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# Theses Towards a Democratic Reform of the UN Security Council

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## **1. Council Reform Badly Needed, but Solutions Are Difficult**

In a world torn by war and violence, we need a far better Security Council to promote international peace and security and defend international law. Since the Council plays a much more active role than in the past, its failures are more evident and its reform is more urgent than ever. But the path to reform is exceedingly difficult. Nations can agree on the Council's shortcomings, but they differ sharply on the necessary solutions. All agree, for example, that the Council's membership and institutional structures reflect outdated geopolitical realities and political thinking, shaped by the world of 1945. The five permanent members, with their vetoes and many special privileges, now arouse widespread criticism as a self-appointed oligarchy. But for more than a decade, nations have been debating Council reform in the UN General Assembly without result. Change in the Council's membership, the most thorny issue of all, requires revision of the UN Charter. Proposals have come and gone, but no membership plan has yet won the needed support for such a major institutional change. At present, a new burst of diplomatic energy has enlivened this important but much-misunderstood issue.

## **2. Council Reform Issues Go Beyond Membership Change**

The debate on membership expansion (and new permanent members) attracts most of the attention, but Council reform involves much more than the chairs around the table and who sits in them. The Council is far too loosely organized and depends far too much on the management of the permanent five (P-5). By design, it has only minor institutional support from the Secretariat, placing impossible burdens on the delegations of elected members and weakening all efforts at institutional development, precedent-setting and organized institutional memory. Incredibly, the Council's rules of procedure remain "provisional" after nearly sixty years of operation. The Council's influential presidency changes constantly in a monthly rotation, producing an organized confusion. Most of the

Council's business takes place behind closed doors, in "consultations of the whole," away from scrutiny and accountability and lacking any record (such as minutes) that could be referenced by future members. The Council passes many resolutions but only haphazardly enforces them, fueling resistance to perceived "double standards" in its actions. Too often it seems the captive of great power politics with little connection to the needs of the world's peoples. The ten elected members of the Council say they feel like "tourists" or short-term passengers on a long distance train. In spite of some minor improvements in working methods, the Council remains inflexible, oligarchic and out of touch with the world.

### **3. The Council Reform Movement Seeks Disparate Goals but Many Want More Democracy**

Calls for Council reform began in the early 1990s, in response to the Council's controversial action and inaction (Iraq and Rwanda for example) and the Council's growing activity in the post-Cold War period. Critics of the Council made seven demands – that the Council be: (1)more representative, (2)more accountable, (3)more legitimate, (4)more democratic, (5)more transparent, (6)more effective and (7)more fair and even-handed (no double standards). Such demands seem reasonable, but they are not easily compatible. A Council of forty members, for example, might be more representative, but it would hardly be more effective. Still, many reformers have sought a more broadly democratic institution that would weaken the oligarchy and create a more diverse and broadly representative body. But reform action has to confront many questions: How best to promote accountability, transparency or other sought-after qualities? How to win political support for a reform package that the oligarchs must accept? And how to bridge the gaps between diplomatic rhetoric and institutional reality?

### **4. Democratic Slogans and Undemocratic Practices**

Reformers sometimes ask: how can even the best-organized Council function effectively and fairly in a world where great powers, like Tyrannosaurs, stalk the global landscape? Powerful governments that claim to champion "freedom," "democracy," and "good governance," have been known to behave despotically in the international arena, bending small states to their will and acting in violation of international law. Such powers sit in the Council and cannot be expected to solve problems that they themselves have created. This can be called the "foxes guarding the chicken coop" problem. Some reform proposals, couched in democratic language, would multiply this problem -- enlarging the oligarchy by adding five or six other powerful governments. More permanent members would scarcely make the Council more representative, accountable,

transparent, legitimate or even-handed. Self-interest, not democracy, motivates these membership claims and a Council loaded with more permanent members would suffer from gridlock and political sclerosis.

### **5. "Realist" Reform Arguments**

Some scholars and think-tank analysts have argued that reform must bow to "realism" and that the Council must reflect the actual distribution of wealth and power in the world, not abstract ideas of fairness and justice. This line of argument shows an important conundrum in Council reform. How can democracy operate in a state system with such huge global disparities of wealth and power? Clearly, the answer cannot be a Council composed largely or entirely of major powers. Such a body could never command sufficient legitimacy much less arrive at fair and effective decisions. Reforms that appear "realistic" today would soon prove thoroughly un-realistic, leading to further domination, bitterness, destabilization and violence. Effective reform can and must solve this problem. Shallow "realist" thinking and the narrow state-interest of aspirants to permanency will not produce the needed innovation.

### **6. Charter-Changing Reform Projects Are Unlikely, Especially for New Permanent Members**

Changes in the UN Charter, like all constitutional changes, must command a very high degree of support in the international community. Proponents of any Charter-based reform plan will face great difficulty in winning the necessary two-thirds vote in the General Assembly and still more difficulty obtaining ratifications from two-thirds of all member states, including the mandatory endorsement of the five permanent members. Assent and ratification by the P-5 will be the most difficult (and unlikely) of all. In spite of public declarations to the contrary, the P-5 are content with the present arrangements and oppose any changes that might dilute or challenge their power or expand their "club." China has already announced it will block permanent membership for Japan and the United States has suggested that it will only support Council reform that commands an implausibly "broad consensus."

### **7. Middle Powers Pursue Self-Interest through Permanency**

Influential middle powers Japan, India, Brazil, and Germany have come together as the Group of Four (G-4), supporting each other's bid for permanent seats on the Council. Brazil would be the only permanent member from Latin America, India and Japan would bring Asia's permanent seats to three, while Germany

would bring Europe's permanent seats to four. Africa claims two new permanent seats of its own and has at least five aspirants, among whom South Africa, Nigeria and Egypt have the strongest claims. In seeking new permanent seats, these 7+ nations must curry favor with the P-5, who can veto their bid for permanent membership. So the aspirants give up at least part of their independence on the world stage and they abandon (for the time being) alternative reform projects that might be more innovative, lasting and democratic.

### **8. Permanent Member Candidates Stir Rivalries that Ensure Defeat**

Japan and Germany have realized that they cannot reach permanent status without other new permanent members from Asia, Africa and Latin America. Ironically, however, these Southern partners make the Japanese-German bid even more unattainable. Each additional candidate for permanent status stirs the opposition of its own regional rivals, multiplying the number of opponents. Thus Pakistan opposes India, Argentina and Mexico oppose Brazil, South Korea and China oppose Japan, and Italy opposes Germany – to name only the best-known cases. In Africa, with many candidates in the wings, rivalry has become even more intense. This complex political geometry assures broad opposition and guarantees defeat for the aspirants. Opponents have come together in an organized grouping called "Uniting for Consensus." The considerable interest attracted by the Uniting for Consensus group and the modest number of co-sponsors of the G-4 proposal suggest the looming collapse of the G-4's reform initiative.

### **9. More Permanent Members Would Multiply the Deformities of Permanency**

If the G-4 resolution fails, as it likely will, the Council will escape from a dangerous and crippling reform. As the past sixty years have demonstrated, permanency of membership makes the Council inflexible and unable to accommodate change. Like "president for life," permanent membership sets the stage for future anomalies and provides no avenue for normal evolution as states' status and power rises and declines in the international system. One ambassador from an elected delegation in the Council called the permanent members mockingly the "H-5" or Hereditary Five, to highlight the anachronism of their status in a world that aspires to democracy. The present five permanent members already burden the Council heavily. Ten or eleven permanents would make matters much worse. Their presence would block future reform and make limitation or outright elimination of permanency far more difficult.

**10. Permanent Members Have Rights but Few Responsibilities**

The Council needs the involvement and support of major states to do its work effectively, but the permanent members often fail to meet their responsibilities. Permanent members have offered very few troops and military support to the Council's peacekeeping operations and some permanent members have even been seriously in arrears with their UN assessments, putting the organization's finances in danger, and preventing needed peacekeeping operations because of funding caps. An unspoken but key reform issue is: how to make those with the most influence and resources more supportive of the Council and of the UN, without the UN giving in to their blackmail and allowing them to call the shots because of their major-supporter status?

**11. More Permanent Members Would Further Block Council Action**

Permanent members, through their veto and veto-threat, prevent the Council from acting on important matters of peace and security that fall within their national interest. Five permanent members already prevent the Council from acting on a very wide range of topics. Five or six new permanent members would exclude many more matters. Indeed, eleven permanents might exclude virtually all topics from the Council's agenda, making effective Council action all but impossible. The aspirants claim that they are ready to agree not to use their veto for fifteen years and presumably this would reduce the problem of blockage – but only partially. Since their votes would be important in Council deal-making, they could still exercise powerful blocking action and impose their national interests in a manner not altogether different from their veto-wielding colleagues.

**12. More Permanent Members Would Burden the UN with more Specially Privileged Members and Special Perks**

The five permanent members have two well-known Council advantages – continuous membership and veto power, both privileges provided in the Charter. But permanent members have wrested many more special privileges and perks for themselves. They insist on the right to control certain high-ranking UN posts and to name the tenants in those posts (or at least have a large influence over who among their nationals may occupy them). They intervene regularly in the workings of the Secretariat and disproportionately influence the wording of reports and the shaping of initiatives. They insist on the right to have one of their nationals sit as a judge in the World Court, so that their interests will be represented there. And they even have their own private lounges at UN

headquarters. These privileges for the Five place a heavy burden on the UN, reducing, as a consequence, the rights and privileges of all others. Adding five or six more states in this "first class" category would be a ruinous development.

### **13. A Middle Tier of Privilege – the "Plan B" Option and its Variants**

The Secretary General's Panel on "Threats" proposed a new type of Council membership – a middle tier that would be elected but for longer terms, so as to provide a semi-permanent status for middle powers. This solution, sometimes referred to as "Model B" or the "Blue Model," is seen as a kind of consolation prize for Germany, Japan, Brazil and the rest. Further, by providing a new category of longer Council terms, it recognizes the problem of the very short, two-year terms that elected members have at present. Another proposal presented in the Uniting for Consensus resolution in July, and known as the "Green Model," proposes simply an expansion of ten more elected seats, with all elected members being able to stand for re-election and win additional two-year terms. These proposals are greatly preferable to adding permanent members but they have a serious disadvantage – they add many new members to the Council, making it extremely unwieldy.

### **14. Enlargement (in Whatever Form) Would Make the Council Cumbersome and Ineffective**

The Council is not a legislature, but rather a body that combines quasi-legislative authority in security emergencies with power for rapid executive action. With fifteen members, the Council is already past the outer limit of the size-efficiency range for an executive body with such big responsibilities. Even in private consultations, ambassadors frequently read lengthy official statements, prepared in capitals. A single round of such "discussion" can take half a day, preventing swift and decisive action. Negotiations are laborious among such a large number of members, and consultations with capitals, time zone differences, and multiple languages add to the burden. Ten or eleven new members would create a hopelessly awkward and inefficient institution.

### **15. Enlargement Would Lead to an All-powerful Executive Committee**

In a famous essay, historian C. Northcote Parkinson used the history of the British cabinet to demonstrate what happens when a body goes past the most efficient size. Ample academic literature makes the same point – when committees get too large, they give rise to executive committees that do all the serious work, or else (worse still) the original body becomes dysfunctional and

irrelevant. At the UN, an enlarged ECOSOC stands as a clear example of how greater size detracts from effectiveness. An enlarged Security Council would only reinforce the power of the P-5 (or P-11) as an executive committee, leaving the elected members (however numerous) more powerless and frustrated than ever.

### **16. Ambassadors with Council Experience Say Enlargement Would Be a Mistake**

In recent years, many ambassadors of elected Council members – from all regions and state types – have spoken privately against enlargement, based on their own two years of real Council experience. Such views have been especially striking since they have often run counter to the pro-expansion positions of their national governments. Ambassador Peter van Walsum, who represented the Netherlands on the Council in 1999-2000, was one of these many practical dissenters. In 2005, from retirement, he wrote a forceful commentary in the *Financial Times*, concluding that “No one can seriously believe a council with 24 members can be more effective than one with 15, but it has become politically incorrect to point this out.”

### **17. Enlargement Is Not an Effective Route to Better Representation**

Member states often argue that added members will make the Council “more representative.” But this is only marginally the case. Adding members adds more states, with their own state interests. Such members only weakly “represent” their region or state-type (poor, island, small, etc.), since there is no system of accountability. Instead, they act primarily on the basis of their own national interest. If they are large regional hegemony, they may seek to increase their hegemony at the expense of other regional states. If they are states involved in civil conflict, they may seek to block Council remedial action (Rwanda notoriously sat on the Council during the genocide) with negative effects on many neighbors. And if they are small and weak states, they may be exposed to great power pressure, bowing often to threats or blandishments and voting according to the interests of the mighty, not the interests of regional neighbors and friends.

### **18. Suggestions for Representation through More Effective Regionalism**

Informal regional arrangements provide the best route to representation on the Council, as a prelude to regional seats. Regional unions of states like the European Union or the African Union will lead in this direction. While the EU has developed furthest, other regional bodies may evolve quickly, including a

proposed body in Latin America. In the meantime, regional groups can pool resources and policy coordination and take steps to make regionally-elected states far more responsive to regionally-agreed policy. Each region could have its own secretariat in New York that could strengthen its own elected members and promote common policies with no Charter revision required. This would help small and poor nations to enlarge their capacity and enhance their ability to participate in the Council on a strong footing. A small state with only three or four diplomats on its Council team suffers from a huge disadvantage compared to members with teams of 20 or more. That same small state, supported by a number of experts from a permanent regional secretariat, would magnify its capacity. The regional secretariat would also give elected members access to institutional memory of the Council, narrowing the huge advantage now held by the P-5. To further strengthen regional ties, member delegations could also include diplomats from other regional countries. Brazil and Argentina have already exchanged diplomats during recent Council terms. Other states could act likewise. But real progress can only take place if stronger regional states give up their hopes for permanent seats. When these states realize that progress depends on common action with their neighbors, they can promote common interests and not theirs alone.

### **19. Towards Restriction of the Veto and Other Special Privileges**

Reform of the Council must seek to restrict (and eventually eliminate) the veto, but this obviously cannot be done in the near future through Charter revision, which itself is subject to the veto process. Instead, states must mobilize pressure and persuasion to get P-5 members to limit their veto use, especially the threatened or "hidden veto" that casts a shadow over the Council's proceedings at all times. If Germany, Japan, Brazil, India and the other aspirant states abandon their quest for permanency, they can provide major diplomatic muscle in this veto-restriction effort along with support for a regional approach to membership. The veto should be immediately ended in such cases as decisions on new UN memberships, election of the Secretary General and other cases rarely touching on core P-5 interests. Similarly, the 185 non-permanent states should make joint efforts to limit other special P-5 privileges, such as claims on high Secretariat posts and World Court seats. Eventually, in the more distant future, permanency itself should be negotiated into well-deserved oblivion and the oligarchy eliminated once and for all.

### **20. Improvement in the Council's Working Methods**

The spotlight on membership, permanency and Charter change has obscured the promising reform possibilities in the Council's procedures and working methods –



changes that can occur with far less difficulty. In the past fifteen years, the Council has slowly been reforming itself, largely under pressure from the ten elected members. The Council today holds more effective public meetings, consults better with non-Council actors such as Troop Contributing Countries, goes on missions to crisis areas, publishes its program of work and targets its sanctions better, to name just a few significant improvements. But much remains to be done. The Council must close the chapter on the famous “provisional” rules of procedure and adopt standing rules at long last. It must hold more open meetings. It must consider ways to draw support from the Secretariat and to have a more institutionalized presidency. It must devolve more work to subsidiary arrangements such as the team coordinators, lessening the burden of discussion imposed on the ambassadors. It must strengthen the work of its expert panels and bring them together into a united information-sharing process. And it must work harder to seek information from the real world and to consult with NGOs and policy actors of all kinds.

## **21. Council Reform Is a Work in Progress, Not a Quick Fix**

Council reform is a process for the long haul, not a quick fix. It must be based on ideas for a more democratic global future, not outworn concepts from the past like permanency and great power oligarchies. In the midst of the present diplomatic furor, it is time to take a more calm and long-term view. What kind of world do we want and how can we patiently find the way there?