



Exploring the possibility of reforming the Security Council



GA6

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Introduction

The Security Council has undergone very few changes since its creation in 1945, however, the call for reform has been growing louder after the world bore witness to the Council's inability to respond to the Russian annexation of Crimea and invasion of Ukraine. The bureaucratic delays have hindered the Council's ability to solve the crisis, as Russia simply vetoed any resolutions calling for a ceasefire. Many blame the Council for the worsening humanitarian crisis in Ukraine, which has brought questions of reform back in the public sphere, especially questions about the legitimacy of the veto.

Recently, another resounding failure has branded the Security Council as the United States vetoed a ceasefire resolution between Hamas and Israël. Once again, the great powers of the world, a status which has been enshrined through the position of permanent Security Council member, appear to have the most say in all matters.

More and more, the question has been posed; should we reform the Security Council to better reflect new geopolitical realities? If so, how can we go about such a change while navigating increasingly complex international conventions and relations?

Definition of Key Terms

Ad Hoc meeting

Temporary meeting of people brought together to discuss specific matters or solve an urgent problem.

Collective Security

A principle by which states cooperate in order to prevent or stop wars. Also a centralized system of international rules regulating the use of force in order to preserve peace, as defined in the UN charter.

Embargo

A restriction placed upon commerce and trade with a targeted country, usually put in place as a means of sanction.

Penholder

A designated Council member who takes the lead in drafting resolutions on particular issues or conflict. The penholder is tasked with the coordination of negotiations among Security Council members to reach a consensus by garnering broad support to pass written resolutions.

Sanction

Designates a broad range of enforcement measures without using armed forces, which typically impose a ban on trade, but can also involve restrictions on cultural or diplomatic relationships with the involved country.

Veto

The right of a permanent member of the UN Security Council (France, China, United Kingdom, United States, Russia) to decide to not pass a resolution, even if there are a majority of votes in favor of passing it.

General Overview

Structure and function

The Security Council was established under the 1945 UN Charter as one of the main organs of the United Nations. It is designed to hold 15 members, including 5 permanent and 10 non-permanent members elected for two-year terms by the General Assembly (requiring at least two-thirds of the Assembly's vote). The Security Council is tasked with the main goal of maintaining international peace and security following UN principles stated in the Charter, which also authorizes the Security Council to call on involved states to enact solutions via peaceful methods such as negotiation. The Council takes the lead in identifying threats to world peace or collective security through a thorough process of investigation. From a bureaucratic standpoint, they are also in charge of recommending admission of new Members to the UN and of recommending to the General

Assembly the appointment of the Secretary-General, they also hold great weight in the nomination of judges to the International Court of Justice.

The Security Council promotes the peaceful resolution of disputes by recommending methods of adjustment, terms of settlement or other non-violent actions that should be taken. However, if negotiations fail, following Chapter VII of the UN charter, the Security Council can resort to imposing sanctions on aggressors by calling on Members to apply pressure on countries involved to cease their violent actions. The Security Council can even authorize the use of force and military action to restore international security if measures taken continue to fail. To this effect, they are able to organize the trusteeship functions of the UN in strategic and conflict-ridden areas. The Security Council organizes peacekeeping missions and currently oversees twelve operations and a total of eighty-eight thousand personnel.

Sanctions have become the Security Council's most frequently employed tools after the end of the Cold War. Indeed, they had only resorted to sanctions twice before 1991. The first time in 1966 they voted for a trade embargo against Zimbabwe and the second time, in 1977, enacted an arms embargo against South Africa to protest apartheid. In the early 1990s, the Security Council resorted to sanctions in regards to the crisis in Iraq, former Yugoslavia and Haiti. "Smart sanctions" emerged in Iraq as a response to the Gulf War that specifically targeted economic and political matters and specific individuals who threatened international peace and order. These smart sanctions have been privileged over full and comprehensive embargos, however, they have brought new human rights considerations to the table, such as the right that the UN has given itself to impede a population's access to necessary goods and services. In 2023, more than 600 individuals and 300 hundred types of goods and services are targeted by sanctions.

The Council holds meetings that are open to all UN Members, but also frequently holds meetings closed to all except Council members. Additionally the Council can convene Ad Hoc meetings to discuss urgent threats to international security. Security Council Members may be selected to hold penholder status. This position gives Members the priority in drafting certain resolutions, however, this also comes with the responsibility and necessity to coordinate negotiations in order to pass said resolutions. The designation of penholder is generally an informal arrangement which enables the Security Council to be more effective in its proceedings.

Additionally, to streamline the process of coordinating and negotiating, the Security Council functions with a rotating presidency. A Member state is designated as president and is tasked with presiding over the Council. Concretely, this means that the president must organize and preside over

formal sessions and set the agenda for Council meetings. The president of the Council also takes on a diplomatic role by representing the Council in meetings with Member states outside of the Council and international organizations in different settings, such as international summits or conferences.

One of the particularities of the Security Council is the existence of a procedural vote, which allows Member states to vote on the formal procedure and conduct of discussions and meetings, separate from the actual content of the discussion pertaining to the resolution. A procedural vote may concern the order of speakers or how long a debate may last, and can be decided by a majority of Council members. However, the procedural vote has been criticized in the past for allowing some Member states to use the vote to delay discussions and obstruct the Council's ability to address urgent matters.

Visiting missions, visits undertaken by Council members to gather firsthand information and a better understanding of situations on the ground are often conducted by the Council for a number of reasons. This enables the Security Council to gain a better comprehension of the complexity of the situation through information beyond what they have had access to reports, documents and other such indirect sources. Through these missions, they are able to cooperate better with local authorities and communities to formulate durable solutions to issues. However, these missions conducted in countries pose questions on situations where countries deny access to the Security Council, in which case it is unspecified whether or not it is within the Council's right to infringe on the sovereignty of the involved nation by entering regardless.

Key criticisms

The Security Council, since its creation, has faced criticism about its veto power. The status of permanent member and veto rights were attributed to five countries in the aftermath of World War 2, generally considered to be the victors of the Great War. After the United States, the Soviet Union and the United Kingdom claimed their positions as leaders of the post-war world, the United States called for the inclusion of the Republic of China (Taiwan) while the UK invited France to the table. Despite their crushing defeat in the war, France was eager to regain power and respect as a permanent member, though their history is a constant reminder of their fragile position within the Council.

The first major concern that has been brought up is whether or not the current structure of the Council is a true reflection of the current geopolitical reality. Barring the Council's expansion from six to ten elected members in 1965 and the People's Republic of China replacing the Republic of China in the P5 in 1971 after the world shifted to recognize communist China as the only lawful

government of the country, it has remained largely unchanged. For many critics, restoring the legitimacy of the Council will be achieved through structural reform to update its unfair and unequal rules. This is to accurately reflect global shifts as emerging countries want to acquire diplomatic power, with the likes of what the P5 possesses. In that vein, countries such as Germany, India, Brazil, Japan and Nigeria have been among those vying for permanent seats of their own. Germany's candidacy in particular has questioned the legitimacy of France's seat, as the latter pales in comparison to its neighbor's influence and power within the European Union and to a larger extent, the world. The United Kingdom has been an outspoken supporter of Germany's ascension to the P5. The UK, along with France and China, has called in the past for additional permanent seats for African and Middle Eastern nations. However, in 2013, Saudi Arabia declined a nonpermanent seat after it had been elected, protesting the absence of institutional reform and highlighting the ever-growing resentment of non-P5 nations.

It has been argued that greater representation, symbolized by the expansion of the council, and the effectiveness of the Council, cannot coexist. While an expansion could help the Council's legitimacy and authority, many argue that it would present an obstacle for its efficiency and effectiveness. However, experts such as social sciences expert Rohan Mukrhejee, have pointed out that the legitimacy of international organizations and institutions depends less on performance than on equal, inclusive and fair representation. Indeed, they argue that the UN exists to represent the interests of every nation, of the world, much more than it exists to act on those interests. In fact, they argue that the performance of any organization declines as their legitimacy is put into question, since that would push Members to refuse compliance to a perceived illegitimate authority. Therefore, adding more permanent seats could help the Council's effectiveness.

The debate surrounding permanent membership has become the theater of geopolitical competition and tension. If the P5 have been more vocal in asking for reform, it is arguably a reflection of their attempt to court emerging nations, new powers on the international scene. The UK has notably called for the accession of India and Brazil to the status of permanent members, trying to foster closer relationships with the latter.

There is however little chance that the veto will be eliminated, as it was the sole condition for the UN's existence and authority. It acted as the condition for the UN's ability to pass legally binding resolutions on Members, as long as the P5 could block any potential threats to their national interests. A complete revision of the UN charter and legal foundation of the UN, as well as the agreement from the powerful P5 who benefit the most from the veto (and who are unlikely to adhere to the possibility of eliminating the veto), would be the requirement for significant Security

Council reform, which rather complicates things. The sole formal reform of the Council allowed, the expansion of elected states, has proven to be a valuable change and allowed for better representation, favoring new multilateral action and solutions. This change had not truly taken power away from the permanent members, but it helped other countries gain power and to propose their own share of ideas and tools for multilateralism, even with the obstacle of P5 obstruction. Therefore, many nations are optimistic about the prospects of reforming permanent membership.

Rising discontent of the E10 and marginalized nations

Eligibility to be elected to the Security Council as a non-member relies on two main factors. The main criterion is the ability to considerably contribute to keeping international peace and order. Concretely, this refers to a country's ability to provide significant funds and troops to peacekeeping operations led by the Council. However, the second criterion is defined as "equitable geographical distribution." This means that the election of E10 (elected 10) members must consider regional representation by electing countries from each region. This has allowed the election of three African nations, two Asian-Pacific members and two from Latin America and the Caribbean.

The elected 10 members have recently started to present as a more cohesive and united front, notably when facing the P5. Experts have partly attributed this to diplomatic initiatives taken in 2017 which have allowed more open dialogue between these countries. Indeed, this has lessened the struggle of E10 countries in the past who were unfamiliar with the finer details of Security Council procedure and the ways to bypass certain laws. To this effect, Finland has held since 2003 meetings for nations to gain a better comprehension of the Council's procedural rules, which has helped to lessen some of the advantages held beforehand by the P5. The E10 has furthermore advocated for transparency in procedures as well as cooperation between the Security Council and actors exterior to it.

Years of constructing strategic alliances and advocating for the recognition of E10 Members has enabled the E10 to greatly expand their influence in the Security Council, also often mobilizing the strong ties some may have with a P5 member to become a credible negotiator with the P5 and push more effectively for compromise with the permanent members, acting as a liaison between the E10 and P5. In the 1970s, members of the Non Aligned Movement (NAM), after having been elected to the Council, continued to coordinate with their fellow members in order to create a negative veto, which would allow them, using all the NAM members in the Council, to pass a resolution every time, barring a P5 veto. Meaning they could achieve their goals without challenging the P5 or

enacting formal reform. In practice, this was not always the most effective strategy, but the idea of presenting as a united front persisted.

Simultaneously, there exists increasing tensions between different blocs, notably on questions of reform. They all largely agree on the need to reform the Security Council, however diverge on whether or not it is necessary to increase the effectiveness of the Council or to ensure a better representation. The emerging G4 coalition, made up of India, Japan, Germany and Brazil, the main candidates for permanent membership, support maintaining the current status and power of the P5, though they are also calling for permanent seats for African countries.

The second block that has emerged is composed of the G4's main regional contenders, notably, Mexico, Italy, Turkey, Pakistan and South Korea, which have united under the Uniting for Consensus coalition (UFC). The UFC, in contrast to the G4, has opted to advocate for representation oriented reform, calling to expand E10 membership, which would allow more of them to access membership, rather than reinforce the existing hierarchy.

The third major coalition is the African Union (AU), composed of 54 members, who have agreed to the Ezulwini Consensus in 2005, calling for two permanent seats for Africa, with full powers, therefore partisans of maintaining the current powers of P5 members.

Timeline of Key Events

Date

8th of May 1945

24th of October 1945

17th of January 1946

16th of December 1966

33rd of August 1965

Event

The end of World War II in Europe.

The creation of the United Nations through the ratification of the UN charter by all Member states.

The Security Council meets for the first time in London, United Kingdom.

The Security Council adopts Resolution 232 which calls for an embargo on all military equipment to Southern Rhodesia (Zimbabwe) in response to the declaration of independence by white Rhodesians in 1936, this is the first instance of a UN-sanctioned embargo.

The Security Council expands from six

25th of October 1971

non-permanent members (E10) to ten.

The People's Republic of China (PRC) replaces the Republic of China as a permanent member of the Security Council after the UN recognizes the PRC as China's only legitimate government.

4th of April 2004

Creation of the G4/

12th of March 2005

The Ezulwini Consensus is adopted during the Extraordinary Session of the Executive Council of the African Union.

21st of September 2022

Biden makes a speech to the General Assembly, affirming American support for the expansion of permanent seats and non-permanent seats

Major Parties Involved

United States

The United States is a permanent member of the Security Council, possessing full veto powers. In light of the current war in Ukraine and Russia's subsequent vetoing of ceasefire resolutions, the current administration has announced the country's stance on increasing the number of permanent and non-permanent seats in the Council. They have specifically asked for permanent seats for their known allies, such as Japan and India. This has reshaped the current diplomatic terrain and reignited discussions for reform

Russia

Russia, as a P5 member, has historically been hesitant about expanding permanent membership to the Council, reflective to an extent of their diplomatic isolation. While most Members have opted to avoid discussing matters related to Ukraine, both the United States and Russia have successfully, greatly due to their status within the Council, pushed resolutions on the war to the forefront of Security Council meetings. Russia has been using its position to aid in its diplomatic endeavors, pushing for the withdrawal of UN peacekeeping troops in Mali, for its own forces, notably Wagner private military contractors to move in the country.

China

China, much like Russia, if not more vocally, opposes the expansion of permanent Council membership, especially in regard to the G4's possible ascension to permanent membership. China has publicly aligned itself with the UFC, joining the voices calling for expansion of the E10. However, some diplomats have accused China of covertly using their diplomatic weight to block any and all advances in reform.

United Kingdom

Both France and the United Kingdom have been the most adamant on full structural reform of the Council. The United Kingdom in particular has been keen on showing its commitment to responding to criticism of Europe's disproportional representation in the Security Council, calling for expansion, as well as advocating for the review of the use of the veto.

France

Much like the United Kingdom, France has been the target of more and more criticism, with some even calling for the country to relinquish its permanent seat. As the only non-victor to earn a seat in the wake of World War 2, the status of the country has always been questioned, its detractors qualifying the country as the weakest member. France has thus clung onto this status which they believe to "upgrade" their power, seated at the side of the world's biggest powers, an undeniable advantage on the international scene.

G4

The G4 coalition is made up of India, Japan, Germany and Brazil, the main candidates for permanent membership. They define themselves by their firm stance on maintaining the current status and power of the P5, but believe that the P5 should reflect the new geopolitical reality and advocate for their ascension to permanent membership as established powers of the global scene.

UFC (Uniting for Consensus)

The UFC is a group of countries that have come together to present a common stance on the issue of Security Council reform, one which pushes for the expansion of non-permanent seats or even creating a new category of elected seats without veto power, but with a longer term. They also exist to counter the influence of the G4, worried their regional rivals will soon outweigh them in the Council.

African Union (AU)

The AU comprises 54 African countries that have signed the Ezulwini Consensus, which outlines the need to increase the representation of African nations with increased permanent seats, with the same privileges as current members. However, there exists significant tensions within the group, unable to agree on which countries should be given these new permanent seats. The most likely candidates are Nigeria and South Africa, however, they face significant opposition from their regional rivals, countries such as Egypt, Ethiopia or Kenya.

Possible Solutions

As previously discussed, different proposals for reformation have been brought forth by different countries. However, a reform proposal that would have any chance of being enacted would need to consider the current power distribution in the Council as a potential obstacle to voting reforms, as well as the different geopolitical tensions that have further complicated the matter. Solutions would have to keep in mind all these factors, as well as focus on the question of expanding both permanent and non-permanent membership, along with considering potential changes in procedure which could make the Council more effective.

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