fruitful partnership with the Council in managing crises situations (ibid).

In his speech at the 13th Francophone summit in Montreux, Switzerland, held between 22 and 24, October 2010, the French president, Nicolas Sarkozy, stated that African countries need a seat on the Security Council by saying that it is “scandalous that Africa, accounting for around one billion people, is not represented on the Security Council”. He also added that South America and other emerging countries, such as India, also deserve a seat on the Council (The Daily Monitor, October 25, 2010). Meanwhile in his address to the AU at its 16th Ordinary Session held at Addis Ababa on 30 and 31 January 2011, Sarkozy reiterate the call for representation of African Countries in the Security Council by saying that “Africa has not occupied the right full place at international forums”. He also urged the UN Secretary General, Ban Ki-moon, to reform the Security Council this year stressing immediate action to be taken to make African Countries permanent members (Capital, 2011).

The position of the People’s Republic of China (PRC)

PRC was of the view that the reform should be multifaceted, including both the enlargement of the membership and the improvement of working methods without sacrificing the Council’s authority and efficiency (GA/10367). The Council’s enlargement must give priority to increasing the representation of the developing countries as they constituted over two-thirds of the organization’s membership in spite of which they were seriously underrepresented in the Council. Hence, China firmly supported the increase of the representation of African countries in the Council. In addition, it called for any enlargement formula to ensure that small and medium-sized countries had more opportunities to serve as members of the Council and participate in its decision-making processes. Furthermore, the Council’s enlargement must uphold the principle of geographical balance and reflect the representation of different cultures and civilizations. China strongly opposed to setting a timeframe for the Council reform, and rejected a forcible vote on any formula on which there exists significant differences. It added that the Council’s enlargement should not undermine consultations on other important reform proposals (ibid). Besides, China accepts reform in the Security Council should keep intact the rights and numbers of the current permanent members of the Council.
(Malik, 2005). The Chinese government believed that the status of permanent membership is deeply rooted in the historical evolution of the early days of the founding of the UN and is in the fundamental interests of the UN, and advocated that the veto mechanism should remain as it is. No more countries should be granted the power of veto, since it becomes conducive to efficient and smooth running of the Security Council itself as long as not given to others (ibid).

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A/59/L.64, Group of Four Draft Resolution to the General Assembly, Question of Equitable Representation on and Increase in the Membership of the Security Council and Related Matters 6 July 2005.

Interview

Unstructured interview with Admore Mupoki Kampudzi (Ph.D.), the Secretary of the African Union Peace and Security Council.