



UNITED NATIONS SECURITY COUNCIL REFORM

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Much has changed since the United Nations was established in 1945. New challenges confront the organization including global warming, global diseases and global terrorism. Responding to these challenges requires continual change, adaptation and learning – a hallmark of the stewardship of current UN Secretary General Kofi Annan. In 1997 Annan announced major structural changes to streamline the organization, follow up five years later by another initiative to clarify, simplify and rationalize the organization and subsequent efforts to streamline UN peace-keeping. The UN has also forged new partnerships with civil society and the private sector. Important as these changes are, reform of the General Assembly and the Security Council hold the organization hostage to the vested interests of key member states. There are a number of options to make the Council more representative including regionalism, population distribution, economic weight, culture/religion/civilization and democracy. Clearly the largest challenge is the absence of representation for Asia, Africa and Latin America. Currently Germany, Japan, India and Brazil have strong claims - plus at least one candidate from Africa. Should these four countries decide to act in unison, they could force reform of the Security Council

Speaking in the General Assembly in September 2003, UN Secretary-General Kofi Annan remarked that the United Nations had come to a fork in the road, a moment no less decisive than when the organisation was founded in 1945. Yogi Berra's advised us that when we find ourselves at a fork in the road, we should take it. Given popular perceptions about the UN in parts of the world, the organisation might well heed his advice.

And yet ... A wag is said to have remarked that 'The interesting thing about Richard Wagner's music is that it ain't as bad as it sounds'. The same might be said of the United Nations: it is not quite as bad as often believed.

If the organisation is in crisis, it is a crisis of expectations.

Its Charter begins with the grand words, 'We the peoples of the world'. The reality is that it functions as an organisation of, by and for member states. The great Soviet-era dissident Alexander Solzhenitsyn observed that, at the UN, the people of the world are served up to the designs of governments. The United Nations needs to achieve a better balance between

- the wish of the peoples and the will of governments;
- the aspirations for a better world and its performance in the real world; and

- the enduring political reality enveloping and at times threatening to suffocate it and the vision of an uplifting world that has inspired generations of dreamers and idealists to work for the betterment of humanity across cultural, religious and political borders.

The United Nations is at once the symbol of humanity's collective aspirations to a better life in a safer world for all, a forum for negotiating the terms of converting these collective aspirations into a common programme of action, and the principal international instrument for the realisation of the aspirations and the implementation of the plans. The organisation has to strike a balance between realism and idealism, between the desirable and the possible. Its decisions must reflect current realities of military and economic power. In a world in which there is only one universal international organisation but also only one superpower, the UN must tread a fine line so as to become neither irrelevant to the security imperatives of the US nor a mere rubber stamp for US designs.

The changing world context

The world has changed profoundly and fundamentally, in ways both good and bad, since the birth of the United Nations after the Second World War. With the new realities and challenges have come corresponding new expectations for action and new standards of conduct in national and international affairs. Alongside a growth in the number of states, for example, there has occurred the rise of civil society actors who have mediated state-citizen relations and brought a wide range of new voices, perspectives, interests, experiences and aspirations. Together, they have added depth and texture to the increasingly rich tapestry of international society and brought important institutional credibility and practical expertise to policy debates.

Yearly we face the paradox of the major challenges remaining constant, while many of the contingencies demanding urgent and immediate action are inherently unanticipated and unpredictable. But we also face today some challenges that were not and could not have been foreseen in 1945, including global

warming, global diseases, and global terrorism.

Reflecting the conviction that the use of force under international auspices may sometimes be necessary, even in the cause of peace, chapter 7 of the UN Charter spells out many provisions in relation to collective enforcement. Yet one of the lessons of recent times is that the UN is not good at waging wars. By contrast, the organisation has been especially good at a slow, steady and unremitting effort to find political, economic, legal and institutional alternatives to military force as a way of tackling problems of security as well as development, good governance and environmental protection. In popular parlance, the United States may be from Mars but the UN is from Venus.

The ambitious project of international institution building is far from complete. The system of collective security proved illusory from the start, and the procedures for resolving disputes peacefully have also proven to be generally elusive. The major UN contribution to peace and security during the Cold War took the form of consensual peacekeeping operations. After the Cold War, this expanded to multidimensional peace operations to reflect the more demanding complex humanitarian emergencies.

In the meantime, however, the human rights and human security agenda had greatly expanded and in the 1990s were often expressed in the form of the so-called challenge of humanitarian intervention. Increasing use was also made of sanctions as an instrument of international statecraft. Often, the developing countries found themselves scrambling to resist, typically in UN forums, the fast-changing norms of humanitarian action and compulsory disarmament, even pre-emptive disarmament and regime change. At the same time, the rapid pace of events placed increased demands on the creaking UN system and intensified the urgency of demands for changes in the workings, structures and policy responses of the organisation.

Internal United Nations reforms

Thus the United Nations has to operate today in a global environment that is vastly more challenging, complex and demanding than the world of 1945 with respect to the norms, issues and challenges demanding urgent attention; the actors in world affairs; and the structures in which their patterns of interaction are embedded. The price of continued relevance and survival of the UN is continual change, adaptation and learning by the organisation. Set up to manage the world in the revolutionary conditions prevailing after a major world war, the organisation has had simultaneously to reflect, regulate and respond to the changing circumstances around it. To be faithful to the nations and peoples of the world who have kept faith in it for six decades, the UN must persevere in its efforts to consolidate strengths, fill in the gaps, and eliminate wasteful habits and procedures.

Under Kofi Annan's stewardship, the UN has been receptive rather than resistant to reform. In 1997 Annan announced major structural changes alongside budget and staff cuts in order to streamline the unwieldy body. In 2002 he unveiled the second stage of his reform programme, calling for a shift away from endless meetings and reports and a greater focus on the things that really matter to the world's people. The philosophy underpinning the 2002 report, in which I had the privilege to be closely involved, can be summed up in a few words: clarify, simplify, rationalise, streamline and evaluate. There were five principal messages in it.

- Staff have to be clear on what to do before they can learn how to do it well. There is a need to shed some accumulated responsibilities that are no longer relevant in today's world in order to devote more focused attention to urgent issues of the day. The UN has to simplify and rationalise its rules of procedure and processes in order to reduce complexity, cut paperwork and time, and increase efficiency and cost-effectiveness. Staff have to guard against becoming captive to the tyranny of trivia.
- The UN system is dispersed across the world, comprising a number of different

units often working together with partners from government, civil society and the private sector. This places a premium on co-ordination.

- There has been a serious disconnection between the establishment of programme priorities and the allocation of resources to achieve common goals. Decisions on institutional priorities are being made in isolation from decisions on the use of scarce resources.
- Finally, the report looked at how to attract and keep the best people as UN staff. The organisation has to be lean, but cannot be mean. Cost-cutting should not be driven by ideological extremism to the point where relentless shedding of 'excess' fat turns it into 'UN Lite'.

Efforts to emphasise reform as an ongoing process are also reflected in a number of external reviews, initiatives and developments. The Brahimi Panel looked back on the half-century's experience of peacekeeping in order to bring it into line with the realities of the new century. In an externally commissioned report on the genocide in Rwanda, and through a report of the Secretary-General himself on the fall of Srebrenica, the UN offered unprecedented, candid and critical accounts of the shortcomings in UN peacekeeping for public debate and reflection.

There have also been procedural improvements in the workings of the Security Council, the General Assembly and the Economic, Social and Cultural Council (ECOSOC), with greater transparency, wider consultations, and a more focused and practical treatment of strategic agenda items. The 2002 *Arab Human Development Report* marked a milestone in the UN, saying what needed to be said with regard to good governance in a key region.

To achieve its goals, the UN involves all stakeholders and forges new partnerships with governments, the private sector and NGOs. The UN works closely with civil society organisations to combat disease, poverty and humanitarian disasters, and to build, consolidate and monitor norms. Another Annan achievement has been to make the UN much

more welcoming towards the private sector. The Global Compact provides the UN with a framework of ten core principles, drawn from human rights, labour and environmental standards, for involving the private sector in its various development goals. It has the potential to be an important instrument for instilling civic virtue in the global marketplace.

Reform as work in progress

This does not mean that the organisation can rest on its laurels. It must not change reluctantly, adapting only grudgingly to the pressure of circumstances. Rather, it must anticipate change, lead change, embrace change. The responses to date to calls for UN action have been neither as prompt and effective nor as uniform as they should be. The gap between the UN's promise and performance remains unacceptably large. Few can be confident that the next group turning to the UN for protection will not be cruelly betrayed because the world body lacks the ability to make critical decisions quickly, or the mandate and resources to act.

For most people, the mention of UN reform conjures up either one of two scenarios: reforming the structure, composition and procedures of the Security Council; or eliminating waste, inefficiency, bureaucratic rigidity, costliness and so on associated with the world organisation.

Many are frustrated with the protracted, wasteful and counter-productive posturing in the General Assembly. The smaller states find the present processes too complex, protracted and demanding, and altogether too formidable to be genuine participants and not merely ringside spectators. The frequent policy paralysis in the two major political organs also places a premium on the political role of the Secretary-General. It is difficult, perhaps even impossible, for any one office to bear such a heavy burden of global responsibility. Where the Security Council is united, the Secretary-General cannot possibly be an alternative focus of global dissent; where it is divided, he cannot be an alternative rallying point for international action. Summit conferences

become battlegrounds for vested groups to carry on ideological trench warfare by other means. Of the two major summits held in South Africa in recent memory, this was not true of the Johannesburg summit on sustainable development; it was true of the Durban conference against racism. But the burden of changing all this rests with governments, not the organisation. The reform of the United Nations is vital, but root-and-branch reform has been held hostage to the vested interests of member states.

Security Council reforms

There is widespread concern at how unrepresentative the UN Security Council has become. The UN membership has grown from 51 in 1945 to 191 today. The newer members have typically been developing and ex-colonial countries who brought to the UN their own set of priorities and concerns and thereby altered the balance of the organisation's work agenda. The Security Council has grown from 11 members in 1945 to 15 today. Its permanent membership remains restricted to five: essentially a self-appointed oligarchy who wrote their own exalted status into the Charter.

When challenged to demonstrate its relevance, senior officials point to the UN's uniqueness as the locus of legitimate international authority. But its legitimacy is increasingly clouded as it becomes less and less representative of the international community, stuck in a time warp. And as its legitimacy erodes, its capacity to regulate the behaviour of member states diminishes. This would become a still more debilitating weakness if the Security Council were to become more active and assertive: those who no longer perceive the UN as an authentic voice of the international community would simply disregard its edicts.

For example, in Israeli eyes, the UN lacks legitimacy because of the history of obsessive and disproportionate focus on alleged Israeli sins, inability to assure Israeli security whenever the nation has been under threat, and failure to condemn atrocities by many other

far more abusive regimes. And so, even when the World Court rightly judges the wall/fence/barrier being built on occupied Palestinian territory to be illegal, the General Assembly's call for the court's verdict to be respected fails to sway Israeli opinion.

The Security Council risks a similar loss of legitimacy and a corresponding erosion of effectiveness and efficacy if it fails once again to implement significant structural and procedural reforms. International stratification is never rigid. States are upwardly and downwardly mobile. A static permanent membership of the Security Council undermines the logic of the status and diminishes the authority of the organisation. The central case for Security Council reform must therefore rest on making it more efficient and effective by realigning its composition with contemporary realities – not historical nostalgia.

The reform agenda is held hostage to a curious oddity. While there is consensus on the need for reform in theory, the agreement breaks down as soon as any one particular formula or package is proposed. Once people see the details of a concrete proposal, losers and opponents always seem to outnumber winners and supporters. The urgency for reform is now extreme. The work of the high-level panel, plus the dynamics of the international political environment, has created a window of opportunity that, once closed, may not open again for some time. Hence the importance of seizing the moment and closing a deal.

If we were to start afresh, what would the Security Council look like? How can we make the transition from what we have to what we should have today?

A representative Security Council

One major explanation for the continuing stalemate on a new formula for Security Council membership is that 'representation' can have many different meanings.

MPs represent the interests of their constituents. From this viewpoint, a country need not be a member of a group in order to represent its interests. Australia and New Zealand,

for example, when elected to the Security Council, act more as representatives of Asia-Pacific than of 'Western Europe', to which they are attached in the UN system of groupings.

The Council could be so composed as to reflect population distributions, in which case India's claim to permanent membership would be greater than that of any other, save China. Most people seem surprised when informed or reminded that India's population is bigger than that of all of Africa.

A third possible meaning would be in terms of economic weight, the argument on which Japan is included in most lists. That Japan bears a heavy financial burden in the UN system without permanent Security Council membership amounts to taxation without representation.

Fourth, representation could refer to the need for the Council to reflect the major cultures, religions and civilisations of the world. There is, for example, no Islamic permanent member. Egypt, Indonesia, Nigeria and Pakistan become the major contenders on this criterion. This is an interesting way of looking at it, for it helps to detach Pakistan from its local rivalry with India and focus attention on Pakistan's considerable assets and qualifications from an entirely novel yet, from a representational point of view, entirely appropriate perspective.

But is there not a contradiction in advocating improved representation in the membership of the Security Council if it leads to membership of countries which are themselves not representative democracies? One of the major reasons for Western disenchantment with the UN is the nature of the regimes that end up sitting in judgment on the great issues of war and peace, as well as the human rights records of democratic governments. So a fifth possible meaning of representation would be to favour membership of representative democracies at the expense of others.

The most common meaning given to representation is in terms of the different regions of the world. Asia, the UN group that accounts for more than half the world's people in an organisation that supposedly sup-

ports human security and popular sovereignty as well as national security and state sovereignty, is vastly under-represented. Similarly, it is unconscionable that Africa and Latin America are not among the permanent members of the Security Council.

Or should the Council's permanent membership, in terms of its original logic, reflect the military power of states? The problem with this is the 'moral hazard' of rewarding militarisation.

Alternatively, should permanent membership be a reward for or conditional on sizeable contributions to UN operations and activities: representation on the frontline?

Against this, one could argue that Africa is the chief locale for the UN's two great normative mandates of peace and security, and development. Africans can contribute the most to an informed debate of these two issues based on direct experience, not book-based knowledge; Africans will have to live – and die – with the consequences of decisions made and implemented; and therefore Africans should have equal voice in the structures and processes of decision-making in the Security Council.

It is also unfortunate that the permanent membership coincides with nuclear status. If one or more non-nuclear-weapon states were made permanent members, the status of great power would effectively be divorced from the possession of nuclear weapons.

There is need also to provide a platform for the views of NGOs and the private sector in the UN. They make up two important layers of international civil society. Yet there is no official formula for their representation on the Security Council. While there has been great effort in recent years to give NGOs a voice in UN debates without giving them a vote in UN decisions, multinational corporations remain disenfranchised in the UN.

The United Nations, if it is to remain true to its soul, must be a place where ideas matter as much as *realpolitik*. On the criteria of permanent or continuing membership, an important attribute ought to be good UN citizenship. Yet this is a criterion that seems to be totally ignored. Canada, Northern

European and Australasian countries are exemplars of good international citizenship. Their contributions make the UN system work. They pay their dues on time and in full, contribute diligently to peacekeeping operations, and in a myriad other ways work hard to keep the UN system ticking.

The world may have to address the question of the unit of UN membership. If representation is interpreted mainly in terms of regional identity, it makes more sense to give given permanent membership to regional organisations like the African Union, the European Union, and the Organisation of American States. But what will happen then to Asia, whose pursuit of regional identity remains an aspiration more than a reality?

Leaked reports suggest that the High-Level Panel might recommend a re-jigged variation of such an idea, with longer and renewable veto-less terms for major countries in designated regions.¹ Sadly, in the real world of bitter regional rivalries and enmity, this could prove a pernicious formula for exacerbating existing tensions and conflicts in most regions. Just imagine India, Indonesia, Japan and Pakistan – or Egypt, Nigeria and South Africa – forever fighting it out for one additional 'second-class (with non-renewable, two-year terms being the third class) seat on the Security Council.

Whatever formula is adopted, the challenge will be to combine the efficiency, representational and value-order arguments. Membership of the Council must reflect current global power relationships but not be so large as to make it an unwieldy executive body.

The lead contenders for permanent membership

A campaign for permanent membership of the Security Council cannot be based solely on asserting a claim of entitlement. Instead, it must combine a mix of arguments aimed at persuading the UN community of the merits of the case; a strategy for lobbying jointly with other leading candidates to forge a powerful winning coalition; and a strategy for identifying and neutralising potential opponents.

Countries should be permanent members based on their representational credentials and contributions of human, financial, military and other resources to attaining UN goals. On these criteria, there is surprisingly broad agreement already on the leading candidates.

If the Security Council were to have another five permanent members, four are clear-cut: Germany, Japan, India and Brazil. The fifth would likely be Egypt, Nigeria or South Africa. (If somehow the Europeans could be convinced to accept permanent membership for only two of Britain, France and Germany, then Africa could also have two.)

Opposition comes from three groups: those with a vested interest in the status quo, especially the permanent five; the regional rivals of each of the leading candidate countries; and a large group who would see their status diminished still further with the growth of permanent members from five to ten. All three groups have found it expedient to adopt the tactic of divide-and-rule, convincing the leading contenders to compete with one another. Only very recently have Brazil, Germany, India and Japan woken up to the realisation that either they will all become permanent members in one major round of reforms, or none will. Japan by itself, or together with Germany, would worsen what is already a very badly skewed industrial–developing country imbalance; adding Brazil and India would redress this.

Each of the four has strong claims, as well as at least one major, but far from fatal, weakness.

India, with more than 1 billion people, is the world's biggest democracy and ranks among the biggest contributors to UN peace-keeping missions. It is also nuclear armed, but its nuclear status is outside the Nonproliferation Treaty.

Japan is the world's second-biggest economy and contributes more to the UN regular budget than four permanent members combined (Britain, China, France, and Russia). There is growing resentment at being treated as an ATM at the service of the United Nations. But Japan also is the only one of the

four leading candidates – yet to prove it can take a genuinely independent stance. It is seen too often as simply echoing the US position on issues of international security, when Washington is already far too dominant in the UN system. We need to avoid the twin traps of slavish obedience (which would collapse the P5 or P10 into a P1) and instinctive opposition, which would ensure that it became the Security Council of the permanently disunited nations.

Germany is Europe's biggest and the world's third-largest economy. It has begun to play an increasingly active role in world affairs, is contributing more militarily, and demonstrated the capacity to be independent of Washington on the Iraq war. But Europe already has two of the existing permanent slots; does it really deserve three?

Brazil joins Germany and Japan in pressing to break the link between permanent membership and nuclear status and carries the most weight in Latin America. But in a Spanish-language continent, Brazil is Portuguese speaking.

The four countries acting together can constitute a powerful bloc in world affairs. If they form an issue-specific coalition and mobilise world opinion behind their joint campaign for permanent membership, few countries would be able to resist. Would the immovable object of Security Council reform prove stronger than the irresistible force of these four exerting their full clout in the world of international diplomacy?

The four have also been among the most frequently elected to the Security Council as presently configured. If they really wanted to highlight the illegitimacy of the present system, they could collectively decide against seeking elective membership any further. It is hard to see how the Security Council would have much credibility left if Brazil, Germany, India and Japan stayed off it for a prolonged period.

While such a boycott would be dramatic, it carries all the risks of an essentially negative tactic. In the meantime, there is the high-level panel of eminent and highly experienced persons from around the world. Their brief is to

examine contemporary threats to international peace and security, and recommend how the UN can remain relevant as the core of multilateral efforts to address the threats.

From the point of view of the leading contenders, the composition of the panel reflects what is wrong with the UN, in that the three groups of opposing countries are much better represented than those with claims to permanent membership. And yet, judgments before the fact, that in their profiles they represent a cross between nostalgia and *déjà vu* – as an unnamed senior official was reported to have said – may prove premature. This will depend on whether the panellists deliberate and decide in their wisdom as representatives of the country from which they come and its narrow national interests, or on the basis of individual reflections on what is best for the future of the organisation and the world.

Conclusion

The UN must continue to change the way decisions are made. To deliver on the core missions of the organisation, UN capacity has to be strengthened. Structural reforms in the Security Council remain stalemated and most countries see it as having been captured by the major powers. It is neither democratic nor representative. The structural flaws and procedural bottlenecks in the Council reflect power imbalances and conflicting claims on values and interests along the North–South axis and also, in very recent times, along an emerging trans-Atlantic divide.

In 2005 the UN will celebrate its 60th birthday. This has been the age of retirement for UN officials. But it is also the age at which, according to Japanese folklore, life begins anew. Which will be it for the United Nations – be put to pasture, or revitalised and renewed?

During the UN's 60-year lifespan, both the economic, political and military realities in the world around us and the vision of a good international society – the goals, principles and values to which we subscribe of a world united in action on the road to a common destiny – have changed. The United Nations was established to provide predictability and order in a world

in constant flux. Charged with the stewardship of the world's collective destiny, it is both the symbol of a common future for the betterment of all humanity and the institutional means of bringing about such a better future for all of us. The debate over Iraq in 2002–2004 demonstrated the true test of UN relevance: both as a brake on an unjustified and unilateral resort to war and as a forum for legitimising the collective decision to enforce community demands on outlaw regimes.

Multilateralism is under unprecedented challenge, from arms control to climate change, international criminal justice, and the use of military force overseas. At such a time, it becomes especially important to reaffirm the role of the United Nations as the principal embodiment of the principle of multilateralism, and the main forum for its pursuit.

The causes and consequences of public policy challenges and decisions are international, but the authority for addressing them is still vested in states. The UN's mandates are global, while its staffing and financial resources are less than that of major municipal authorities. Hence the dilemma confronting the United Nations of doing too little and too late, or being over-committed and over-stretched.

The UN remains our one and best hope for unity in diversity in a world in which global problems require multilateral solutions. But if we want multilateralism to be the preferred route, then strengthening the UN and making it more effective and relevant is imperative – for its performance has been patchy and variable. It has been neither uniform in its response nor consistent in the quality of services provided. We must combine our efforts to redesign and rededicate the organisation so that in its structure and by its operations, it helps to bring about a world where fear is changed to hope, want gives way to dignity, and apprehensions are turned into aspirations – above all for the people of this great continent.

Notes

- 1 This lecture was delivered before the release of the Report of the Secretary-General's High-level Panel on Threats, Challenges and Change.