



UNSC Reform: India and South Africa`s Bid for its Permanent Seats in Security Council

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Abstract

The United Nations established on October 24, 1945, after the end Second World War, with the big P-5 members of the Security Council. Since that, there had been clamour for changes in the Council. The requisition is that after the establishment of the UN, the geo-political situation of the international system has been changed and the UN should be a better democratic and a regional representative organisation. In this demand India and South Africa have a strong bid as a representative of their respective regions. In the paper there is an evaluation of their candidature in the UN Security Council permanent seats.

Key Words: UN Reform, South Africa`s claim, African Union, Security Council, Peace & Security

“No reform of the UN will be complete without the reform of the Security Council.”¹

At the founding of the UN, 51 countries had participated, and UN Security Council to be formed of the 5 permanent members and 6 non-permanent members. The number of non-permanent members had reached to ten times till 1963. From that time, total members of the UN is now 192. It is near four times more to that of its foundings, however, there is not a single number of expansion in the council, and there is a time to use the reform objectives. Yet, despite it, not a single convergence of thoughts on the pattern of reform of the council.² The drafting time of the UN was totally different, it was the time of end of Cold War II, and the P-5 was discernible winners, while others states were losers once. The aim of the victorious countries was to lead the global authorities and managing the international governing system.³

¹ Mlazine Zorn, “The United Nations Security Council: Reform concerning its Membership-An Overview”, Centre for UN Reform Education, February 2007, p.1.

² Martinin Elisabetta, “UN Security Council Reform: Current Development”, Instituto Affari Internazionali, p.2.

³ Dimitris Bourantonis, “History and Politics of UN Security Council Reform”, Routledge Advances in



In the areas of international peace and security, the objective (objective to governing international system) could be achieved through the creation of a universal organisation as a international frameworkHence the UN was set up, and the Security council had been given the dominant position and under it the General Assembly and other bodies of the UN such as ECOSOC (Economic and Social), the Secretariat, the ICJ (International Court of Justice) were allied, as a specific.⁴Since the foundation of the UN Security Council, the geopolitical realities of the world are changed, and there is a need for a comprehensive reform to the body. Internationally, a consensus has emerged, and it was strengthened by 2005 the Outcome of World Summit, that there is an immediate requirement to redress imbalances in power structures in the UN, representation in the council and a healthy improvement in its working methods.⁵

Earlier this, few proposals had put on the table at issues of reform of the Security Council, and “Razali Plan” 1997 was one of them. It proposed three stage changes of the council, in the first stage,

International Relations and Global Politics, London and New York: Routledge Publication, 2005, p.3.

⁴Ibid.

⁵ Document, “*South Africa in the United Nations Security Council 2007-2008*”, Department of Foreign Affairs Republic of South Africa, p.25.

the General Assembly may vote on a resolution asking for expansion of the Security Council and to include five new permanent members (in which two from industrialised countries and three from developing states, with one each from Latin America and Caribbean, Africa, and Asia; and 4 non-permanent members. The four non-permanent members will be from Eastern Europe, Latin America and Caribbean, Africa, and Asia. The second Stage was that the assembly would pass A second resolution that would fill in the blank by selecting specific candidates. Both resolutions were necessary to put to vote in accordance with 18teenth Article of the UN charter “important question” i.e. with the two third majorities of the Assembly members, presents and voting. In the final and the third stage, the requirement was to pass a resolution implementing with the previous resolutions a charter amendments. For the passing the resolution it would be necessary to approved by the two-thirds of all the member countries as explicitly mentioned in the article 108. The third resolution would amend the article 27 (2) and (3) of the UN charter, for the affirmative votes of 15 of 24 members of a reformed Security Council for decision making.⁶

⁶Dimitris op. cit, p.65.



But the reaction of the five permanent members was not positive, the Washington's opposition was that she was not in favour of any enlargement of UN Security Council to more than 20 or 21 states. She would permit the expansion of the Security Council by one-third only, with up to five new permanent members. In September 2008, the member states the UN assembly were agreed upon to move 15 years old dead locks of discussions on Security Council Reforms. The move had got progress from the Open-Ended-Working Group⁷ to an intergovernmental negotiation level, in an informal plenary of the GA (General Assembly). On February 18, 2009 the General Assembly's president Miguel D' Escoto Brockman, had elaborated a work plan on the reform of the Security Council, which five key issues: the question of the veto; regional representation; categories of membership; the size of an expanded council and working methods of the council; and the relationship and coordination between the council and the General Assembly.⁸

In 2009, the 63rd General Assembly's decision 63/565 which urged

to keep on the intergovernmental negotiations on the reformation of the Security Council. Ali treki, the newly elected president of the General Assembly, had appointed Mr. Zahir Tanin a chairman of the intergovernmental negotiations panel. The chairman had fixed a date of 3 March 2010, for the submission of all reform proposals for all the member states. Till the date the chairman had received many proposals, namely, G4's⁹ draft resolution 2005, UfC's¹⁰ documents, the Italo-Colombian proposal April 2009, position the African Union, a document of the League 69 which is led by India, one more proposal from the Arab League States, and proposal from the Islamic Conference Organisation. All proposals and documents were agreed on the importance of reforming of the UN security council and its working methods.¹¹ But there are many obstacles in regards reform proposals. The G 4's proposal, (a group of four nations, Japan, Germany, India, and Brazil, in which two are developed economy and two emerging , respectively) is most likely to get a importance because these's clamours are

⁷ Open-ended Working Group was set up in 1993 on the matter of equitable representation and expansion of membership of the Security Council and related to other matters, it was assigned to elaborate reports and give suggestions on the Security Council reform and to be submitted to the General Assembly.

⁸ op.cit.p.2

⁹ G 4 means Germany, India, Japan, And Brazil group contending for permanent seats in Security Council.

¹⁰ United for Consensus Group for Security Council Reform.

¹¹ Elisabetta Martini, "Restarting Negotiations for the Reform of the Security Council", Instituto Affari Internazionali, 8 May 2010. p.6-7 (Document)



supported by three veto power security council members, namely, France, the U.K and Russia. However, the problem is that the different states are opposing the G 4's proposals. The one example is that Pakistan is opposing India's claim as a permanent member, and another hurdle is that G 4's proposal, in 2005, was not succeeding, due to not achievement of specific mandates, the two-third majority of the General Assembly. Uniting for Consensus (UfC) in which Italy, Canada, Colombia and Pakistan are states is middle-ranking countries. They brought two type models- the Green model and second the Blue model. The Green model supports the twenty non-permanent seats in the council, and it would make all the non-permanent seats as a renewable. Blue Model proposes a new third tier of membership in which the term period would be 3 or 4 years and for some non-permanent countries, 2-years. However the difficulty, regarding the model is that it is more Euro-centric because there are already three permanent members with veto power, in the council, and this model assigns more seats for small eastern European Nations.

The Italian Proposed, "the Regional representation Model", supports ten new permanent seats without veto power, however, these permanent memberships are not handed over to any

nation but it would be assigned to particular groups and organisations. Nevertheless, the problems of the proposal are that no mechanism or organisations are agreeing on representations, such as the AU (African Union) has not its own consensus that who will represent, it has inner competitions. Panama Proposal suggests to create 6 new permanent seats with total 21 seats. The distribution of the seats is based upon geographical groups and representations. It also allots one seat for the Western Europe and the other group, one for the Latin America and Caribbean, and two from Asia and Africa each. For providing a long term and stable participation in the council, she recommends that the six new members would be elected for a period of 5 years, and if a country was chosen for four times continuously it would be automatically a permanent member along with veto power. However, the problem is, in the proposal that there is no clear view about states who are becoming permanent members.

In the past the Arab world represented in the UN security council only with one non-permanent seat, yet not a single proposal has mentioned for their representations in the council seats. The opinion of the African Union demands 11 new seats, six of them would be permanent and two of these seats should



be given to African countries. The African Union is of the view to handing over veto power also for new permanent members.¹²

India`s Bid in UN Security Council:

India formally claimed for a permanent seat in the security council, in 1994, for the first time. This adhered a UN general Assembly resolution of 1992, which accepted the urgent need to expand the council, so that it reflect the changed geopolitical and international situation and launched its bid for permanent membership in the Security Council in 1994. This followed a UN General Assembly resolution in 1992, asserting the need to expand the council in order to reflect the changed international situation and to achieve equitable representations. India has argued in mid 2005 that its permanent seat on the Security Council should bring with it the veto power, currently possessed by the five permanent members. Some experts have the view that India should refuse a permanent seat, if the veto power is not given to newly permanent members.¹³ From the very first session of the United Nations, India has

always raised her voice against colonialism and apartheid and presented as a leader of third world countries in the UN security council`s non-permanent member and General Assembly. Indian foreign policy is seen with the combination of Gandhian non-violence and with a touch of Kissinger like pragmatism. India has always a commitment and dedication towards the UN charter and maintenance of peace and security in the world, from the establishment of the UN, and these were the guiding factors in the selection of additional council members. Perhaps, the strongest argument in the favour of India for a permanent security council seat are demography, democratisation of the council, India`s participation in other UN Organisations-UNESCO, UNCEF, UNDP, UNEP, UNDF.¹⁴ Participation of UN`S Peace Keepings and being a founder member of the United Nations and commitment towards the principals and objectives of the UN are also important for the candidate in the Security Council permanent seat. UNGA`s Resolution 47/62 agreed on the necessity of the reformation of the security council. The putative criteria are one the major economic power player and second are military capability (France`s retainability is based to be a strong contribution to the UN

¹² Mlanize Zorn, "The United Nation Security Council: Reform Concerning its membership-an overview," Centre for UN Reform Education, February 2007, p.3-5, <http://www.centreforunreform.org>.

¹³ Shairi Mathur, "Voting for the Veto: India in Reformed UN", London: Foreign Policy Centre 49 Chalton Street, September 2005, p.5

¹⁴ Ibid. p.6



peacekeeping operations), and on the basis of contributions to the UN budget, on its background Japan and Germany is the best contender due to budget payments (Japan is second and Germany is third highest contributors in the UN funding). On the ground of population size it would support India's case without any doubts. And possession of the nuclear weapons basis, some other countries like Israel, Pakistan and possible North Korea will be contending for the seats.¹⁵ Aim of equitable representation on the basis of geographical representations a requirement for the global south in the council that comes from the NAM countries (Non-Aligned Movement).

Kofi Annan (Former UN Secretary General) had put a proposal for reformation of the council, and he had set up a High Level Panel of eminent personalities and experts to which the assigned task were: to examine the current challenges in the ways of peace and security; to examine the contributions which collective action can make in addressing the challenges; to consider the functioning of the major organs of the United Nations and their relationship and coordination among them; and to suggest ways of strengthening the UN, the reformation of its institutions and process.

¹⁵ Ibid. p.7-15

In the view of the panel there is an indeed a requirement for change in the council, the distribution of seats between 4 majors regional areas Asia and Pacific, Africa, Europe and America should be considered for reform. In the panel's recommendation there were two type models- model A six new permanent seats and 3 non-permanent seats; model B proposed no new permanent seats, but a creation of a new category of eight renewable seats two from Asia and Pacific, Europe, Africa and America each. They serve for four years and one non-renewable seat. Along with the panel recommended a revision in 2020, in the composition of the UN Security Council, from the point of effectiveness of the security council, for effective collective security and lay down a truly global strategy for the development and peace and promote to human rights and democracy to meet the emerging challenges.¹⁶ India is campaigning for the Security Council's permanent membership on multiform. She has created a G 4 group with the support of Germany, Japan and Brazil. They are in one voice that without the reform of the Security Council there will be no meanings of UN's reform. Their demand is that the G4 are the real contenders for permanent seats due to democratic states, two of them are well

¹⁶ Ibid. p.17-30



industrialised countries- Germany and Japan and two are emerging developing countries.

India's UN agenda includes counter-terrorism, development, peace keepings and disarmament- for years. The Indian military has been one of the biggest contributors to the UN missions. India pursues security cooperation on issues such as terrorism, natural disasters and drug trafficking. It places an emphasis on peace and non-military actions in achieving the UNSC obligation of ensuring international peace and security. India, often presents itself as opposed to armed intervention. The country's strategy for cooperation includes for climate change- an agenda item that it shares with many of the other GIBSA countries (Germany, India, Brazil and South Africa). Overall India places an emphasis on the importance of the multilateralism to achieve the UNSC's obligations. A common agenda among the GIBSA countries also exists with regard to non-proliferation and disarmament. India supports Germany, South Africa and others in their call for a removal of U.S nuclear weapons from foreign territories. More ever, India has emphasized the importance of political crisis

management.¹⁷ India believes that the changed geopolitical scenarios in the international system, call for change in the existing world order, first and foremost of the UN Security Council. Here the first agenda item is enhanced transparency. This could be achieved through improved annual reporting by the UNSC and easily access by non-UNSC members to the documentation and the work of the UN Security Council. The second agenda item includes the principles of representativeness and democracy. India recognises that not every country can be represented in the UNSC, but believes that certain regions in Asia and Africa should have a better representation in order to reflect current international realities. India, therefore, advocates an increase in the numbers of both the permanent and non-permanent seats of the UN Security Council. The non-permanent members would continue to be elected on a two-year basis while the group of the permanent would remain fixed, albeit with an increased membership size. All this would enhance the legitimacy and representativeness of the UNSC in India's eyes. India emphasizes the need for a proper representation of region in UN

¹⁷ Sonja Thielges M.A and Hannah Petersen, "The 2011 GIBSA Conference on the United Nations Security Council: Position Demands Shared Interests", SWP (Stiftung Wissenschaft und Politik) German Institute for international and Security Affairs, 2011. p.4



processes. Regarding its own permanent UNSC seat, India as a largest democracy in the world with a considerable and increasing economic impact, and a tradition of participating in UN peace keeping operations, feels entitled.¹⁸

South Africa`s Foreign Policy: Principles and Objectives

Even since Nelson Mandela had come out of the prison as a freeman and from the first democratic election in South Africa, the African National Congress, as a government of the South Africa had been asking for reforms and democratisation of the United Nations. In his first speech to the UN General Assembly, 21 September 1998, Mandela had Said, “ this very organisation, along with the security council , must go through itself for its own process of change and reformation, in order that it could serve the interest of the people of the world, keeping with the purposes for which it was founded.¹⁹The principles and objectives which secure as a guide line in the conducting foreign policy of the South Africa, including a dedication to the promotion of the human rights, justice, democracy, and international law in the behaviour of relations between

nations. She also has an obligation to international peace and agreed upon the mechanism of peace resolution conflicts and deep dedication to an economic development through international and regional co-operations in an interdependent and globalised world.²⁰ South Africa has primary focus as a form of prioritises in her foreign policy that are disarmaments, non-proliferation and arms controls. But she, simultaneously, preserves an interest that ensuring the non-proliferation controls do not affect the access right to advanced technology of developing countries, besides that South Africa is a 15teenth largest contributor of peacekeepers at the current time in various UN Missions. Interestingly, she has also an especial distinction of having deployed the highest numbers of female peacekeepers of all UN members.²¹

South Africa`s claim of permanent seat in UNSC

South Africa can expect the support of the G 4 members group on the issue of Security Council reform, and as well as some traditional support from France, the U.K and China, which have backed for expansion of the council, although it does not mean a future

¹⁸ Ibid. p.5

¹⁹ Albert Venter, “Reform of the United Nations Security Council: A Comment on the South African Position”, *International Journal on World Peace*, Vol.XX.No.4 December 2003,p. 29.

²⁰ Ibid.

²¹ Olivier Serrao, “South Africa in the UN Security Council 2011-2012”, *Friedrich Ebert Stiftung*, June 2011, p. 3

permanent seat for South Africa with veto power. But South Africa's attempt, in this regard will probably yielding a disappointing results due to two reasons: the first is be the unlikelihood of any fruitful reform in the composition and structure of the security council because it is going against the interest of P-5.²² The second challenge is in South Africa's commitment to the African Union's Ezulwini consensus 2005 concern, is South Africa's commitment to the AU's (African Union) " Ezulwini Consensus of 2005", which is asking for the creation of the 2 future non-permanent seats for Africa as well as two permanent seats with veto power for the African continent. South Africa's doubt in this regard is that, despite the impossibilities of the AU's proposal, it can not break the promise of Africa- the very rationale and logical for its campaign to secure a permanent seat on the table of the Security Council.²³ On the UN Resolution 1973, South Africa has favoured of the resolution, approving a "non-Fly Zone" over Libya and authorised the council, to take all measures to protect the civilians in the Libyan crisis. Seeing the South Africa's voting patterns, many commentators speculated that South Africa was seeking an amendments in her

previous positions showing in the security council by giving preferences to the human right issues over sovereignty.²⁴ In the relation to the security council, South Africa's foreign policy can be best seen as a microcosm of its broader and fundamental goals of the foreign policy. The combination of South Africa's ambition on the international stage and its clear material constraints, make a distinct and a complex approach toward the council. The chief foreign policy's objective of the South Africa is to be accepted as a regional and a continental leader and to be a major emerging powers. To achieve it, the South Africa's need is an implicit support of the African states and maximum possible following countries on international ground at over-arching issues of the common interest of the south.²⁵

A common position of the African Union, on reform of the UN Security Council, is:

1. The of goal of the Africa is to be fully represented in all the decision-making organs of the U.N, especially in the Security Council – the principal decision-making body of the UN on the matter of international peace and security.

²² P 5- Five permanent Members of the UN Security Council, The U.S, The U.K, France, Russia, and China.

²³ Oliver, op.cit., p.3

²⁴ Ibid. p.4

²⁵ Ibid.



2. “Fully Representation of African continent” in the security council means:
 - i. Not less than two permanent seats in the Security Council with veto powers and all privileges and prerogatives.
 - ii. And 5 non-permanent seats for African continent.
3. Responsibility of selecting Africa’s representation in the security council should be upon the African Union only.
4. Principally, the African Union is opposing the veto power system, but it is of the view that as long as exists, it should be given to all permanent members of the Security Council.
5. And the criteria of selection of African members in the Security Council should be a matter for the African Union, to determine for consideration, representative natures and capacity of the chosen candidate for the Security Council.²⁶

Schisms in African Approach towards the UNSC Reforms:

²⁶ Dawid Francois Du Plessis, “*The Debate on United Nations Security Council Reform: south Africa` Diplomatic Contributions 1994 to 2012`*”, Department of Political science, University of Pretoria, August 2013, p.37

The (African Union) AU has thus far not identified its anointed members for its proposed two permanent seats with a veto power for the Africa in reformed UNSC. It has furthermore not identified the criteria, that would be used to identify candidates, and how consensus would be forged, on determining the candidates for the posts. Jonathan Maseng is clearly of the view that power struggle within and outside the Africa could be dire consequences for the continental unity. Referring to South Africa and Nigeria, he argues that the continental unity would suffer due to these states disagreement on a number of continental issues as well as bilateral competition and tension, as a example, South Africa and Nigeria have differences on number of issues- Cote D`Ivoire South African opposition to Economic Community of West African States, (ECOWAS), disagreement on Libyan Transitional National Council, Nigeria had supported it but South Africa opposed it.²⁷ A lot of schisms are emerging in AU Forum for the candidate to UNSC’s permanent seats.

Conclusion:

The UN Security Council’s reform debates are based geographical representation, democratisation and equal

²⁷ Ibid. p.42



representation of world population in the UN, and the changing pattern of geopolitical situations of the international system. But these demands will be only clamours or there will be any fruitful result in this case. Analysing history of the UN Security Council's changes in the past, there is an evidence that that a practical change in the UN Security Council is totally based on big P-5 (Permanent Five) consensus, due to have especial privilege to veto a reform proposal. Permanent seat of The People's Republic of China, in place of Republic of China, and Russia's acceptance into the Security Council as a leader of the USSR, are based really change in the structure of the balance of power in the international system. India and South Africa are the strongest candidates at the current time, for permanent membership on the UN Security Council, but in reality while, both countries do not able to change in the balance of power structures in their favour, it is not possible. The need is that India and South Africa should be stronger and cohesive on economic background, military capabilities and diplomatic basis to get a permanent membership in the UN Security Council. Besides these, the other obstacles are that more non-permanent countries of the UN Security Council are also contending for the permanent seats. There is no consensus in the General

Assembly and internal competition is seeing there. In different proposals, states are opposing other, such as UfC (United for Consensus) group member Pakistan opposes India's permanent Security Council seat, and in the African continent, Nigeria is putting her proposal for permanent seat in the Security Council as an African region representative against the South Africa. There is also no agreement at AU (African Union) Forum for the representation of the permanent seats in SC. On the UN other states have different proposals with different patterns and models. So all the proposals should be tackled through negotiations and consensus should be emerging after that there is a possibility of reform of the UN Security Council.

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