





A PROPOSAL FOR U.N. SECURITY COUNCIL REFORM

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Abstract

n this era of multiple crises eroding multilateral institutions, G20 needs to choose "reformed multilateralism" over "reinvigorated multilateralism." As a next step, it should come out clearly in favour of an expanded, more democratic, more representative, and more accountable UN Security Council (UNSC). The effort by the UN General Assembly

to make progress in this direction has yet to produce results in the past three decades. Therefore, shifting from a bottom-up to a top-down approach, G20 leaders should consider incorporating a calibrated but forward-looking paragraph on UNSC reform in the Delhi Declaration. A special mechanism is needed urgently to draft a jointly accepted formulation.

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Introduction

he world, in the third decade of the 21st century, is experiencing a polycrisis. As multiple crises relating to health, climate change, food, fuel, and fertiliser security, and a series of geo-economic and geopolitical challenges diminish the effectiveness of multilateralism, the imperative for "reformed multilateralism" becomes more urgent and is gaining widespread acceptance. Yet, the paradox facing G20 under the pressure of industrial economies and other big powers ensures that their leaders cannot still think beyond "reinvigorated multilateralism",1 a phrase used by G20 foreign ministers in March 2023.

A sea of difference divides the two concepts. "Reinvigorated multilateralism" is content with putting some extra energy into the current web of multilateral institutions that have been in existence since 1945 but refuses to recognise their fundamental shortcomings. On the other hand,

"Reformed multilateralism"— a term used by India's Ministry of External Affairs in December 2022²—entails and demands a substantive reform of key institutions so that they become more representative, more democratic, and better designed to help humankind confront present challenges. The need for a "New Orientation for a Multilateral System" (NORMS) proposed by India in December 2022, arises from a widely-shared recognition that the global order should reflect "contemporary realities."

In this context, this Policy Brief attempts to focus on the reform of the United Nations Security Council (UNSC), tracing the background and present status of this issue, and presenting a reasoned case for concrete action on the specific matter of the Council's expansion and enhancement of its representative character. The brief makes two specific recommendations for G20 leaders.

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The Backdrop



n 1945, when the UN had 51 member states, the Charter stipulated that the UNSC would consist of five permanent members (US, UK, France, Soviet Union, and China) and six elected non-permanent members. The selection of elected members was to be determined with reference to their role in the maintenance of international peace, and equitable geographical contribution. The regular distribution of six non-permanent members was the following: two for Latin America, one for East Europe, one for West Europe, one for the Middle East, and one for the British Commonwealth.

The next milestone was in 1965 when the UN membership reached 117 states. The UN General Assembly (UNGA) passed Resolution 1991, amending the Charter and increasing the number of non-permanent seats from six to 10. It also officially divided the seats into geographic regions through which states could compete in elections. changes proved useful up to a point; they made the UNSC marginally more representative and far more competitive than before, thus changing the way it worked. However, by keeping the veto power of the P-5 intact and preserving the distinction between the permanent and non-permanent members, they failed to address the fundamental issue of inequality and imbalance that had historically characterised the Council. No further amendments to the Charter have been permitted since then.⁴

The 'Question of Equitable Representation on and Increase in the Membership of the Security Council' has been on the agenda of the UNGA for over 30 years. It was placed before the General Assembly for consideration in 1979,5 and debates have continued interminably without reaching conclusion. Meanwhile, the world has changed in the past three decades. Today, the UN has 193 member states, and it has become critical to make the UNSC more representative.

To achieve this goal, the Security Council must have adequate representation of member states from Latin America, Africa, Asia, and the Small Island Developing States. The working methods and processes of the UNSC must also undergo a change to make the forum more effective and results-oriented.

The Inter-Governmental Negotiations (IGN) on the UNSC reform were

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unanimously launched by the UNGA in 2007. In 2008, five specific areas were unanimously agreed on, for coverage under the IGN. They were the following:

- Categories of membership
- Question of the veto
- Regional representation
- Size of the enlarged UNSC and its working methods
- Relationship between the UNSC and UNGA.

September **UNGA** 2015, the unanimously adopted a proposal by the then President of the UNGA to use written contributions by 120 member states to help initiate the development of consensus through the tool of negotiation. As a former Indian permanent representative to the UN noted, the momentum was "stymied by the stiff and orchestrated resistance from the P5, led by China."6

So far, nothing has been achieved through the IGN process—contrary to popular perception, no negotiations take place and representatives only make speeches. The IGN suffers from serious flaws, as Ambassador Csaba Kőrösi (from Hungary), the current President of the UNGA, stated at a meeting hosted by the Indian Council of World Affairs in New Delhi on 30 January 2023. He disclosed that it works with neither a text, nor an agreed procedure and an accepted deadline.⁷

India's External Affairs Minister S. Jaishankar said there is "no record-keeping that allows progress to be recognized and carried forward." He added, "Not just that, there are actually suggestions that negotiations start when consensus has been achieved! Surely, we cannot have a more extreme case of putting the cart before the horse."

This analysis highlights the fact that the IGN needs to change, and begin involving an adequate negotiation process.

Proposal



t is time for the UN to change tracks and assume a truly serious, earnest, professional and results-oriented approach. Since the bottom-up approach followed so far has failed, especially in the current era where the world is faced with increasingly grave challenges, it is time to try a top-down strategy, but without completely abandoning the bottom-up approach. A judicious combination of the two may secure a more satisfactory outcome.

This proposal consists of two segments, as spelled out in the following paragraphs.

The first segment—and this is the essence of the proposal—recommends that G20's highest political leadership choose the forward-looking concept of 'reformed multilateralism' over the narrow and limited idea of 'reinvigorated multilateralism'. The goal is simple: the present multilateral order must reform itself; its mere reinvigoration will not do. The present geopolitical divide is a challenge, but policy sagacity and courage demand that those supporting the desired reform may stand up and be counted. Essentially, this will involve supporting the proposal, favoured by a majority of the members of the General

Assembly, that the UNSC be expanded (both in its permanent and non-permanent categories), and made more representative and more democratic.

The second segment comprises the following two recommendations.

First recommendation: India's G20 presidency has created an elevated level of expectations that, despite the current polarisation in the grouping, some progress can be achieved to reform multilateral institutions, particularly the UNSC. Therefore, G20 has a special responsibility. The current UNGA President, answering this author's question during the above-mentioned meeting at ICWA, stated that the G20 is in a position to play a helpful role in devising solutions to the challenges facing the world today:

"It is up to the members of the G20 to run this platform as a consultative platform, or a platform to lead the world, to show an example by doing. I hope the Indian leadership will help us to take us closer to some solutions because only actions, only investments, and only cooperation can save us from the worst in a number of issues."

There is consensus on the G20 not ignoring its responsibility to end the impasse in several multilateral institutions today. However, G20 leaders need to be selective when it comes to the priorities of the reform process. The UNSC should receive priority attention in 2023. The goal should be to agree on the inclusion of a substantive paragraph on UNSC reform in the Delhi Declaration. A section similar to the balanced formulation agreed upon recently by the Quad foreign ministers can represent a solid way forward.10 It may be added that other regional organisations such as CELAC, ASEAN and the African Union have also lent support to the reform and expansion of the Security Council.

The proposed paragraph, for the consideration of G20 leaders, should:

i. express the leaders' clear commitment to the concept of "reformed multilateralism", voice support for creating, on a priority basis, a truly representative, democratic, and expanded UNSC (in both permanent and non-permanent categories), call for the intensification of the IGN

negotiations based on a written text, adhering to agreed procedures, and working towards a one-year deadline of December 2024;

ii. provide a review of progress on this question at the G20 Summit in 2024.

Second recommendation: To negotiate the proposed paragraph, a special mechanism will be needed, given the history, deep complexities and persisting divergences on this subject. The UN process by itself is inadequate to break the impasse created by those opposed to reform. Therefore, India, as the G20 presidency country, should convene as soon as possible a special meeting of the Sherpas, Foreign Secretaries and Permanent Representatives to the UN of all G20 countries. Through candid, constructive, and closed-door discussions, participants may be tasked to draft a meaningful formulation that should be acceptable to most, if not all, participants. A paragraph backed by an overwhelming majority of G20 member states will carry political weight. Differences, if any, may be resolved later through the top leaders' personal engagement at the Delhi Summit.

PROPOSAL 11

An unequivocal call for advancing serious text-based and time-bound negotiations to make the UNSC more representative and reflective of today's realities could be highly beneficial for the UN and a significant achievement of the G20 Delhi Summit.

Attribution: Rajiv Bhatia, "A Proposal for U.N. Security Council Reform," T20 Policy Brief, May 2023.

Endnotes

- 1 'G20 Foreign Ministers' Meeting: Chair's Summary & Outcome', *Ministry of External Affairs*, para 5, March 02, 2023, https://mea.gov.in/bilateral-documents.htm?dtl/36320/G20_Foreign_Ministers_Meeting_Chairs_Summary_Outcome_Document
- 'Visit of External Affairs Minister to New York for Chairing Signature Events of India's December Presidency of the UN Security Council (December 13-15, 2022)' Press Release, Ministry of External Affairs, December 12, 2022, https://www.mea.gov.in/press-releases.htm?dtl/35990/ Visit_of_External_Affairs_Minister_to_New_York_for_Chairing_Signature_Events_of_Indias_ December_Presidency_of_the_UN_Security_Council_December_1315_20 Inter alia, it stated: "The primary focus of the Open Debate on Reformed Multilateralism is to encourage all Member States to seriously address the pressing need for reforms in the
 - to encourage all Member States to seriously address the pressing need for reforms in the global governance multilateral architecture, including the long-standing reforms of the UN Security Council. The meeting will also witness briefings by Secretary General of the United Nations and the President of the 77th UN General Assembly."
- StatementbyExternalAffairsMinisterattheUNSCOpenDebateon'MaintenanceofInternational Peace and Security: New Orientation for Reformed Multilateralism', Permanent Mission of India to the UN, New York, December 14, 2022, https://pminewyork.gov.in/statementsearch?id=ey Jpdil6IINza09UVytxWTZDYVN1NW9TNVVnY3c9PSIsInZhbHVIIjoidnFhQWxTd3E2Z jl2NkpESklxOExcL0E9PSIsIm1hYyl6ImVIZDI3NGM3ODQxZmViMDhIZTM1YzlhNDZmMD BjOTAzYjRmYzdh NTU4NzY1NGJhYjhjYzUwY2lwYjNkMDU5NzYifQ==
- 4 Anjali Dayal and Caroline Dunton, 'The U.N. Security Council Was Designed for Deadlock Can it Change?' *United States Institute of Peace,* March 1, 2023, https://www.usip.org/publications/2023/03/un-security-council-was-designed-deadlock-can-it-change
- For details, see a crisp summary of developments in the essay: Manjeev Singh Puri, 'Advancing Reformed Multilateralism Needs a Reformed Security Council', Advanced Reformed Multilateralism, *ICWA*. https://icwa.in/pdfs/AdvancingReform.pdf
- Asoke Kumar Mukerji, 'Advancing Reformed Multilateralism in the Changing World', *ICWA*. https://icwa.in/pdfs/AdvancingReform.pdf
- '40th Sapru House Lecture by H.E. Ambassador Csaba K rösi, 77th President of the UN General Assembly on Solutions through Solidarity Sustainability and Science at the UN', Transcript of the Q&A session of the event, January 30, 2023. The following answer by the eminent speaker to a question revealed the brutal reality of the IGN process: "Does it have a time frame? No, for the time being, it does not. Does it have a negotiated text? No, it does not. Does it have a reliable procedure for work? Not really. Why? Have you ever seen a negotiating process which has no text to negotiate? Have you ever seen a negotiating process which has no clear-cut time frame on when to deliver? Unfortunately, that is how member states decided when they created the idea of IGN. Let me be very provocative.

Intellectually, it will not be difficult to draw the reform of the Council within half an hour. It's not a big challenge. Why we cannot do it, why member states cannot do it is because the interests are very much divided. The member states are very much divided. For some, it is more preferable to see the current dysfunctional stage than to embark on reform that would change the whole story. I wish I could tell you that the President comes and tells what should be done and it be done by end of the year. No, it is not the case. It is a process." https://www.youtube.com/watch?v=pSd5o1Uh6Wc&t=1833s

- Statement by External Affairs Minister at the UNSC Open Debate on 'Maintenance of International Peace and Security: New Orientation for Reformed Multilateralism', Permanent Mission of India to the UN, New York, December 14, 2022. https://pminewyork.gov.in/statementsearch?id=eyJpdil6IINza09UVytxWTZDYVN1NW9TNV VnY3c9PSIsInZhbHVIIjoidnFhQWxTd3E2ZjI2NkpESkIxOExcL0E9PSIsIm1hYyI6Im VIZDI3NGM3ODQxZmViMDhIZTM1YzIhNDZmMDBjOTAzYjRmYzdhNTU4NzY1NGJhYjh jYzUwY2IwYjNkMDU5NzYifQ==
- '40th Sapru House Lecture by H.E. Ambassador Csaba K rösi, 77th President of the UN General Assembly on Solutions through Solidarity Sustainability and Science at the UN', Transcript of the Q&A session of the event. January 30, 2023. https://www.youtube.com/watch?v=pSd5o1Uh6Wc&t=1833s
- 'Joint Statement: Quad Foreign Ministers' Meeting', Ministry of External Affairs, March 3, 2023. https://mea.gov.in/bilateral-documents.htm?dtl/36323/Joint_Statement_Quad_Foreign_Ministers_Meeting





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