

# The Imperative for Reforming the UN Security Council

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# Rationale

- Violent conflict is a major impediment to national development
- The UN Security Council is the principal forum with responsibility for global dispute resolution.
- Yet widespread criticism of its structure, methods and inability to resolve some major disputes is undermining its legitimacy
- Many observers despair about structural reform.

# Overview

- The Security Council (SC) has the awesome responsibility for maintaining international peace and security. Despite the disproportionate power of the permanent five (P5), elected members (E10) which are imaginative and industrious can make influential contributions to the effectiveness of the Council's processes and decisions.
- One implication of this is that reforming the Council's unbalanced membership by increasing the number of elected members would not only be the most feasible option available but could also be the most effective.

# Growth in the Council's Significance

- In the mid-eighties the Council met about once a week; it adopted about 20 resolutions a year; and there were only five small peacekeeping missions.
- In 2013 and 2014 the Council adopted an average of 55 resolutions a year; and issued 40 presidential statements and 112 media statements annually. There are now 15 peacekeeping missions; 13 political missions; 19 subsidiary bodies overseeing sanctions; and 12 thematic issues on the Council's agenda.
- This transforms the E10's opportunities.

# P5 Power

- To what extent can the Council resist the pressure of US policy preferences? America's sense of global responsibility can have great value, but it can also lead to excess.
- Since the Cold War the P5 have been a dominating bloc, when their national interests don't conflict.
- On major issues they collaborate, and need only four E10 members for a majority.
- Some decisions are adopted because of E10 passivity.
- However US failure to achieve a resolution on Iraq in 2003; and prolonged deadlock over Syria demonstrate difficulties of control.

# Constraints on Elected Members

- The US attempts to control most issues with which it engages
- The P3 control the agenda and resist most deviation from their preferences: 80% of resolutions are drafted by the P3
- The P3 allocate pen-holding and chairing of sanctions committees
- The P5 have a veto and require only four elected members to vote with them to have a majority
- They keep most consultation meetings closed
- P5 power can intimidate E10 members. Some complain of P5 stranglehold. There are complaints of inability to find a third way between the P3 and Russia and China.

# E10 experience

- Colin Keating, former New Zealand Ambassador to the UN and first Executive Director of Security Council Report concludes that 'a number of small countries have demonstrated in recent years that it is ... possible to assert a leadership role' and cites Austria, Costa Rica, Denmark, Guatemala and Uganda as examples.
- Brazil, Germany and Australia have provided recent examples of how elected members can navigate the constraints of elected membership.
- Yet there are limits to the extent to which elected members can improve the effectiveness and legitimacy of the Council in the absence of structural reform.

# The influence of the E10

- The influence of elected members partly depends on their own determination. E10 passivity and reluctance to assert either principles or even their own interests has repeatedly limited their influence.
- The E10 can increase their influence if:
  - they have clear goals,
  - their mission is adequately funded and staffed,
  - they recognise the imperative of choosing priorities
  - They prepare carefully,
  - Are active in dialogue with other member states, and
  - Are lively, innovative, focused, unpretentious networkers in partnership with other Council members, elected and permanent.

# Implications for SC reform?

There is virtually universal recognition of inequities in the structure of the Security Council. This is causing declining legitimacy, so that structural reform is imperative.

However, more than two decades of debate have failed to generate support for any concrete proposal by two thirds of UN member states and the governments of the permanent five members, which are the Charter's requirements for such reform.

There is such scepticism and opposition about all of the proposals to create more permanent members that none of them seem feasible.

# The framework for reform

- This suggests that creating more positions for elected members is the most credible option.
- This would increase the Council's representativeness, inclusiveness and accountability and so its effectiveness and legitimacy.
- The framework paper prepared in 2015 shows that at least 154 member states support increasing the number of elected members.

# A proposal for membership reform

- 118 of those countries replying preferred to enlarge the Council to between 21 and 27 seats.
- A means of doing this would be to increase the number of elected members by eight to 18 and the Council to 23.
- This would substantially alter Council dynamics. The ratio of elected to permanent members would grow from 2:1 to 3.6:1, substantially strengthening elected members voting weight. Twelve votes would be required for a majority.

# Costs and benefits

- Meetings and internal negotiations would take longer.
- The Council would be more difficult for the P5 to control.
- But more regions and issues would be directly represented.
- The risk of conflicts deserving attention being neglected would decline.
- The strength of UN member states' engagement with the UN would increase as more states experienced participation in debates about peace and security.
- Each member could only expect to chair the Council once in a two year term.

# Extending the term of elected members

- Extending the term of elected members from two to three years would increase their effectiveness.
- Three-year terms would enhance the capacity for elected members to make a substantial contribution.
- If the size of the Council were increased from 15 to 23 this would mean that six new members would be elected each year ( $E18/3$  years).
- The probability of broad support might be increased if it were to include specification of a fair regional distribution of the elected seats.
- 'What the Council needs is permanent accountability not more permanent members' (Luck, 2016, p. 209)

# Political feasibility?

- Those countries seeking permanent membership would probably be opposed, but this proposal does not rule that out later.
- A major benefit of including more elected members is that a higher proportion of UN member states could be held accountable for Council performance, reducing the risk of 'responsibility shirking'.
- Structural reform by increasing elected membership would strengthen legitimacy, improve accountability and enrich the Council's dynamics.
- It would therefore strengthen the Council's capacity to maintain international peace and security.