

# WORKING TOGETHER TO REFORM THE UN SECURITY COUNCIL?

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The Third India-Africa Forum Summit to be held in New Delhi in late October 2015 provides a unique opportunity for discussions on a range of key global issues, including reform of the United Nations Security Council (UNSC). While both India and Africa are keen on UNSC reforms, their approach and ultimate goal vary considerably.

In 1965 the number of non-permanent seats on the UNSC was increased from 6 to 10. Since then no proposal to reform the Council has been able to garner the required two-thirds support in the UN General Assembly (UNGA). This is despite the fact that UNSC reform has been on the agenda of the UNGA since 1979, when India – supported by a number of others – and then Latin American states proposed changes to its size. In 2006-07, the president of the UNGA again convened a series of meetings of the Open Ended Working Group on the ‘Question of equitable representation on and increase in the membership of the Security Council’. Two sets of facilitators were appointed, first consisting of five and then two members to guide the process. In September 2007, it was agreed to start intergovernmental negotiations, the modalities of which were finalised a year later in UNGA Resolution 62/557. Negotiations officially started early in 2009. Subsequent years saw the development of a 30-page ‘negotiation text’ based on submissions from member states that soon led to an impasse over version 2 versus version 3, among others.

During 2005-07 efforts by the G4 group, comprising Brazil, India, Japan and Germany, battled it out to stalemate with the Uniting

for Consensus group, the African Group and others. Lacklustre meetings thereafter produced no progress and the process has been effectively moribund for several years. While there is agreement amongst many countries (with notable exceptions such as Pakistan and China) on the need to include India in some type of permanent or semi-permanent role in a reformed UNSC, progress on this one aspect is impossible without reform that would deal with the many other glaring deficiencies such as the lack of permanent African representation. Thus India’s UNSC ambitions are closely linked to the fulfilment of Africa’s own expectations. The UK, France and Russia are, for example, well served by the current arrangement, which accords them privileges they could not otherwise obtain.

Developed from its previous position, known as the Harare Declaration, the African Union (AU) tabled its proposal (the Ezulwini Consensus) in July 2005. The Ezulwini Consensus calls for 11 additional members on the Security Council, increasing its size to 26. It proposed that Africa get two permanent seats and five non-permanent seats that would rotate between African countries. The AU position is that new permanent seats should gain all the existing privileges, including veto powers, and that the AU would ‘choose’ the two new permanent seats. According to some interpretations, this would open the door to rotating countries being accountable to the AU, but this is not formally agreed. Nigeria and South Africa, two of the contenders for these seats, have indicated a degree of flexibility on the issue of the veto but have argued that they would serve in their national capacity when

elected by the AU. Egypt is generally seen as the third important candidate and has the advantage of straddling the call for greater Arab representation. While South Africa is the only African member of the BRICS (Brazil, Russia, India, China and South Africa) grouping as well as IBSA (India, Brazil and South Africa), its partners in these groups, including India, have not come out in clear support of a South African candidature for a permanent seat. And, like India, a number of countries from its Southern African neighborhood oppose Pretoria's ambitions for permanent status.

In April 2015, and after several months of consultations, the chairperson of the intergovernmental process on UNSC reform, Jamaican Ambassador E Courtenay Rattray, circulated a one-page 'framework' outline consisting of various headings, which member states were requested to populate with their suggestions on reform.

The results are now summarised in a 25-page consolidated framework document dated 31 July 2015. Perhaps the most important difference to previous closed-door discussions is the public availability of the letters and texts that have been submitted by all states and groups, including the consolidated working text.

An examination of the text reflects that movement will be extremely difficult. There are signs of an emerging consensus on the size of a reformed UN Security Council but little else. The framework document does reflect widespread (but not complete) support to include India in some type of permanent (or semi-permanent) category of seats, but only along with others. All generally refer to increased representation for Africa in some manner or another.

Eventually Rattray's framework document was adopted by general acclimation in the General Assembly on 14 September 2015 (A/69/L.92) instead of a vote, despite the continued objections by countries such as China and others. In theory this now establishes the basis for

text-based negotiations although it remains to be seen how negotiations could proceed given the objections of a number of powerful members of the UN General Assembly and their proven ability to rally others to their cause.

Key positions on reform remain as entrenched today as they have been for several decades and the prospects for progress are faint. Inevitably the processes that are going to follow during the 70th session of the UNGA will disappoint.

With global competition and flux at its current high level it is unlikely that a state-led process could see any movement on UNSC reform without a change in approach. As was evident from its inability to act on Syria and Ukraine in 2014 and 2015, the veto – or the threat of using it – by any of the permanent five (P5) members paralyzes the Council. Today the veto is the most serious impediment to the ability of the UNSC to fulfil its global mandate. Apart from the fact that most of the so-called penholders, which take charge of a particular topic, are among the P5, every resolution needs to satisfy all the P5 members. The result is often a rush to the lowest common denominator, with efforts to keep the P5 on board taking precedence over all other considerations.

The inordinate influence that the P5 has on the workings and decision of the Council is a particular source of frustration to African countries, as well as to India, generally recognized as having a legitimate claim to such privilege based, amongst others, on its 18 per cent of global population, its leadership in the Non-Aligned Movement and its expansive role in peacekeeping over the years. Divisions amongst the P5 frustrate efforts to engage constructively on the Middle East while it is very likely that the Council will continue to need to focus on supporting Africa and the Middle East, the two regions with the highest armed conflict and terrorist burden globally.

A realistic prospect for movement needs to balance three divergent requirements: the

constraints of power politics (P5 intransigence in particular); the need for effectiveness/capacity (ie. minimum criteria for membership); and the need for increased legitimacy and representation (which is only achievable when countries are elected onto the Council, representing regions). While India and Africa might qualify on all three criteria, this task would necessarily have to unfold over time, to accompany rather than pre-empt global re-alignments in power and influence.

Looking ahead, a reformed UNSC that seeks to provide for a continuation of permanent seats in some form or another would be difficult. On the one hand it would have to accommodate the two great powers of the first part of the 21st century – the U.S. and China – both very comfortable with their current veto power. But towards the latter part of this century India will also expectedly emerge as a third ‘great power’, buttressing its claim to membership whilst the EU, should deeper integration occur, could claim its role as a fourth global pole. This could only happen at the expense of the role of the UK and France, both of which are current per-

manent members. When critics point out that the veto makes the Council dysfunctional, it is likely that an increase in the number of countries with this power would improve efficiency. As a result it appears unlikely that the majority of member states would agree to allow additional countries a veto, as advocated by the G4, L69 and the Africa Group.

Clearly only a paradigm shift in approach could unlock reform. The hot, flat and interconnected world of tomorrow requires a shift from the competitive management of global issues to a collaborative security framework. India and Africa can lead by adopting a principled approach to UNSC reform that moves away from effort by individual countries to advance their interests towards a more flexible, regionally based process of electing countries onto the UNSC, allowing longer terms and re-election for global and regional powers and shorter, non-renewable terms for others. The India-Africa Summit could be an opportunity to discuss an approach with the potential to unblock the impasse.