

The United Nations Security Council: Imbalance of Power and the Need for Reform

Jean-d'Amour K. Twibanire

Canam Bioresearch Inc. Winnipeg, MB, R3T 6C6. Canada

Dalhousie University, 6274 Coburg Road, P. O. Box 15000, Halifax, NS, B3H 4R2. Canada

Abstract

The United Nations Security Council (UNSC) is one of the six main organs of the United Nations. Despite tremendous changes around the globe since its inception at the end of World War II, today's United Nations Security Council still reflects the power distribution of 1945. A brief summary of past reform proposals and obstacles to reform is given in this article. The article then uses three indications and the most recent data to show that today's global power distribution is not accurately represented in the United Nations Security Council. Also presented herein, is a draft proposal from a neutral point of view. The draft proposal is inclusive and it warrants every model state with hope and aspirations for possible future representation on the United Nations Security Council.

Introduction

Planning for today's United Nations began early in World War II. Churchill and Roosevelt jointly declared the Atlantic Charter in 1941 [1,2]. In addition to collaboration on various issues like the economy, the two leaders wanted and called for an improved permanent mechanism of global security [3,4]. This became the foundation for the declaration of the United Nations in 1942 [5]. Here, 26 countries affirmed the principles of the Atlantic Charter and agreed to create a universal organization to replace the League of Nations [1]. The United Nations Charter was drafted in two sets of meetings at Dumbarton Oaks Washington in 1944 [6,7]. Among other agreements, participants agreed on fundamental principles including sovereign equality of all its members in terms of legal status of each member having one vote. Yet of course inequality was already built in from the outset with permanent membership and VETO power of the five states (P5) on the Security Council. In addition, states which at the time were not considered "peace-loving-states"; the Axis powers (Germany, Italy, Spain, and Japan) were initially excluded. In June 1945, 50 original member states signed the UN Charter in San Francisco. Poland which was not represented in San Francisco signed the Charter shortly thereafter. Since then, the United Nations membership has continually increased and today, the UN General Assembly (UNGA) has 193 member states.

The United Nations Security Council (UNSC) was established as one of the six main organs of the United Nations. The main purpose of the Security Council is to save succeeding generations from the scourge of war. Paragraph one of Article 24 of the UN Charter states that *in order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf* [8].

In fact, the Security Council is the only organ on the global level that has the right to adopt legally binding resolutions in attempts to maintain international peace and security according to article 25 of the UN Charter [8]. If necessary, the Security Council can authorize the use of sanctions or use force to maintain stability and peace. The creation of the United Nations was mainly shaped by the Allies and victors of World War II and this is still reflected in the composition of the Security Council permanent membership today. In more general terms, the global order after World War II was to rest upon the principle of sovereign equality of all peace loving nations, as reflected in the principle "one state, one vote," and the principle of

Publication History:

Received: November 15, 2015

Accepted: May 05, 2016

Published: May 07, 2016

Keywords:

United Nations Security Council, Reform proposal, United Nations Charter, International Organizations

responsibility of major powers to maintain global peace. The allied states, the P5, should take the lead in global peace maintenance. They would contribute to the missions that might actually use force to ensure peace. Accordingly, the P5 have veto rights for UN Security Council decisions and they cannot be outvoted by other member states.

Current Global Power Distribution and Reform Proposals

Based on population size [9,11], economic power (GDP) [12], and the share of UN budget [13] as power ranking parameters using the most recent data, the table below was assembled. Even though additional indicators such as nuclear arsenal, geographical location, raw materials or cultural and intellectual resources could be added for more analysis, these three are widely accepted as important power ranking parameters for United Nations purposes. It is assumed that all three indicators are equally important, and therefore have equal weights.

As seen in the table, three of the permanent five (Russia, France, and UK) are ranked outside the top five with Japan, Brazil, and Germany occupying positions three, four, and five respectively, behind the United States and China. If the UN Security Council was to be formed today, Russia, France, and the United Kingdom would only have permanent membership as part the P8 and not the P5. For quite some time now, these three countries seem to no longer rank among the top five global powers (based on the three indicators in Table 1). It is clear based on this data among other factors that indeed, the Security Council is not a true reflection of today's global power distribution and numerous articles and books have appeared on the subject [14-20].

Japan, Brazil, Germany, and India have put forward a reform proposal. The so-called group of four or G4 proposed to expand the Security Council from the current 15 seats (the P5 plus 10 non-permanent seats each changing after two years) to a total of 25 seats. Six permanent

Corresponding Author: Dr. Jean-d'Amour K. Twibanire, Canam Bioresearch Inc. Winnipeg, MB, R3T 6C6. Canada. Dalhousie University, 6274 Coburg Road, P. O. Box 15000, Halifax, NS, B3H 4R2. Canada; E-mail: twibanire@dal.ca

Citation: Twibanire JK (2016) The United Nations Security Council: Imbalance of Power and the Need for Reform. Int J Polit Sci Diplom 1: 106. doi: <http://dx.doi.org/10.15344/ijpsd/2016/106>

Copyright: © 2016 Twibanire. This is an open-access article distributed under the terms of the Creative Commons Attribution License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited.

Rank	Country	Pop. Rank (2013 -2014)	GDP (2014)	Share of UN budget (2014)	Mean of Ranks
1	USA	3	1	1	1.67
2	China	1	2	6	3.00
3	Japan	10	3	2	5.00
4	Brazil	5	7	10	7.33
5	Germany	16	4	3	7.67
6	Russia	9	10	11	10.00
7	France	21	6	4	10.33
8	UK	22	5	5	10.67
9	India	2	9	24	11.67
10	Italy	23	8	7	12.67
11	Mexico	11	15	14	13.33
12	Indonesia	4	16	29	16.33
13	Turkey	16	18	16	16.67
14	Spain	28	14	9	17.00
15	South Korea	26	13	13	17.33
16	Canada	37	11	8	18.67
17	Nigeria	7	21	31	19.67
18	Australia	51	12	12	25.00
19	Iran	18	29	28	25.00
20	Poland	34	23	20	25.67
21	Saudi Arabia	41	19	21	27.00
22	Tailand	20	32	30	27.33
23	Argentina	32	24	26	27.33
24	South Africa	24	33	27	28.00

Table 1: Current global power distribution based on three indicators.

seats without veto power and four non-permanent seats would be added to the Council. The G4 suggested providing Africa with two permanent seats in the Security Council. The United Kingdom, France and Russia have previously shown support for the G4 membership in the U.N. Security Council. This proposal came close to being accepted but unfortunately, it has traditionally been opposed by the Uniting for Consensus (UFC) group, which is composed primarily of regional rivals and economic competitors of the G4. This group is led by Italy, Spain, Mexico, Colombia, Argentina, Pakistan, and South Korea among other member states. The UFC proposal also suggested expanding the Security Council to 25 members, but with 10 new, rotating, non-permanent seats [21]. The proposal has been modified and presented as the so called Columbia-Italy Proposal.

About a decade ago, a plan known as “in Larger Freedom” by Kofi Annan then the UN Secretary General, asked the UN to reach a consensus on expanding the council to 24 members [22,23]. Mr. Annan suggested two alternative plans. A: The creation of six new permanent members, plus three new non-permanent members for a total of 24 seats on the Security Council. B: The creation of eight new seats in a new class of members, who would serve for four years, subject to renewal, plus one non-permanent seat, also for a total of 24 [22, 23]. Due to various obstacles, no consensus was reached on any of the options.

The African Union (AU) proposed the expansion of the Security Council by adding six permanent seats with veto power and five new non-permanent seats. In 2012, a new proposal by the L69 was presented. The group composed mainly of developing countries such as Brazil, India, Nigeria, and South Africa, also calls for expanding the Council for both permanent and non-permanent positions.

Obstacles to U.N. Security Council Reform

There have been major obstacles during the last several decades of Security Council reform negotiations. Power struggles being waged between groupings of member states and jealousy between members of individual regional groupings have contributed to the lack of any meaningful progress. Russett, O'Neill, and Sutterlin stated that Security Council reform needs to strike careful and intertwined balances including the balance between practicality and vision, the balance between power or effectiveness and legitimacy or justice, and perhaps most importantly, the balance of interests [24, 25].

It is a common view among many scholars and diplomats that the P5 member states also present the major obstacle to reform especially when it comes to their flexibility on the most contentious issue, the power of VETO. The UN Charter texts of articles 23 and 27 have to be amended in order to change the membership, working methods, and the power of veto in a new UNSC [8]. There are two ways to do this with the main provision being article 108. In this article, requirements are a two-thirds majority in the UNGA and ratification by two-thirds of the UNGA, including the P5. Article 109 of the UN Charter provides the second possibility. This article has never been used since the inception of the United Nations. Here, nine of the 15 UNSC members plus two-thirds of the UNGA membership can convene a conference of UN member states. All amendments adopted during such a conference can enter into force when two-thirds of the UNGA as well as the P5, have ratified the amendment [8].

Looking at the provisions of articles 108 and 109 of the UN Charter, it is evident that the P5 members hold the key to any UNSC reform. No reform can take place unless the P5 members are in agreement. One might also think that high level discussions of top politicians such as head of states (instead of diplomats) on this issue might yield better results. The following section is a draft proposal. Only key points on major issues are presented and an explanation if needed follows each point. The draft might not please all the players especially those with high aspirations to future veto powers and/or permanent membership and is open for constructive debate and discussion. It is presented from a neutral point of view taking into account previously presented proposals, today's shifting geopolitical realities, and the role of current veto power players, the P5.

A potential UN Security Council reform draft proposal from a neutral point of view

1. A new UNSC made up of a total of 26 states is proposed. 17 out of 26 is the new 2/3 majority.

Looking at every proposal presented so far, there is a clear consensus with regards to expanding the council in both permanent and non-permanent memberships.

2. A new category of six semi-permanent (SP) members can be created. The SP seats can be allocated based on regions as follows: One seat goes to Europe, two seats to Africa, two seats to Asia, and one seat to South America/ Caribbean.

3. The SP members shall serve on the Council for an agreed upon period of time (for example four years) after which each will be replaced by a member from the same region. For example Nigeria, South Africa, Japan, Germany, Brazil, and India can start the rotation. These could then be replaced by Egypt, Algeria, South Korea, Italy, Argentina, and Pakistan.

The addition of these six new rotating SP members ensures adequate geopolitical representation in the Council, taking into account current global power distribution as well as ideas from previously presented proposals. Previously presented proposals have failed to gather enough support because of regional rivalries; Germany vs Italy, Brazil vs Argentina, India vs Pakistan, South Korea vs Japan, etc. Rotation could be the cure for these rivalries because no member state will feel left out for good.

4. Non-permanent and SP membership periods cannot be served concurrently.

5. The responsibility for selecting SP members can rest upon each region and the P5 member states.

For consideration for a SP status, certain criteria such as human rights record, involvement in UN missions and activities should be satisfactory. A likely advantage for this method is that all countries aspiring for a future SP seat will likely be more peaceful and more active in the UN.

6. Each regional grouping will be awarded an additional non-permanent seat so that there will be a total of 15 non-permanent seats. Accordingly, there will be four non-permanent seats for Africa, three seats for the Asia-pacific group, two seats for Eastern Europe, three seats for the Latin/ Caribbean region, and three seats for Western Europe.

7. The original P5 members keep their veto powers.

As pointed out earlier under obstacles, the P5 members already have the power to block any reform that they don't see fit (articles 108 and 109 of the UN Charter) [8]. It is unlikely to envision any reform attempting to strip the original P5 of their entire veto powers succeeding. It is beyond imagination to see a scenario in which the P5 member states would be willing to relinquish the power of veto now or in the future. And why should they?

8. The six semi-permanent members will have semi-veto powers (a P5 veto = 2 SP vetoes)

There is no guarantee to indicate that a UNSC with 11 veto possessing states will be effective. In fact it can be argued that a council with many veto power players will be dysfunctional as each of the P11 members would seek to flex its muscles on the global stage. A productive council is a council in which members are willing to work together to solve current complex global security problems. The African group can also show exemplary leadership by giving up on their demands for veto powers and constructively work in a new enlarged UNSC.

9. A single or unilateral veto can no longer be enough to block a resolution in the UNSC.

i) 75 - 100% voting. A minimum of three vetoes will be required to block a resolution.

ii) 50 - 75% voting. A minimum of two vetoes will be required to block a resolution.

iii) 50% or less voting. A single veto is enough to block a resolution.

iv) For procedural issues and situations of mass atrocities or genocide, no vetoes are to be used. "One state, one vote".

Note: Three vetoes = three P5 vetoes or six SP vetoes or a combination of one P5 and four SP or a combination of two P5 and two SP

The issue of veto is the most contentious of all when it comes to UNSC reform discussions. It is widely accepted by the global community that unilateral vetoes or even threats of vetoes make the UNSC undemocratic and at times dysfunctional to put it mildly given current global problems that in most cases require multilateral solutions. When the United Nations was created at the end of World War II, the P5 were at the center of a global security system aimed at preventing another major war and there has not been another World War since then (at least not on a global scale). However, there are numerous instances when the UNSC failed to prevent regional wars, serious war crimes, atrocities, and genocide [26]. All these have led to tremendous human suffering and loss of life.

In its 2014 annual report, Amnesty International urged the five permanent members of the UN Security Council to give up their veto in situations of mass atrocities [27]. The rights group's secretary general pointed out that the UN Security Council had "miserably failed" to protect civilians. In addition, richer countries were guilty of taking an "abhorrent" stance by not sheltering more refugees and the council's five permanent members had used their veto to "promote their political self-interest or geopolitical interest above the interest of protecting civilians [27].

Take a look at the current Ukraine/ Russia crisis for example. This crisis has the potential of spreading beyond Ukrainian borders if not controlled and carefully managed. Another example is Russia's military backing of Bashar Al Assad in Syria while the United States and its allies are opposing Assad. In such instances, the UNSC is powerless, handicapped and incapable of any multilateral action simply because any unilateral veto is enough to block any UNSC resolution. The current veto system is broken, outdated, and is not capable of preventing another major war. On the contrary, the status-quo actually leaves any P5 member to wage war on any country without consequences. The P5 members can make history by showing true leadership by agreeing on small changes on the use of veto.

Conclusion

Several proposals have been put forward in terms of how the United Nations Security Council could be modified to better reflect the current global power distribution. However, none of the proposals has so far been able to gather the needed support to result in an amendment to the UN Charter. The world is becoming increasingly more and more dangerous and yet, the current veto system is not set up to prevent another major war especially in conflicts where veto power players will find themselves opposing each other. The points in the draft proposal presented herein could be used as a backbone of a more comprehensive and detailed document for meaningful UNSC reform. The draft also leaves more powers to the P5 member states and rightfully so. It remains to be seen if the concerned parties especially the P5 members can show exemplary leadership and real concern for current and future global security and help set up a new UNSC, which reflects the interests of the global community instead of a select few.

References

1. Interactions and Objectives of Non-Governmental Organizations.
2. Robbins RC (1941-2001) Sixty Years On: The Atlantic Charter.
3. Milestones (1937–1945) The Atlantic Conference & Charter.
4. Langer WL, Gleason SE (1953) The Undeclared War 1940-1941: The World Crisis and American Foreign Policy. Harper & Brothers.
5. Sherwood RE (1948) Roosevelt and Hopkins: an intimate history. Harper.
6. Kunz DB (1992) Dumbarton Oaks: The Origins of the United Nations and the Search for Postwar Security by Robert C. Hilderbrand, The J Modern Hist 64: 771-773.
7. Hilderbrand RC (1990) Dumbarton Oaks: The Origins of the United Nations and the Search for Postwar Security. Chapel Hill: University of North Carolina Press.
8. United-Nations (1945) Charter of the United Nations and Statute of International Court of Justice.
9. United-States-Census-Bureau (2014) U.S. and World population. 2014.
10. World-Bank (2014) World Bank. Population, total. 2014.
11. Statistische-Ämter (2014) Population-Germany. 2014.
12. World-Bank (2014) World Bank. GDP (current US\$).
13. United-Nations (2012) Assessments of Member States' Contribution to the UN Regular Budget.
14. Dörfler T (2009) Die Schwierigkeit der Reform des Weltsicherheitsrats: Pfadabhängigkeit als Erklärung für institutionelle Kontinuität. VDM-Verlag Dr. Müller.
15. Morris J (2000) UN Security Council Reform: A Counsel for the 21st Century. Secur Dial 31: 265-277.
16. Blum YZ (2005) Proposals for UN Security Council Reform. American J Int Law 99: 632-664.
17. Alexopoulos A Bourantonis D (2008) The Reform and Efficiency of the UN Security Council: A Veto Player Analysis. In Multilateralism and Security Institutions in an Era of Globalization'. In: ed(s). The Reform and Efficiency of the UN Security Council: A Veto Player Analysis. In Multilateralism and Security Institutions in an Era of Globalization. New York, NY: Routledge.
18. Fassbender B (1998) UN Security Council Reform and the Right of Veto: A Constitutional Perspective. Kluwer Law International.
19. Franda MF (2006) The United Nations in the Twenty-first Century: Management and Reform Processes in a Troubled Organization. Rowman & Littlefield.
20. Kugel A (2009) Reform of the Security Council - A New Approach?
21. Uniting-for-Consensus (2005) Uniting for Consensus Group of States Introduces Text on security Council Reform to General Assembly.
22. Jaura R (2011) Beyond the Illusion of UN Security Council Reform.
23. Jaura R (2011) United Nation: Beyond the Illusion of Security Council Reform.
24. Russett MB, O'Neill B, Sutterlin JS (1996) Breaking the Security Council Restructuring Logjam. Global Governance 2: 65-80.
25. Russett BM, O'Neill B, Sutterlin JS (1997) Breaking the Restructuring Logjam in Russett. B., ed., The Once and Future Security Council. New York. St Martin's Press, 153-172.
26. Barnett M N (1997) The UN Security Council, Indifference, and Genocide in Rwanda, Cultural Anthropol 12: 551–578.
27. Bbc (2015) Amnesty calls on UN powers to lose veto on genocide votes.