



Reform of Security Council Membership, Voting and Procedures

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Introduction

The United Nations Security Council was created as the central enforcer of a globalizing world, a beacon of hope for ensured peace and security in the world. To some, it is the ultimate club within a club, the ways and means to identify areas in the world that need change and then execute it. Its created purpose within the United Nations in the postwar world was to make certain there wasn't a third world war by maintaining peace and security for all peoples, even allowing use of force.

That, however, was 72 years ago, and the Security Council no longer reflects the power realities and geopolitical truths of the 21st Century. The struggles of the UN to address many of the most difficult problems facing the interional community are well known. There is widespread agreement it needs help. The Security Council comes in for special concern. Unlike the UN General Assembly, is does not recognize all 193 Member States as sovereign equals. Instead, it allows 15 countries to make decisions on many of the most important and dangerous issues facing humanity.

The Security Council grants the ultimate power of veto to five countries who were among the victorious allies of World War Two, generations ago. The Security Council can do nothing without their support or abstention. And while the international theater was changing around them, with membership in the General Assembly rising from 51 to 193 States joining the United Nations, Security Council membership rose only from 11 to 15.



While the Security Council is the principle UN body responsible for enforcing the UN Charter, critics say it lacks the ability to do so. Its membership is too small and excludes many of the world's largest and most powerful states, including major powers like Brazil, Germany, India, Japan, and South Africa, major population centers like Bangladesh, Brazil, India, Indonesia, Nigeria and Pakistan. There are no countries from Africa or Latin America among the permanent members. Instead, all these countries must compete for the 10 rotating seats on the Security Council, elected by the General Assembly to terms of two years. For most of these countries, those two year sears are among their highest foreign policy goals, the object of expensive and intensive national campaigns, complete with embossed mugs and ball point pens, and sometimes favors like tuition for the children of officials and free travel for supporters among certain states.

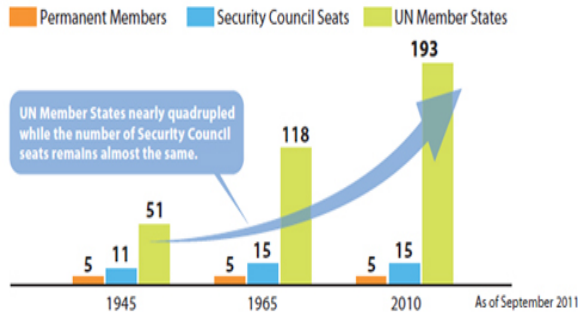


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Number of UN Member States



Lacking the legitimacy that comes with representative membership, the Security Council must act cautiously. The veto forces additional caution, since no resolution can be passed that crosses the national interests of the Permanent Five members (the P5). Given the limits of this design, one might think it is sad the Security Council is not more active, and a miracle when it agrees on anything.

Shepherding resolutions through the Security Council is a diplomatic art and an achievement. For the Trump Administration, for example, its greatest diplomatic achievements of 2017 are widely thought to be its Security Council successes. Facing the constant danger of vetoes by China and Russia, those resolutions are shadows of what U.S. President Trump and U.S. Ambassador to the UN, Nikki Hailey, originally hoped for. That they were passed, even in a highly diluted form, testifies to the unity of the P5, extreme diplomatic perseverance and broad willingness to compromise.¹

¹ 'North Korea slapped with UN sanctions after nuclear test', *BBC World News*, 12 September 2017; <http://www.bbc.com/news/world-asia-41235157>; and 'Security Council approves toughest resolution yet against DPR Korea', *UN News Centre*, 11 September 2017, <http://www.un.org/apps/news/story.asp?NewsID=57495#.WcqShk2Wypo>

Interest in Security Council reform waxes and wanes. Major efforts come roughly every ten years. A new effort can be felt in the halls of the UN in New York, with great interest among the 120 Member States of the Non-Aligned Movement, the UN's largest voting bloc, and tentative interest by several Security Council members. But basic problems make serious reform difficult to achieve.

Background

All members have signed, and it prohibits any country from threatening or using force except in self-defense should they come under attack. These 'rules', however, have been broken, and countless wars have been waged since this document was signed. This fact has become much more evident as the world changes, such as the Iraq War and, after a decade of resolutions threatening consequences, if it didn't prove its disarmament, the United Nations could not agree to act. Even after bearing witness to the tragedy in Rwanda, the Security Council's best response was mere resolutions and has done little to nothing for the humanitarian disasters in Sudan, or the continued pursuit and proliferation of nuclear armaments in Iran and North Korea.²³

Almost every state favors some change in the United Nations, and the Security Council especially. The issue is how then should it change, and if an idea does come for positive change, will those in power so willingly cede their status. The major issues in this system of reformation of the Security Council are its enlargement of membership, working methods,

² 'Kofi Annan's Reform Plan.' *The Economist*. March 26, 2005.

<http://www.economist.com/node/3786918>

³ 'Towards a More Relevant United Nations.' *The Economist*. 1 December 2004.

<http://www.economist.com/node/3444899>



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and the power of veto and who owns it. There have been several points and standards on what would make the Security Council much more effective, or at least more legitimate. There is interest in a Council that is reflective of the world, a more representative council, a more democratic one, and a Council with the membership that includes regional representation and power to better respond to the realities of this world.⁴

The composition of the Security Council was created in 1945, but has changed little and does not accurately reflect the post-war world. The only change that came with to the Security Council was in 1965 which was an increase in non-permanent, or rotating, membership from 6 to 10 members. Neither Africa nor Latin America have a permanent seat on the Council. Europe is over-represented and Asia under-represented by population. It originally consisted of 11 members. These included the five Permanent Members with veto power (the P5): Republic of China, France, the Soviet Union, the United Kingdom, and the United States, and six non-permanent members elected by the general assembly for two-year terms.

In 1972 the General Assembly voted to replace the Republic of China (ROC or Taiwan) with the People's Republic of China (the PRC or mainland China). In 1991 the Soviet Union ceased to exist and was replaced by the Russian Federation.

The non-permanent members are chosen by the General Assembly to achieve some sort of equitable representation among the major geographic regions, with five coming from Africa or Asia, one from Eastern Europe, two from Latin America and one from Western

Europe or other areas. Five of the 10 non-permanent members are elected by the general assembly for two-year terms and five retire each year.

Under the UN Charter, only the member States of the Security Council can raise issues for debate. The Presidency of the Security Council is held by one member in rotation per month. Neither the President of the Security Council or the UN Secretary-General can raise issues for debate. Each Member State has one vote. A decision by the Council requires affirmation of nine votes, including those of the permanent members excluding a vote in abstention.⁵

The voting procedures of the Security Council were agreed at the tripartite Yalta Conference during World War Two between Roosevelt, Churchill, and Stalin, 3-11 February 1945. The design reflects their interests at the time. The Security Council was ineffective during much of the Cold War, unable to pass resolutions on anything except minor or peripheral matters, so long as the P5 protected their core interests using their veto.⁶ However, beginning in the late-1980s, as the Cold War melted, the Security Council was able to agree on more and more. There was a massive increase in peacekeeping operations and other interventions authorized by the Council.

⁴ "United Nations Security Council Reform." *Our World*. <https://ourworld.unu.edu/en/united-nations-security-council-reform>

⁵ Encyclopædia Britannica. "United Nations Security Council", 7 December 2016. <https://www.britannica.com/topic/United-Nations-Security-Council>

⁶ None. "United Nations Security Council Reform." Brookings. July 04, 2017. <https://www.brookings.edu/events/united-nations-security-council-reform/>



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British Prime Minister Winston Churchill, U.S. President Franklin Roosevelt, and Soviet leader Joseph Stalin met at Yalta in February 1945 to discuss their joint occupation of Germany and plans for postwar Europe.

There are major alliances seeking the addition of members in the Security Council. In the selection of non-permanent members, Article 23 of the UN Charter lays down two criteria; members would be chosen for their contribution to the maintenance of International Peace and Security, as well as equitable geographical distribution. The first criterion has all but been disregarded when members come to the council. Lobbying is part of the process. Research found that financial aid from the US, for example, increases by 59%, and aid from the UN by 8% when a developing country rotates onto the Council. Aid also increases during the years in which key diplomatic events take place. In others words, seats and votes are so important, countries can bargain for them, essentially selling cooperation.⁷

⁷ Kuziemko, Ilyana, and Eric Werker. "How Much Is a Seat on the Security Council Worth? Foreign Aid and Bribery at the United Nations." *Journal of Political Economy*, vol. 114, no. 5 (10 2006): 905-30. doi:10.1086/507155.

There are the current permanent members and their viewpoints of which states should be added. One notable group vying for permanent seats is the *Group of Four*, or G4, which includes powerful states that have been claimed to have a genuine representation of other parts of the globe. These states are Brazil, Germany, India, and Japan. These states are also notable because two of them, Germany and Japan, were not on the side of the victors of the Second World War, but of the vanquished. Yet today they are among the wealthiest and most powerful. Having them as permanent members would strength the Security Council and make its decisions more legitimate.

Along with this group in those who would add them as permanent members are *Non-Aligned Movement* (NAM) leaders like Brazil, Nigeria and South Africa, The later would bring in permanent membership for Africa, a region not represented in the permanent members now and sparsely in the Security Council regularly. It has been widely noted that many or most Security Council interventions focus on Africa, but only through its rotating, non-veto, seats, can Africa influence those debates.

Not everyone agrees with these G4 and other reform advocates though, mostly geopolitical rivals, and believe a better solution is an expansion of the non-permanent category of seats. This bloc began with Italy, Pakistan, Mexico, and Egypt, known as *Uniting for Consensus*. They believe in expansion to the non-permanent seats would create a better balance of states that demand veto power, but also wouldn't give too much power to their regional rivals, such as Pakistan and India, Mexico and Brazil. There are also other states in talks for either permanent member status, or simply a higher position within the council that would greater reflect a future growing world, including Korea, Mexico, Turkey, and Indonesia. While the major focus is given to the



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G4 and uniting for consensus points of view, in the grand scheme of things this would again be temporary without future measures set up. While the current Security Council does not reflect political realities of today, if there was any sort of reform there has to be some sort of safeguard that this lesson does not go unlearned. For in 10 or 20 years with such a rapidly changing and technologically advanced world, the Security Council could be just as defunct if not more in the future as it is now.

The movement for reform of the Security Council accelerated under UN Secretary-General Boutros Boutros-Ghali. In his 1995 report, *An Agenda for Peace*, he advocated the restructuring anachronistic procedures of the Security Council to recognize the changed world. These talks continued and creations of different bodies and conventions on updating this critical UN organ.

Talks strengthened with the next Secretary-General, Kofi Annan. In 2004, he presented two models that are still debated today, known as model A and model B. One recommended eliminating the veto as a condition for expanding membership, the other allowing new permanent members without a veto. Annan did not give a strong opinion on which he wanted to see or implement, and, neither plan was strongly supported within the Security Council. Both fell to the wayside.

Current Situation

There is widespread agreement the Security Council should be reformed to work more effectively and with greater legitimacy. Then differences start. Major issues are whether:

- Does the Security Council control the terms of its own reform (making it

subject to P5 vetoes) or can the General Assembly demand reform?

- Should Security Council membership should be altered (a new membership formula) or expanded (more Member States)?
- Should the P5 veto be kept, rotated or eliminated?

States act and speak in self-interest in either obtaining or maintaining their positions of power. The idea for change today is to address contemporary issues where greater ability to act is required. The situation of Russia and Crimea, the ongoing Syrian Civil War, the Yemeni conflicts, and much more could potentially be resolved to maintain International Peace and Security.⁸

However, with the current makeup of the Security Council P5 vetoes, no action can be taken by the Council on measures like sanctions or the use of force.⁹ This point was reiterated by U.S. Ambassador to the United Nations Nikki Haley, who supports reforms that would give India a permanent seat, albeit probably without a veto.¹⁰ Brazilian President Michael Temer also

⁸ Story, Inside. "United Nations: Time for Reform?" *Al Jazeera*, 6 March 2014.

<http://www.aljazeera.com/programmes/insidestory/2014/03/united-nations-time-reform-2014361535431854.html>

⁹ "Trump, a United Nations Foe during His Campaign, Offers Nuanced Praise." *Los Angeles Times*. <http://www.latimes.com/world/la-un-general-assembly-live-updates-trump-a-united-nations-foe-during-his-1505834921-htmlstory.html>

¹⁰ "Nikki Haley Says Trump Administration Prioritising UN Security Council Reforms." *Firstpost*. September 16, 2017.

<http://www.firstpost.com/world/nikki-haley-says->



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reiterated his hope for reform of the Security Council when addressing the General Assembly. He believes for more multilateralism and dialogue and increasingly legitimate organization, believing in the expansion of the Security Council to adapt to the 21st century.¹¹ In Japan, Prime Minister Shinzo Abe told UN Secretary-General Antonio Guterres that total reform of the United Nations must include the change to the Security Council to be any sort of meaningful.¹² Virtually everyone wants Security Council, but on their own terms, making compromise difficult. They reiterate the need for reform, but the agreed-upon method has yet to be resolved.

United Nations action

Under the UN Charter, reform of the Security Council requires the agreement of at least two-thirds of the United Nations Member States in the General Assembly. Since action must be passed by the Security Council first, passage requires support from the Permanent Five members too. The resolution would have to follow United Nations Charter Article 108.¹³

trump-administration-prioritising-un-security-council-reforms-4049891.html

¹¹ "Brazilian President Calls for Reform of UN Security Council." *Prensa-latina.cu*.

<http://www.plenglish.com/index.php?o=rn&id=18333&SEO=brazilian-president-calls-for-reform-of-un-security-council>

¹² Mythili Sampathkumar New York. "Donald Trump Pushes to Reform UN in Speech Full of Criticism but Also Praise." *The Independent*. 19 September 2017. <http://www.independent.co.uk/news/world/americas/us-politics/trump-un-speech-reform-criticism-praise-north-korea-burma-rohingya-a7954216.html>

¹³ "Chapter XVIII." United Nations. <https://www.un.org/en/sections/un-charter/chapter-xviii/index.html>

In 1971 and 1972 the Security Council decided to seek the views of member states on ways and means of enhancing the effectiveness of the council in accordance with the principles and provisions of the charter. The Security Council was invited to the 51st session to create an appropriate procedure of mechanism on updating the General Assembly on a regular basis of steps taken or contemplating with respect to improving its reporting to the assembly.¹⁴ Reform was elevated in 1992 by the Secretary-General Boutros Boutros-Ghali, and the General Assembly's *Open-Ended Working Group on the Question of Equitable Representation on an Increase in the Membership of the Security Council and other Matters Related to the Security Council*, established by General Assembly Resolution 48/26 on 10 December 1993.¹⁵

Many proposals and counter-arguments have been given for a full reform of the Security Council, and more practical partial reform to create a compromise in adapting the organ it to both better represent the surrounding world, while still appeasing those in power. In 2005, then UN Secretary-General Kofi Annan called upon member states to finally reform the Security Council. He gave his thoughts in the last part of his report *In Larger Freedom*, referred to as Plan A and Plan B. The former called for creating six new permanent members (without vetoes), plus new three non-permanent members for a total of 24 seats in the council. Plan B also called for a creation of a total of 24

¹⁴ "United Nations, Main Body, Main Organs, General Assembly." United Nations. <https://www.un.org/en/ga/62/plenary/screport/bkg.shtml>

¹⁵ "Security Council, SC, UNSC, Security, Peace, Sanctions, Veto, Resolution, President, United Nations, UN, Peacekeeping, Peacebuilding, Conflict Resolution, Prevention." United Nations. <https://www.un.org/en/sc/about/faq.shtml#process>



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seats, however, it would be eight new seats in a new class of members who would serve for 4 years, subject to renewal, as well as one more nonpermanent seat.

While not often stressed as part of Security Council reform, with membership and equitable representation taking the lead, communication and reporting to the General Assembly from the Security Council has been a major point of contention, too. With all of the difficulties in trying to change the Charter to update the Security Council, the body has taken steps to increase its efficiency as well as transparency. These *Cluster 2 Reforms*, which do not require an amendment to the UN Charter, get around some of the hurdles.

Today the Security Council holds more public meetings and consults more frequently with external actors, including non-governmental organizations (NGOs), and gives other UN Member States the opportunity to speak before the Security Council, and has made special efforts to enhance relations with peacekeeping troop-contributing countries who do not sit on the Council. However, for the Security Council to become a preventative UN Organ rather than just reactive, it needs to gather information from external actors and even other agencies far more efficiently than it does, and an increased transparency over the proceedings. This is where the importance of efficiency and transparency with other UN organs comes into place and importance.

Barriers to Reform

Any reform call to the UN Security Council will be very difficult and met with much resistance. Articles 108 and 109 of the UN Charter both give the Precedence for adaptation of the Charter, but also grants the P5 veto power for any amendments to the document. This

essentially asks these powerful members to not use their veto power in changing whether or not they would even be able to keep it.

The UN Charter requires a formal Amendment for any change to the body, but the league council's overall size and the number of permanent and non-permanent members could be increased by the council itself needing only approval from a majority of the assembly. While this model might be something to consider, lawmakers and similarly minded would be wise to remember the full and fleeting history of the League of Nations.

Country Positions

Security Council reform is a vital topic for many UN Member States and results in unprecedented groupings. *The Group of Four (G4)* Brazil, Germany, Japan, and India, are especially prominent in their leadership. Created in direct opposition to this in the early 2000s was the Coffee Club, later officially known as *Uniting for Consensus*. They called for a 25-member Council, but this would be achieved not by adding permanent members but creating new non-permanent seats in each region. These seats will be left to the members of each regional group to decide how long they would sit in those seats. There is also the *Ezulwini Consensus*, that represents the Africa block and proposes two permanent seats and two additional elected posts for Africa.¹⁶

China is open to reform in principle, but strongly opposed to membership for Japan, and less supportive of India. Instead, it advocates formulas that would make Pakistan an equal to India in the Security Council. China does not

¹⁶ "United Nations Security Council Reform." *Our World*. <https://ourworld.unu.edu/en/united-nations-security-council-reform>



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believe new permanent members should have a veto.

The European Union (EU) is divided on this topic. France and the UK are determined to keep their permanent seats and vetoes and resist calls for a single EU seat. While many support German permanent membership, Italy insists it should be rewarded in some way, too, and has been willing to stop EU action.

The Non-Aligned Movement (NAM): representing African, Asian and Latin American countries, strongly support expanded membership, and does not insist on expansion of veto rights. But members have their own positions

Russia; favors expansion, especially for India, but opposes dilution of the veto.

The United States is most willing of P5 countries to permanently expand membership with its key allies—Germany and Japan—and India. It might be willing to share veto rights for them also.



Italy: Taking membership very seriously

Proposals for Action

The 2005 report expresses a preference for one of the two models, even though Secretary-General Kofi Anan did not give his direct

opinion.¹⁷ However, like any sort of reform, skeptics question whether any change is possible as long as some members retain the power of veto. The overarching debate of reform has mostly focused on the expansion of the membership of the council, with the greatest focus on including emerging powers and underrepresented regions. However, single state members could exacerbate for regional competition, and there have been arguments that permanent seats would be better held by regional organizations or blocked than individual states, allowing for a more representative council without extreme enlargement. These regional groups could also represent better the minute countries of the world. The first Regional groups to come to the discussion are the European Union or the African Union. Opponents argue that the UN Charter does not recognize organizations as eligible for membership in the UN, preventing the EU or AU from joining the Security Council. A campaign launched by The Institute of Security Studies in Pretoria proposes regional elections to the Security Council based upon minimum membership criteria. This proposal also submits the idea of a 15-year transition, giving room for a gradual and intentional change without shock.¹⁸

The issue with this is how areas without permanent regional representation on the Council, such as African, Arab and Latin American Member States, would be represented. But any reform runs the risk of antagonizing still regionally under-represented communities. This

¹⁷ "Global Policy Forum." Membership Including Expansion and Representation.

<https://www.globalpolicy.org/security-council/security-council-reform/49892.html?itemid=913>

¹⁸ "United Nations Security Council Reform." Brookings. July 04, 2017.

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framework also oversimplifies the realities of the world and the ground where conflicts occur, between borders and regions, and ignores the smaller traditional boundaries between states. A further enlarged Council with the appropriate delegations is usual to address the democratic deficit that prevents effective multilateralism. There is an instant draw to any hopes of further democratization but it has yet to be seen whether adding more permanent members qualifies.

Despite the hindrances before the ideas advanced by Secretary-Generals Boutros

Boutros-Ghali and Kofi Annan, continues to resonate with many. International politics changes over time and power is never constant, as shown by the ebb and flow of empires throughout history. The Council faces ever greater pressure to reform, as new emerging countries wonder why they aren't on the Council and the press debate anew. The Security Council is the world's best hope for drafting, creating, and maintaining real peace, security, and change in the world, but must first bring that change to itself. The question remains, is how.



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