The Quest for Regional Representation
Reforming the United Nations Security Council

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The Dag Hammarskjöld Foundation pays tribute to the memory of the second Secretary-General of the UN by searching for and examining workable alternatives for a socially and economically just, ecologically sustainable, peaceful and secure world.

In the spirit of Dag Hammarskjöld's integrity, his readiness to challenge the dominant powers and his passionate plea for the sovereignty of small nations and their right to shape their own destiny, the Foundation seeks to examine mainstream understanding of development and bring to the debate alternative perspectives of often unheard voices.

By making possible the meeting of minds, experiences and perspectives through the organising of seminars and dialogues, the Foundation plays a catalysing role in the identification of new issues and the formulation of new concepts, policy proposals, strategies and work plans towards solutions. The Foundation seeks to be at the cutting edge of the debates on development, security and environment, thereby continuously embarking on new themes in close collaboration with a wide and constantly expanding international network.
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Preface

The fourth issue of *Critical Currents* testifies to the Foundation’s continuing engagement in issues directly related to the United Nations system; this is in line with its Mission Statement, which expresses its commitment to working in the spirit of Dag Hammarskjöld’s belief in and contribution to the United Nations and the values of multilateralism, along with his readiness to challenge the dominant powers and his defence of the right of small nations to shape their own destiny. As a world citizen and international civil servant, Dag Hammarskjöld considered it the noble task and purpose of the global governance body he represented to assert foremost the interests of smaller countries in relation to the major powers. He resisted with integrity and steadfastness the attempts to manipulate and instrumentalise his office and the organisation for the hegemonic purposes of the big powers dominating the international arena.¹

Almost 50 years later, the UN, and in particular the Security Council with its five permanent members (P-5) and their veto power, remain a reflection of the hierarchical structures that Hammarskjöld and like-minded people had challenged. Despite major changes in the composition of the United Nations since then, the P-5 have not surrendered, but rather jealously guarded the control over the power to define, decide and execute. The ongoing debates on reforms of the UN and in particular its Security Council have so far not provided any visible formal and direct change of the guiding principles and the practices, although the issue remains contested and discussed. The latest proposals aiming for a fresh initiative leading to an enlargement of the Security Council were announced at the time of finalising this publication.² We have resisted the temptation to include any reaction to these latest suggestions in the texts that follow.

Instead, the contributions summarise from different perspectives the ‘state of the art’ and advocate alternatives. These differ according to the points of departure, but share the common denominator of being anti-hegemonic. In publishing the following analyses and views, our modest intention is to provide a framework for further debate, which is anchored in the firm belief that

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¹ Additional recent testimony to this fact is offered in the most recent of the Foundation’s series of Dag Hammarskjöld Lectures, published in parallel with this volume. The booklet reproduces the speeches delivered in October 2007 by Sverker Åström and Sture Linner, two Swedish officials close to Hammarskjöld during the last years of his life. The publication is also accessible on the Foundation’s website (www.dhf.uu.se).

² Drafted by Cyprus, Germany (which had taken the lead), Great Britain, Malaysia, Netherlands and Romania, in what was called the ‘Overarching Process’, the initiative suggests i.a. an expansion of the Security Council from 15 to 22 members (though this figure was put in brackets, i.e. it is still regarded as negotiable). It was submitted on 20 March 2008 to the General Assembly President.
the future of the United Nations depends on its democratisation and the higher degree of meaningful participatory influence of all member states, irrespective of their size or power, and thereby the body’s ability to represent the interests of the majority of people in this world.

Many thanks go to all those who have contributed so willingly and competently, without any material interests or gains, to this issue of Critical Currents, thereby giving substance to the series’ programmatic title. May the results of their efforts stimulate further a fruitful and constructive debate, which continues to honour the legacy and vision of the United Nations second Secretary-General, who until his untimely death sought relentlessly to enhance the democratisation of the world body he represented.

Henning Melber
Beyond Extension
The UN Security Council: Insights into an Ongoing Debate

Volker Weyel

Exactly 30 years ago, in March 1978, United States President Jimmy Carter presented to the US Senate’s Committee on Foreign Relations his ‘Proposals for United Nations Reform’.¹ The report also dealt with the role of the Security Council – just one of the six UN principal organs but, being entrusted with the ‘primary responsibility for the maintenance of international peace and security’, the most powerful one. The US proposals suggested modified veto powers and pleaded for making ‘greater use of the Council and engaging it more routinely in the search for ways to resolve threats to the peace’.² This report presented no case for an enlargement of the body or for a restructuring of its composition, though it ‘recalled that Japan has for some time entertained the desire to attain a permanent seat on the Security Council’. Moreover, it purported still ‘to hold the position which President Carter expressed to Prime Minister Fukuda ... in March 1977, namely, that Japan is, in our view, fully qualified to become a permanent


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A Security Council debate on peace and security in Africa, 16 April 2008. UN Photo/Eskinder Debebe
member of the Security Council’. One can safely assume that at that time this was hardly more than inexpensive lip-service.

The case for enlargement of the body was made one and a half years after the presentation of the Carter report. It came from Asia, yet from an actor firmly entrenched in the Non-Aligned Movement of which it was a founding member and thus with an international profile quite different from that of Japan, and it did not refer to an addition of permanent seats to the Council table. India, with the support of nine other African, Asian and Latin American nations, placed the topic ‘Question of equitable representation on and increase in the membership of the Security Council’ on the agenda of the General Assembly in November 1979. The background to this was the growth of the membership of the United Nations from 113 to 152 since the 1963 vote on an amendment of the Charter providing for the first, and so far only, increase (from 11 to 15) of the number of Council members. A draft resolution intended to add just four more seats to the 10 non-permanent ones, bringing total Council membership to 19. A later amendment to the draft sought an increase by two more seats, taking the figure to 21. India, whilst indicating that the failure to increase the number of members in the Council in accordance with the growth of UN membership ‘had given rise to the problem of inequitable representation in the Security Council’, was careful to point out ‘that the proposal was specific and would not touch upon the substantive aspects of the role and functions of the Council or the position of its permanent members’. Nevertheless, the proposal did not go down well with most of the five permanent members (P-5).

They argued, inter alia, that the enlargement of the Council would have a negative effect on the ability of the body to undertake rapid and effective action to maintain international peace and security; and that the composition of the non-permanent membership of the Council was not determined by arithmetical proportions but by paying special regard to the contribution of Member States to the maintenance of international peace and security.

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3 Ibid.

5 The United Nations Charter lays down in Article 23(1): ‘The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council.’ The Kuomintang government of the ‘Republic of China’, after its defeat in the Chinese civil war, was restricted to Taiwan only but continued to claim to speak for China as a nation. In 1971, the Chinese seat in the UN organs was transferred to the government of the ‘People’s Republic of China’ following the decision of the General Assembly. In 1991, the Russian Federation notified the UN in an almost casual way that it continues the membership of the former USSR ‘with the support of the 11 member countries of the Commonwealth of Independent States’ (letter from President Boris Yeltsin to Secretary-General Javier Pérez de Cuéllar, 24 December). The move was not put to a legal test.

The draft resolution was not put to a vote; on 14 December 1979 the General Assembly postponed consideration of the issue to the following session. In 1980 the question raised by India was again debated; eventually postponement was agreed upon once more. Afterwards, the item continued to have its place on the agenda of the Assembly’s sessions, but was continuously deferred, serving as sort of a reminder of an unresolved issue. The topic gained fresh momentum only about a decade later, after the wind of change had blown through the international arena.

There was broad agreement on the need for adjusting the Council to realities which were quite different from those of 1945. Yet the conceptions and, above all, the interests pursued by the actors were largely contradictory. With Japan repeating her claim, the quest for additional permanent seats came into focus. Other aspiring candidates emerged, leading to concealed as well as open battles about the ‘right’ to obtain ‘P’ status. Well known are the household words commonly uttered in the corridors of the UN headquarters, like ‘quick fix’, ‘Razali plan’ or ‘Coffee Club’. Well known is the protracted campaign by Italy (at an earlier stage also an aspirant) against her ally and co-founder of European institutions, Germany, and the competition between supposedly brotherly countries of Africa or Latin America. Well known too is the debate on the veto power that the P-5 are unlikely to relinquish. Given the wealth of literature on the subject also and some flashbacks in the three following contributions, we don’t need to go into detail here. Suffice it to remind the reader that in 1994 the ‘Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and other Matters Related to the Security Council’, a subsidiary organ of the General Assembly, took up its work. Its nickname ‘never-ending working group’ is also well known. The expression alludes to the fact that progress, if at all this is the right word, goes at a snail’s pace, notwithstanding the finding ‘that the status quo is not acceptable to an overwhelming majority of the Member States’.8

Incidentally, not all is about extension, permanency and veto power. Yet one may see these issues as background to the attempts of Council members to appease their critics who question the legitimacy of the organ’s practice, posing queries on accountability, efficiency, participation of non-members, and transparency. This has resulted in a number of improvements in the working methods of the Council over the last one and a half decades. In 2006, ‘a concise and user-friendly list of the recent practices and newly agreed measures, which will serve as guidance for the Council’s work’ was provided.9 Further progress would certainly be welcomed by the non-permanent members as well as the non-members of this principal organ.

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There are controversies galore. In fact, the ongoing debate on the reform of the Security Council brought to the fore a wealth of arguments – not all of them new or innovative – but so far it appears inconclusive. It remains to be seen whether the strenuous efforts of the President of the General Assembly, his ‘facilitators’ and ‘task force’ members will lead to the adoption of an ‘intermediary arrangement’ as a kind of transitional approach.

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This issue of the Critical Currents series intends to take stock of the debate and to present alternatives to the existing state of affairs. Obviously, as Erskine Childers and Brian Urquhart described it in a slightly different context in the preface to another publication of the Dag Hammarskjöld Foundation, ‘anyone proposing reforms of the UN system faces the constant risk of being labelled “utopian” or “unrealistic”, even if the proposals are eminently sensible’. Nevertheless, a radical approach is taken here, inasmuch as it transcends the extension debate.

Ambassador Kaire Mbuende, representing Namibia as a small African country with a special bond with the UN (given the role the world organisation played during the process leading to the independence of former South West Africa), undertakes a critical appraisal of the state of the debate. He gives an overview of the continuous efforts

Jim Paul and Céline Nahory of ‘Global Policy Forum’ argue forcefully against Council enlargement and especially against new permanent seats. They see national self-interest behind the aspirations of medium-sized powers, and they see a net loss rather than gain in any expansion of the Council. They doubt the viability of any reform proposals that would require a revision of the United Nations Charter. Instead, they favour measures which could increase policy coordination within the different regions, as a prelude to future regional seats. They are cautiously optimistic about the readiness of UN members for such a transitional approach.

Professor Richard Hartwig advocates a radical restructuring of the Security Council called the ‘Regional/Economic Proposal’ (REP), which would entail revising the Charter. Change from a uni-polar to a multi-polar world would be required for his proposal to become politically feasible; in his view, the required conditions may be present by 2020. The REP suggests that representation in the Security Council should be determined by objectively balancing the claims of legitimacy, power/wealth and

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mutual advantage.\footnote{11} It envisions a Council composed of 10 geographic Regions. Each Region would be presided over by an anchor country or by co-anchor countries. There would be no veto power.

The three contributions in some respects represent different positions. But they concur on central issues: their approach is anti-hegemonic, and they are in favour of phasing out the veto. They moreover have an imperative common denominator: the case for regional representation.

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Regional representation, however, is not a fast-selling item. The survey undertaken by the ‘facilitators’ on the consultations regarding the reform of the Security Council\footnote{12} shows that there are quite different conceptions of this idea. Some countries understood ‘regional representation’ as nothing other than the ‘equitable geographical distribution’ enshrined in Article 23(1) of the Charter. Others felt that the term should be understood as the regional seat leading to regional accountability. They argued that the notion of regional representation, in the sense of Member States representing regional views, could be explored further. Different options were suggested, such as candidatures to be proposed directly by Member States or through regional consensus, it being understood that the final decision is to be taken by the General Assembly through the election process as set out in the Charter. Another suggestion was that members of the Council should be deemed, if they so wish, to also represent the views of regional groups to which they belong while continuing to act in accordance with the purposes and principles of the United Nations.\footnote{13}

It was a widely held view that presently the non-permanent members of the Council, though elected according to a regional distribution pattern, are not the representatives of their respective regions. ‘Rather, as members of the Council, they should have a global accountability and an obligation to the international community as a whole.’\footnote{14} Neither the regional groups of the General Assembly nor the alliances of states currently outside the UN framework were seen as proper candidates for having a seat, partly because a contradiction with the intergovernmental character of the UN was perceived. Despite those apprehensions, there seems to be a preparedness to give more thought to the regional representation issue. The challenge will be to strike a viable balance between global and regional responsibilities.

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In terms of economic and political cohesion, the European Union (EU) is seen worldwide as the most advanced regional organisation, and it is held in high esteem by representatives from other regions as a model. This, plus the recurrent debate on a

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  \item \footnote{11} Hartwig’s very elaborate REP proposal might lend itself to testing in Model United Nations exercises.
  \item \footnote{12} UN doc. A/61/47, 14 September 2007 (Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council), Annex II.
  \item \footnote{13} A/61/47, p. 18.
  \item \footnote{14} Ibid.
\end{itemize}
‘European seat’ in the Security Council, is a good reason for taking a closer look.

It can be put on the record that the EU described the strengthening of the United Nations and ‘equipping it to fulfil its responsibilities and to act effectively’ as ‘a European priority’ and that it declared ‘effective multilateralism a central element of its external action, with at its heart a strong UN’. This commitment was prepared by a position paper in September 2003 with the virtually programmatic title ‘The European Union and the United Nations: The choice of multilateralism’. One might see this in part as a response to the notorious de facto unilateral action which had characterised that year – that is, the US military campaign against Iraq. Self-interest, however, also plays its part, not least the desire to establish the EU as a relevant ‘global actor’ in the international field.

The EU indeed plays a significant role in the United Nations, its member states together presently contributing 38.857 per cent to the regular budget. Even so, it finds its influence in the UN system limited, due to the somewhat peculiar division of labour between the European Council, the European Commission (EC) and the Presidency-in-office which changes twice a year. In fact, it is not easy for outsiders to understand who speaks in which capacity for the EU in a given context.

In the UN General Assembly the EC, acting through its New York delegation, is an observer. It is a major provider of humanitarian aid and development assistance. There is participation of the EC in the governing bodies of a number of UN agencies and organs, based on its role as a donor. The involvement in the World Health Organization (WHO) and the International Labour Organization (ILO) as well as in the United Nations Development Programme (UNDP) and the United Nations Environment Programme (UNEP) is described as one of ‘active observer’, meaning ‘participation in and contribution to the work of governing bodies including contribution to decision-making’. With regard to the Executive Board of the World Food Programme (WFP) it even might boast of having a sort of...
of veto power without being a member, since it is a ‘privileged observer’, meaning that ‘the Commission sits at the table of the Executive Board and its participation is deemed necessary for a consensus’.23

In one specialised agency, the Food and Agriculture Organization of the United Nations (FAO), the ‘European Economic Community’, described as a ‘regional economic integration organization’, is a member. In 1991 it was admitted as a ‘Member Organization’ (still being the only one in this category). As such it is entitled to participate ‘in matters within its competence’, such as agriculture and fisheries, in FAO meetings. In these matters it can exercise ‘membership rights on an alternative basis with its Member States that are Member Nations of the Organization’.24 In the World Trade Organization (WTO) – which is not a specialised agency of the UN but can be considered as a related organisation – the ‘European Communities’ have been a member since 1995, whilst the EU nations continue their individual membership. In most WTO meetings the EC speaks for all EU member states. This arrangement is based on the Community responsibility for customs and trade.

Politically even more relevant is the fact that in the various United Nations fora the 27 EU members usually put forward common positions25 – achieved in at times difficult internal processes – and thus are an important partner for the ‘G-77’ group of developing countries, for example. So it appears quite logical to see the EU as being bound to take the regional seat for Europe once a model of regional representation in the Security Council is put into practice.

Judging from the state of affairs now and in the near future, however, this appears to be premature, even in view of the forthcoming strengthening of the EU role in the international field through the Lisbon Treaty. Whereas the African Union (AU), albeit only in theory, unites all African states,26 the EU does not cover the European continent in its entirety. It accounts for 2627 of the 43 UN member states from the continent, so about two fifths of these presently do not belong to the EU. Apart from Russia the absentee list includes heavyweights like Norway, Switzerland and the Ukraine. It should be noted that as long as the EU has not transformed itself into a federal state like the United States of America or the Russian Federation (or as long as the UN Charter has not been amended in order to accommodate a supranational organisation like the EU), the proposal to have a ‘EU seat’ is not in line with realities. But realities change over time, and innovative approaches are possible. The European Parliament, when

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23 Ibid.
24 This means, according to Article II(10) of the FAO Constitution, that either the member states exercise their voting rights or the ‘Member Organization’ votes with ‘a number of votes equal to the number of its Member States which are entitled to vote in such meeting. Whenever a Member Organization exercises its right to vote, its Member States shall not exercise theirs, and conversely.’
26 Except Morocco which left the then Organisation of African Unity after the admission of the Sahrawi Arab Democratic Republic.
27 EU member state Cyprus geographically is part of Asia. In the UN General Assembly it belongs to the Asian Group.
adopting its first comprehensive report on EU-UN relations in 2004, however, acted in a remarkably uninspired way when soliciting for a European place on the ‘P’ side of the Council table in addition (sic) to the British and French permanent seats.\textsuperscript{28}

A future regional set-up of the Security Council\textsuperscript{29} might, for a transitional period, even find another solution for European regional representation, for example through the Organization for Security and Co-operation in Europe (OSCE) or through the Council of Europe.\textsuperscript{30} A possible gain in representativeness, however, would be outweighed by losses in clout and cohesiveness.

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\textsuperscript{28} In its resolution of 29 January 2004 on the relations between the EU and the UN the European Parliament called for ‘increasing the composition of the Security Council (permanent and non-permanent members), which should better reflect the current situation in the world, including the European Union, as a permanent member, as soon as its legal personality is recognised, as well as a supplementary permanent seat for each of the following regions: Africa, Asia and Latin America’.

\textsuperscript{29} Earlier, this author hypothesised that ‘say in 2025 or 2035’ a new ‘P-5’ could take this shape: ‘the OSCE representing Europe and North America, the OAS dominated by Latin American and Caribbean States, Africa’s OAU and future regional organizations for Western and Central Asia as well as East Asia and Oceania.’ Volker Weyel, ‘Yes, But... Germany’s Desire for a Permanent Seat in the Security Council,’ in Hans d’Orville, ed., \emph{Beyond Freedom: Letters to Olusegun Obasanjo}, New York: Collage Press 1996, p. 558.

\textsuperscript{30} A counter-argument might point to the danger of overstretching. Presently the OSCE, a ‘regional arrangement’ under Chapter VIII of the UN Charter, consists of 56 members from Europe, Asia and North America (i.e. both Canada and the US). The geographical scope of the Council of Europe with its 47 members (including Cyprus, the Caucasus republics and Russia, not including Belarus which so far is stalled with candidate status) is more limited, but so is its mandate.

Whether the veto power should be kept, but be invested in future seats for the regions, would be open to debate. Taking issue with the veto power made available by the UN Charter (though the term itself is not used there) to the happy few is not only justified but necessary. This privilege nevertheless should not be discarded too easily, since it exerts a binding force on its beneficiaries, at least to some degree. Problematic (and disgusting) as the international behaviour of some of the major actors is at present, things certainly would not be better if they were completely free of any responsibility under their special role, since they tend to ignore majority decisions of the General Assembly anyway. The resort to ‘Nyet’ or ‘No’ allowed the USSR and later the US to preserve what they saw as their interest in view of a majority of states rightly or wrongly perceived as hostile to them; this enabled them to remain inside the UN instead of cutting the painter.

In defence of the veto power, the privileged class likes to argue ‘that this arrangement ruled out the possibility of disagreement among the permanent members and ensured that when the Security Council did act, it acted with the support of its most powerful members’\textsuperscript{31} – not too convincing an assertion given the mixed record of the Council regarding the implementation of its own decisions. A more civilised international environment certainly will eventually do without the veto; in the meantime nations should strive to agree on as many

\textsuperscript{31} Müller, 2006, p. 16.
restrictions to its use as possible. Anders Lidén, Sweden’s Permanent Representative to the UN, in the November 2007 General Assembly debate on the Security Council, called for a ‘veto-free culture’. This concept is indeed worth promoting – as well as the crafting of a practicable model of regional representation.

32 One of the ideas put forward is the ‘double veto’, which was also taken up by the European Parliament in its resolution of 29 January 2004. There it called for ‘improving the decision-making process of the Security Council by replacing the current veto system by a system of double veto (veto only relevant if by 2 permanent members) and only in the cases referred to in chapter VII of the UN Charter (threats to peace, breaches of peace and acts of aggression)’.

Members of the Security Council voting unanimously to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), 30 April 2008. UN Photo/Paulo Filgueiras
Between Enlargement and Reform

The UN Security Council: Choices for Change

Kaire M. Mbuende

The vast majority of the member states of the United Nations has argued that the exponential increase in the membership of the organisation, the changed political and economic reality plus the challenges facing the world body today in areas like development, protection of the environment as well as the multidimensional character of peace and security (and threats thereto) warrant the reform of the UN, including the Security Council. Consequently, the issue of equitable representation on and increase in membership of the Security Council has been on the agenda of the General Assembly since its 34th Session in 1979, yet with very little progress. Further impetus to the discussions followed the first-ever meeting of the Security Council at the level of heads of state and government in January 1992 and the summit meeting of the Non-Aligned Movement held in Jakarta in September 1992, respectively.

In 2008 one third of the seats in the Security Council is occupied by European states (leaving Russia uncounted): apart from the permanent members France and Great Britain, Belgium, Croatia and Italy are elected members for a two-year period. All these nations belong to the EU except Croatia, which has entered into accession negotiations with Brussels.

Kaire M. Mbuende has been Permanent Representative of the Republic of Namibia to the United Nations since September 2006. He is a former Member of Parliament and a former Deputy Minister for Foreign Affairs (1990-1993) as well as former Deputy Minister for Foreign Affairs (2002-2004). From 1994 to 1999 he was Executive Secretary to the Southern African Development Community (SADC). He obtained a PhD in Sociology at the University of Lund. He has also been a research fellow at the Institute for Future Studies in Stockholm.
Continuous efforts

The spirit of Jakarta continued into the debate of the General Assembly that resulted in the adoption of resolution 47/62 on 11 December 1992 on the ‘Question of equitable representation on and increase in the Membership of the Security Council’. The resolution directed the Secretary-General to invite member states to submit comments on a possible review of the composition of the Council. Member states from all the regions submitted written comments expressing their wishes on how the body should be reformed. The report containing the first 75 statements was submitted to the General Assembly by the Secretary-General in July 1993 (UN document A/48/264); eventually 10 Addenda had to supplement the report, since comments continued to pour in. The process of the reform of the Council was taken a step further with the adoption of resolution 48/26 on 3 December 1993, by which the General Assembly established an ‘Open-ended Working Group to consider all aspects of the question of increase in the membership of the Security Council, and other matters related to the Security Council’. It started its work in the form of informal consultations on 1 March 1994, chaired by the President of the General Assembly. The body, now named ‘Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and other Matters Related to the Security Council’, is continuing its efforts up to now.

Member states did not miss an opportunity to reaffirm their commitment at the highest possible level to expanding the membership of the Security Council. The special commemorative meeting of the General Assembly on the occasion of the 50th anniversary of the UN in October 1995, the Millennium Summit in September 2000 and the World Summit in September 2005 adopted declarations committing member states to comprehensive reform of the Security Council to ensure it becomes more representative. At the same time the body was asked to review its working methods with a view to strengthening its capacity and effectiveness, and improving efficiency and transparency.

From consultations to inter-governmental negotiations?

Member states have been consulting on the reform of the Security Council in the context of the Open-ended Working Group since its establishment in 1993. A consensus is still to emerge among member states not only on the end product - that is, the shape of the reformed Council - but also on the process leading to an agreement.

The President of the 61st Session of the General Assembly decided to inject a sense of urgency into the reform discussion by appointing five ‘facilitators’ to look at five key issues that need to be addressed. These are:

• categories of membership;
• the question of the veto;
• the question of regional representation;
• the size of an enlarged Security Council;
• the working methods of the Council and the relationship between the Council and the General Assembly.

The facilitators sought the views of member states on those issues. It became obvious that there was no consensus among the UN members and that it was not emerging either. In a bid to take the process forward the fa-
cilitators endeavoured to be creative by introducing the notion of an ‘intermediary arrangement’ with an integral component of a mandatory review to be undertaken on a predetermined date. The negotiables would include the content and duration of the intermediary arrangement and the nature of the review. The facilitators in their report of 19 April 2007 (UN document A/61/47, Annex II) put forward variations of a transitional category for consideration by member states. These are:

- Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall.
- Extended seats, which would be for a longer period than the regular two-year term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations.
- Extended seats, which would be for a longer period than the regular two-year term, but without the possibility of re-election. The length of the term should be decided in the negotiations.
- Non-permanent two-year seats with the possibility of immediate re-election.

The transitional arrangement has not been taken up as an option for consideration by member states. It is merely floating around without formal status. A number of member states are keen to go beyond consultations and to start what is called a result-oriented intergovernmental negotiation on the basis of a text containing concrete elements on all the negotiables.

The President of the 62nd Session of the General Assembly decided to take the process forward. For this purpose he set up a Task Force consisting – apart from himself – of the Ambassadors of Bangladesh, Chile and Portugal. He highlighted seven principles that he deemed indispensable for progress. According to him these ‘pillars’ were widely accepted by member states during consultations that he conducted from mid-November to mid-December 2007. These basic principles are:

- Security Council reform is an integral part of strengthening the United Nations. It must therefore go hand in hand with the transformation of the wider UN system.
- Prudent and principle-oriented guidance by the General Assembly President is required, though it must be based on a joint venture with member states in good faith and mutual respect.
- The way forward ought to be accomplished through an objective and transparent process to first identify the negotiables in order to move to intergovernmental negotiations.
- The Open-ended Working Group should carry out consultations on the framework and the modalities for intergovernmental negotiations.
- Further steps must contain components and notions that will allow the UN membership to reach a general agreement on all aspects of Security Council reform, in particular on both the composition of the Council and its working methods.
- The reform of the Security Council must accommodate the interests and concerns of all sides, especially those who are currently underrepresented.
• Member states should refrain from steps which could serve to undermine the current momentum, and consensus to continue a process with the intention of achieving result-oriented solutions.

So the task facing the President of the General Assembly is to facilitate an agreement on the various elements of the negotiables that could form the basis for intergovernmental negotiations.

**Enlargement unto what end?**

The case for enlargement has been made in order to ensure equitable representation on the Security Council. The Council is said not to be representative primarily for two reasons, one quantitative and the other qualitative.

The quantitative school maintains that representation in the Security Council should reflect the broad membership of the organisation, that is, ‘equitable geographical distribution’ as provided for in Article 23(1) of the United Nations Charter. It is unacceptable that, for instance, the African region, which constitutes more than one quarter of the membership of the organisation, is not represented on the Council in the category of permanent membership. Likewise, Latin America and the Caribbean are represented on the Council only on a non-permanent basis. In this regard Africa has made a forceful case for representation in the permanent membership class.

The qualitative school maintains that the Council should reflect the contribution of countries to the objectives of the UN, in particular, maintenance of international peace and security, promotion of human rights and contribution to social and economic development. According to the report of the five facilitators of 19 April 2007, views were also expressed during their consultations that the ‘level of financial contribution to the United Nations, population, regional role and standing, size of military forces and contributions to peacekeeping operations’ should also be considered in the selection criteria for membership.

If the positions of the two schools were to be taken to the extreme, they would be mutually exclusive. The quantitative argument would maintain that Europe is already over-represented on the Security Council and the addition of a European state will not reflect equitable geographical representation. The contribution of a country to the work of the UN should not necessarily result in special privileges on that account. If one is to make an analogy, citizens who pay more taxes on account of their financial resources do not necessarily enjoy special privileges in society. At the same time, it is important to note that membership of the Security Council could serve as an incentive to get the commitment of resourceful countries to contribute more to the objectives of the UN. A similar argument was made in respect of the current permanent members. This might have been true at the time of the creation of the UN but there is no evidence of correlation between power and privileges on the one hand and commitment on the other.

There are no straightforward criteria for the selection of possible new permanent members of the Security Council. Those who feel a sense of entitlement – be it on account of numbers or their contribution to the work
of the UN - will not satisfy some of the objectives of the reform of the Council. In fact, the aspirations to permanent membership that underlie many of the discussions and debates in the Open-ended Working Group and the General Assembly respectively seem to have become an issue of ‘realpolitik’ as no objective criteria have been established in accordance with which countries will ‘qualify’. It seems as if interested countries would like to present themselves as candidates for elections just as for any other position within the UN. But the Security Council is too important an organ to be left to the regular political contest. Modalities must be worked out to create confidence within the broader membership. The reform of the Council is not for those few countries that are aspiring to membership but should be an element in the democratisation of the world body. Another issue worth mentioning in this context is the question of the categories of membership. Some member states have advocated enlargement only in the non-permanent category while others including the African group of states have been calling for expansion in both categories. An understanding of the relationship between these two categories in theory and practice will shed light on the desired pattern of reforms of the Council in terms of categories, in order for its decisions to be legitimate and representative. It has been argued that the five permanent members of the Security Council (P-5) and the 10 elected non-permanent ones (E-10) do not operate on a level playing field. This inequality is historical as the victors of the Second World War dictated the terms of the Charter. In the words of Inis Claude:

At San Francisco the small states accepted the superiority of the mighty as a fact of life. Their first objective was to ensure that all the great powers would accept their place in the leadership corps of the new organization; in this they were successful, and this fact was perhaps the major basis for the hope that the United Nations would prove more effective than the League. The second objective was to constitutionalize the power of the international oligarchy... Their third objective was to gain assurance that the most powerful members would initiate and support positive collective action within and on behalf of the organization in times of crisis; in this respect there were apprehensions of failure based largely upon the fact that the veto rule foreshadowed the possibility of paralysis of such undertakings. (Quoted in Mahbubani, 2004, p. 255)

The E-10 are structurally at a disadvantage in the Council deliberations and decision-making procedures. This is not only because of the hanging threat of veto but because of a host of other impediments. By the time that new Council members are elected, the bulk of the agenda, procedures and policies of the Council have already been decided. There tends to be an understanding among Council members, particularly the P-5, about issues to receive attention and the ones that should enjoy priority. There is a widespread belief about the existence of longstanding tradeoffs whereby the Council remains passive on some unresolved issues. Newly elected members take up some of these issues only to realise later that there is a lack of interest in making progress.
The absence of institutional memory in the Council in respect of the proceedings of informal consultations and the implementation or non-implementation of Council decisions inhibits the effectiveness of the E-10. The Secretariat merely manages the logistical arrangement for Council meetings. In contrast the P-5 have a continuous record and memory of the Council work over the years. Elected members are disadvantaged when the Council invokes precedent as a basis for decisions.

A pattern is also discerned where the Council takes decisions only on matters where the P-5 have an interest. A case in point is Afghanistan when the non-permanent members called for action against the Taliban. The P-5 apparently claimed that the imposition of sanctions on the Taliban would make Afghanistan a 'strategic orphan'. The attitude of the Council or rather the P-5 changed after '9/11', and sanctions were imposed on Afghanistan.

According to Kishore Mahbubani, formerly Singapore’s Permanent Representative to the UN, the Council is characterised by a structural weakness that emanates from a dichotomy whereby the P-5 were given power without responsibility and the E-10 responsibility without power. The entrenchment of the division between P-5 and E-10 raises the issue of the legitimacy of the decisions of the Council. Therefore the Council has to be constituted differently to overcome its structural weaknesses. Increase in membership in the non-permanent category alone will not address these structural deficits. Consideration has to be given to expanding the Council in both categories.

Another factor that sets the P-5 apart from the E-10 is the veto right. Their permanency and accompanying veto power have given the P-5 control over the global institution. The veto was important to lock in the major powers into a system of common security. It has also been argued that it served to ensure the commitment of the major powers to the organisation. The veto has the potential to become the make-or-break issue with regard to the reform of the Council. None of the current veto-wielding powers is prepared to give up that special privilege. Its abolishment would require the concurrent vote of the permanent members. It thus follows that abolition is not on the cards at the moment.

The extension of the veto to new members also appears problematic. Again there are two schools of thought. One maintains that the veto power should not be extended to new members. There are two categories within this school. There are member states that are opposed to the extension of the veto right as a matter of principle. They strongly believe that the veto is anachronistic and has no place in the modern world save for the reason that the current veto-wielding powers are not prepared to give it up. The second category consists, among others, of some of those aspiring to become permanent members and having tactically agreed to accept permanent membership without veto. They are not so much opposed to the extension of veto to new permanent members but are just realistic. For this group extension of the Council (or rather their membership therein) is more important than acquiring the privileges that have thus far accompanied permanent membership. Some of the aspiring members believe that they can fight for the accompanying privileges once they are in the Council. Given the
pace of consultations and negotiations that so far has characterised the work on Security Council reform, one may safely assume that those who harbour the idea of changing the Council from within have to be prepared to wait for another 30 to 50 years.

The introduction of a third category of membership in the Council, whether for reasons of principles or tactics, is bound to complicate the working relations among the different categories. Such a third category may be smart tactics but not smart politics as it will relegate the non-permanent members to third-class membership. It is bad enough to be a non-permanent member in the company of the P-5. It will be worse with a layer on top in addition to the P-5. Rivalries between the two categories of permanent members will further marginalise the non-permanent members. Besides, why should there be second-class permanent members?

The other school of thought maintains that the veto right should also be extended to the new permanent members. James Jonah, a former Under-Secretary-General for Political Affairs, has argued that the right to veto is in fact not in the Charter. ‘Article 27 of the Charter merely calls for the “concurring votes” of the permanent members when the Council makes substantive decisions.’ (Jonah 2006, p. 63) It would be an anomaly that a concurring vote is required from some permanent members and not from others. Herein lies the reason for the demand of, among others, the African group of states for extension of the veto right to new permanent members if this right is not abolished altogether.

The reform of the Council should go beyond the numbers game. History shows that members of the Security Council have used their position to promote their national interest. There is no guarantee that any new member may behave differently. There is a general perception that mutual interests have developed between the P-5, and the same could happen with P-11 (or whatever number might be agreed in the end). In the words of an ambassador from one of the small states, ‘Life is miserable with P-5 and it can only become hell with a P-11’. Furthermore, examples abound where countries (including those aspiring to permanent membership) have relinquished common positions on major international issues in favour of narrow national interests. The question of representation would remain unresolved if countries from the different regions were to be elected to the Security Council without instituting mechanisms for their accountability to the regions.

What the majority of member states desires is to transform the Council in composition and operation from being an exclusive organ of the powerful to an accountable institution serving the interest of the broader membership. The idea is not to increase the number of irreproachable countries but to make them reproachable through true multilateralism.

**The case for regional representation**

Given the history of the Security Council both in terms of permanent and non-permanent members, where national interest overrides common interest, serious consideration should be given to regional representation whereby a country occupying the regional seat would be held accountable to its region. It has been argued that regional representation could negate the principle of the global accountability of members of
the Council. Would global accountability be more compromised if a member were answerable to a region rather than to itself, a sovereign state? Can an individual sovereign state serve the interest of the broader membership better than a regional group? To make such an assertion would seem to defy logic. A regional group is anchored in multilateralism and, in structure and objectives, is designed to serve broader interests than one single sovereign state.

In theory, members of the Security Council are there to serve the general interest of the membership as a whole. Admittedly, some non-permanent members have taken the issue of global accountability seriously and are providing briefings and soliciting advice from the broader membership. This is done on an ad hoc basis, however, and the outreach is limited. One cannot represent a region without some form of accountability. There is no guarantee that once a country has been elected, it will represent the interest of the continent and not its own national interest. This is too important an issue to be left to chance. If history is anything to go by, countries have often used the rotating regional positions to promote their national interest. Whenever there is a contentious issue before the Council, ambassadors solicit advice from their capitals; it is from there that they receive their instructions. How different is the permanent position going to be? This exposes the weakness of an enlargement in isolation from the other aspects of the reform of the UN in general and the Security Council in particular.

Chapter VIII of the United Nations Charter provides for cooperation between ‘regional arrangements’ and the UN. Regional organisations are empowered to deal ‘with such matters relating to the maintenance of international peace and security as are appropriate for regional action’ (Article 52). They are encouraged to settle local disputes before referring them to the Security Council. This could be done on their own initiative or by reference from the Council. The Council is empowered to use regional organisations ‘for enforcement action under its authority’ (Article 53).

In his Agenda for Peace, Secretary-General Boutros Boutros-Ghali noted that the role of regional organisations was impaired by the Cold War. The situation has since changed, however, and the UN is now in a position to rely on regional mechanisms for the maintenance of international peace and security as well as in order to attain other objectives of the United Nations. The General Assembly has been passing resolutions on a regular basis on cooperation between the UN and regional organisations, recognising the present level of cooperation and expressing the desire for deepening the relationship.

Furthermore, there has been a resurgence of an active role by regional organisations in the settlement of conflicts and in peacekeeping. Two trends have emerged in this regard. The one consists of action undertaken by regional organisations with the authorisation of the Council but under the command of regional arrangements themselves. The other is the use of a regional organisation to execute a UN mandate under the command of the UN.

The action of the Economic Community of West African States (ECOWAS) through the ECOWAS Monitoring Group (ECOMOG) in Liberia, Sierra Leone and Guinea-Bissau
stands out as an example of cooperation between the UN and regional organisations in the maintenance of international peace and security. The deployment of ECOMOG in Liberia was initially taken because of the failure of the Security Council to act. ECOMOG had to take action to contain a conflict that had the potential to spread beyond the borders of Liberia and pose a threat to regional peace and security. The international community was drawn into through the Cotonou Agreement, which paved the way for the deployment of the United Nations Observer Mission in Liberia (UNOMIL). In September 1997, the Secretary-General noted that this was ‘the first United Nations peacekeeping mission undertaken in cooperation with a peacekeeping operation already established by another organization’ (UN document S/1997/712, paragraph 22). The Democratic Republic of Congo (DRC) is another example where the UN joined forces with regional mechanisms, in this case the Southern African Development Community (SADC) and the Organization of African Unity (OAU). The agreement on a hybrid mission between the African Union (AU) and the UN in Darfur in Sudan is another example.

A review of the operation of the various missions will testify to the complexity of cooperation between the UN and regional organisations in undertaking peacekeeping missions. The problems that were encountered should not discourage one from continuing on that path. What is needed is a clear definition of mandates and responsibilities. Shepard Forman and Andrew Grene (2004, pp. 305-306) identified a number of issues that could be addressed so as to create a clear framework for cooperation and coordination. These include:

- Standardisation of the terms of authorisation by the Security Council and detailed clarification of required reporting and coordination arrangements.
- Explicit stipulation that peacekeepers within a Council-authorised operation be subject to international legal parameters, including international humanitarian law and, unless otherwise noted or negotiated, the jurisdiction of the International Criminal Court.
- Requirements that regional organisations maintain an ongoing relationship with the United Nations, including provision of peacekeepers to the UN operations.
- Use of assessed contribution to support complementary peacebuilding activities, as has been the case in East Timor. If the UN’s standing is to be safeguarded, it must not combine high visibility, through presence in the field, with low capacity, authority and resources.
- Training and resources to enhance regional and sub-regional capacity be channelled through the UN, rather than through fragmented bilateral approaches, in order to reinforce the international order envisioned in the Charter.

The situation in Africa makes a compelling case for regional representation. The agenda of the Security Council has concentrated on Africa. The UN has recognised through numerous General Assembly resolutions that Africa has special needs that ought to be addressed by the international community including the UN. There are more than 50 resolutions (mandates) dealing specifically with the special needs of Africa in the areas of peace and security, and political, economic and social development.
These special needs cannot be addressed in a meaningful way without the participation of Africans in decisions affecting them. The current system does not provide for such participation. There is a case for the systematic involvement of Africans in decisions affecting them through some form of regional representation. This could be done through institutionalised consultations with members of the region, links to regional mechanisms such as the AU or the setting-up of a regional secretariat through which countries can pool resources to provide backing to the regional representative.

Regionalism has become an important aspect of international relations – be it in the maintenance of peace and security, or in international trade and development. Regional representation in the Security Council will be more representative than any other form of representation and its possibility should be explored to the fullest.

On working methods

Reform of the working methods is one aspect of the reform of the Security Council that has not enjoyed the attention it deserves. It has been a preoccupation of those countries that do not support the enlargement of the Security Council but that would like to see an improvement in the operations of the Council. In our view, enlargement and reform of the working methods of the Council are not mutually exclusive. Reform in the working methods of the Council will not bring about equitable representation. At the same time, enlargement without reform in the working methods will perpetuate the status quo of dominance relations except that the number of dominant powers prevailing over an unaccountable system would increase. Improvement in the working methods of the Council would institute checks and balances, improve efficiency and effectiveness, transparency, accountability and legitimacy.

Key to ensuring the accountability of the Security Council is its relationship with the General Assembly, which is the representative and principal legislative organ of the United Nations. The interaction between the General Assembly and members of the Security Council leaves much to be desired. The discussion of the annual report of the Security Council in the General Assembly has been superficial. There is a need for greater interaction and exchange. Article 24(3) of the Charter provides for the submission of reports by the Security Council to the General Assembly for its consideration on issues of current international concern such as peacekeeping operations, imposition of sanctions and other enforcement measures and any other matter of interest to the membership as a whole. This provision is not always adhered to. Nothing should be left to chance. Therefore the Security Council should seek the views of member states where a resolution of the Council requires implementation by all UN member states. The ability of member states to implement the resolutions of Council should also be taken into account in the decision-making process.

The Council’s subsidiary bodies should include in their work, on a case-by-case basis, non-members with strong interest and relevant expertise. Member states affected by sanctions should, upon their request, be given the possibility to participate in the meetings of the relevant sanctions committee.

The working methods of the Security Council should also provide for access to information about the work of the Council. Mechanisms should be put in place to
ensure the participation of non-members of the Council in the Council’s work where their interest is directly affected. The regular consultations between the Security Council and the troop contributing countries are a good example of how relationships with interested parties could be handled.

Given the connection between peace and security and economic development, the Security Council should interact in a systematic fashion with the Economic and Social Council (ECOSOC), another main organ of the United Nations. A research project of the World Bank concluded that the level of development, rate of growth and structure of income contribute more to intra-state conflicts than ethnic and religious diversity. Furthermore there are shared responsibilities between the various main organs of the UN in conflict situation. Coordination of activities should thus become a standard operating procedure.

Conclusions

The process for the reform of the Council will be protracted but there are no shortcuts to progress. There is a need for a comprehensive approach to reform of the Council. Any enlargement of the Council without reform of its working methods and other aspects will not be satisfactory. By the same token, reform of the working methods without enlargement may improve the efficiency and effectiveness of the Council but will not make it more representative. One has to think out of the box if progress is to be made. The question of regional representation should be explored further than the casual reference to it that one hears in the corridors. Regionalism is anchored in multilateralism and could be the most representative form of representation.

Literature


‘To contribute to the maintenance of international peace and security…’

The Case for Democratic Reform of the Security Council

James Paul & Céline Nahory

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.

Council reform badly needed, but solutions are difficult

Nations can agree on the Council’s shortcomings, but they differ sharply on the necessary solutions. All concur, 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 (P-5) of the Council, with their vetoes and many special privileges, now arouse widespread criticism as a self-appointed oligarchy.

But for over 15 years, nations have been debating Council reform in the United Nations General Assembly without result. Change in the Council’s membership, the most thorny issue of all, requires revision of the Charter.

In the summer of 2005, there was a burst of diplomatic energy on reform of the Council’s composition. But as often before, the proposals died in the face of stiff opposition. While the 2005 World Summit promised ‘early’ and comprehensive reform as ‘an essential element of our overall effort to reform the United Nations,’ no plan concerning a new membership arrangement has yet won the needed support for such a major institutional change. The November 2007 debate in the General Assembly on this topic – as well as efforts of the Assembly President, facilitators, task forces and working groups – do not indicate that such support is in the offing. But they hint at some readiness for a transitional solution.

Council reform issues go beyond membership change

The debate focuses mostly on membership expansion (and new permanent members), but Council reform involves much more than the chairs around the table and who sits in them. The Council is far too loosely organised and depends far too much on the management of the 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 organised institutional memory. Incredibly, the Council’s rules of procedure remain ‘provisional’ after more than 60 years of operation. The Council’s influential presidency changes constantly in a monthly rotation, producing organised confusion. Most of the body’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, fuelling 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 10 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.

The Council reform movement seeks disparate goals but many want more democracy

After an inconsequential brief flare-up at the end of the 1970s, strong calls for Council reform began in the early 1990s. This happened in response to the Council’s controversial action and inaction (Iraq and Rwanda for example) and its growing activity in the post-Cold War period. Critics of the Council made seven demands – that the Council be:

- more representative
- more accountable
- more legitimate
- more democratic
- more transparent
- more effective
- more fair and even-handed (no ‘double standards’)

Such demands seem reasonable, but they are not easily compatible. A Council of 40 members, for example, might be more represen-

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tative, 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.

Democratic slogans and undemocratic practices

Reformers sometimes ask: how can even the best-organised 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.

‘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 unrealistic, leading to further domination, bitterness, destabilisation 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.

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 in obtaining ratifications from two-thirds of all member states, including the mandatory endorsement of the five permanent members of the Council. 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
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with the present arrangements and oppose any changes that might dilute or challenge their power or expand their club. China is expected to block permanent membership for Japan, and the United States has suggested that it will only support Council reform that commands an implausibly ‘broad consensus’.

**Middle powers pursue self-interest through permanency**

Influential middle powers Japan, India, Brazil and Germany came together in 2005 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 (at least) seven nations must curry favour 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.

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2 For various drafts and position papers on the enlargement issue see ‘Security Council Reform: Documents and Statements’ on GPF’s website: www.globalpolicy.org/security/reform/docindex.htm

3 The Russian Federation being considered as a European state.

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**Permanent member candidates stir rivalries that ensure defeat**

Japan and Germany have realised that they cannot reach permanent status without other new permanent members from Asia, Africa and Latin America. Ironically, however, these Southern partners make their 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 organised grouping called ‘Uniting for Consensus’, which rejects any expansion of the Council’s permanent members.

**More permanent members would multiply the deformities of permanency**

As the past six decades have demonstrated, permanency of membership makes the Council inflexible and unable to accommodate change. Like a country having a ‘president for life’, permanent membership sets the stage for future anomalies and provides no avenue for normal evolution as the status and power of states rise and decline in the international system. One ambassador from an elected delegation in the Council called the permanent members mockingly the ‘H-5’, the Hereditary Five, to highlight the anachronism of their status in a world that aspires to democracy. The present five permanent members already burden the Coun-
cil 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.

**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 very little military support to the Council’s peacekeeping operations and some permanent members have even been seriously in arrears with their UN assessments, putting the organisation’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.

**More permanent members would further block Council action**

Permanent members, through their veto and threat of veto, 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, 11 permanents might exclude virtually all topics from the Council’s agenda, making effective Council action all but impossible. Some aspirants claim that they are ready to agree not to use their veto for 15 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.

**More permanent members would burden the UN with more specially privileged members and special perks**

The P-5 have two well-known Council advantages – continuous membership and veto power, both privileges provided by 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 International Court of Justice, 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.

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A middle tier of privilege – the ‘Plan B’ option and its variants

In December 2004, the Secretary-General’s High-level 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 recognised the problem of the very short, two-year terms that elected members have at present.

Another proposal presented in the ‘Uniting for Consensus’ draft resolution in July 2005, and known as the ‘Green Model,’ proposed simply the creation of 10 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. Enlargement would lead to an all-powerful executive committee

In a famous essay, historian Cyril 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 (worse still) the original body becomes dysfunctional and irrelevant. At the UN, an enlarged Economic and Social Council (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.

Enlargement (in whatever form) would make the Council cumbersome and ineffective

The Council is not a legislature, but a body that combines quasi-legislative authority in security emergencies with power for rapid executive action. With 15 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 their 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 11 new members would create a hopelessly awkward and inefficient institution.


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.’

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 their 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 hegemons, 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 1994 genocide) with negative effects on many neighbours. 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 neighbours and friends.

The question of regional representation

The idea of regional representation goes back to 1945, when the United Nations Charter was being negotiated in San Francisco. Countries such as Brazil, Colombia and Egypt then supported the idea of including regional representation. But because such a concept was seen as threatening the power of the future permanent members, the idea was dropped. In April 2007, a report of five facilitators appointed by the President of the General Assembly to push the process forward identified the question of regional representation and accountability as a key step towards a more representative Council.

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ment reported that in the view of many delegations, elected members should represent not only their state’s interests but also the views of the regional group to which they belong, in order to enhance access and input from non-Council members. Regional organisations of states such as the European Union (EU) or the African Union (AU) are leading in this direction. While the EU has developed furthest, other regional bodies may evolve, including a proposed South American Union of Nations (UNASUR). In its 2005 ‘Ezulwini Consensus’, the AU adopted a regional approach to the question of its membership in the Council. The AU made clear that the African demand for representation was for the entire continent, not for just one or two countries. The AU declared it would itself determine the criteria and be responsible for the selection of its representatives.

But many member states are sceptical about regional seats, though, seeing them as impractical at present, due to the different levels of cohesion of the regional groups and their varied internal working methods. Still, many agree that the concept of regional representation is worth exploring, as a way towards an eventual agreement on Security Council reform.

**Suggestions for representation through more effective regionalism**

Informal regional arrangements fit into the existing structures to provide a better form of representation on the Council, as a prelude to regional seats. 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. The 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 great 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 Council

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13 For size of missions in the Security Council (number of professionals on staff) in the years 1994 to 2005, see www.globalpolicy.org/security/data/tabsec.htm
terms. Other states could act likewise. But real progress can only take place if stronger regional states give up their hopes of permanent seats. When these states realise that progress depends on common action with their neighbours, they can promote common interests and not theirs alone.

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 mobilise 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 all the 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 the admission of new members to the UN, election of the Secretary-General and other cases rarely touching on core P-5 interests. Similarly, the 187 states outside the P-5 club should make joint efforts to limit other special P-5 privileges, such as claims on high Secretariat posts and seats on the International Court of Justice. Eventually, in the more distant future, permanency itself should be negotiated into well-deserved oblivion and the oligarchy eliminated once and for all.

Improvement in the Council’s working methods
The spotlight on membership, permanency and Charter revision 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 15 years, the Council has slowly been reforming itself, largely under pressure from the 10 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 programme of work and targets its sanctions better, to name just a few significant improvements. But much remains to be done.

In 2006, a group of small states, commonly known as the Small Five in an amusing reference to the P-5, proposed a draft resolution inviting the Security Council to consider 19 measures to improve its working methods, notably its relationship with the General Assembly and its procedure to add and remove individuals from its sanctions committees’ lists.14 Since then, the group continues to lobby for more transparent and public Council working methods, as a way to enhance access to the work of the Council for non-Council members. While the broad membership insists that the working methods are an essential and integral part of Security Council reform, some expansion proponents fear that a breakthrough in this area may diminish their claim, and perma-

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ent members insist these measures should be adopted by the Security Council itself, not be ‘imposed’ by the General Assembly.

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 institutionalised 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 non-governmental organisations and policy actors of all kinds.

\textit{Council reform is work in progress:

towards a transitional approach

Council reform is a process for the long haul, and must be based on ideas for a more democratic global future, not outworn concepts from the past like permanency and great power oligarchies. In light of the irreconcilable positions and the impasse that have stalled the debate for so long, it is time to move towards feasible transitional steps. As the November 2007 General Assembly debate suggests, member states seem ready to consider a transitional approach. Among the elements of the compromise should figure the questions of regional representation, working methods and limitation of the use of the veto. Only arrangements that do not entail Charter reform have a real chance of success.
Squaring the Circle


Richard Hartwig

UN Security Council Reform will not be taken up until the Council’s membership is so at odds with the modern world that the point is reached where this dysfunction undermines the legitimacy of the Council’s decisions.

Peter Wilenski, Australia’s Permanent Representative to the UN, 1991

Some problems appear to have no solution. One cannot square a circle. Yet, some insoluble problems, like reforming the United Nations Security Council (UNSC), are crucially important. This article does not claim to solve the UNSC puzzle today. It argues that a solution may be possible in the future, when the world has changed. We do not need a perfect solution; an approximate square will do.

The League of Nations, the predecessor to the UN, was created to prevent a repetition of the senseless slaughter of World War I. It failed, in part because the United States of America refused to join the organisa-

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Secretary-General Ban Ki-moon addresses the Commission on Sustainable Development (CSD) in the General Assembly Hall, 14 May 2008. Unlike the General Assembly of the United Nations, the Security Council can pass binding decisions and legally has the power to enforce them.

UN Photo/Paulo Filgueiras
tion. Then came World War II, which resulted in the deaths of 60 million people. The United Nations was formed to prevent another world war. The Security Council was to be the key organ of the UN system. Under the UN Charter, the UNSC attempts to settle disputes peacefully and to meet threats to peace (Chapters VI and VII). The five permanent members of the Council – the United States, the Soviet Union, Great Britain, France and China – were the main victors in the fight against the Axis powers. It made political sense at the time for each of the permanent UNSC members to have a veto over Council decisions. The US would not have joined the organisation without having the veto. But not including provisions for subsequent modifications of permanent membership was a fatal mistake. The Security Council could not – or would not – adapt to a changing world.\footnote{See Bardo Fassbender, UN Security Council Reform and the Right of Veto: A Constitutional Perspective. The Hague: Kluwer Law International, 1998; Fassbender’s ‘An Illusion Shattered? Looking Back at a Decade of Failed Attempts to Reform the UN Security Council’, in Max Planck Yearbook of United Nations Law 7, 2003, pp. 183-218; and Neil Fenton, Understanding the UN Security Council: Coercion or Consent?, Burlington, VT: Ashgate, 2004. Not all analysts believe that UNSC reform is essential. See Ian Hurd, ‘Security Council Reform: Informal Membership and Practice’, in Bruce Russett, ed., The Once and Future Security Council. New York: St. Martins, 1997, pp. 133-152. For earlier analyses, see Davidson Nicol, ed., Paths to Peace: the UN Security Council and Its Presidency, New York: Pergamon, 1981.}

In the post-war period, Germany and Japan re-established themselves as important powers and became stable democracies. France and Great Britain lost their empires and declined in relative terms. After the fall of the Soviet Union, Russia declined dramatically, although it has become stronger under President Putin. Developing nations like India and Brazil became large and powerful in their own right. The world changed, but the Security Council did not fundamentally change – aside from increasing the number of non-permanent (temporary) members in 1965.

The process of international conflict resolution has changed, however, in part because of the structural limitations of the UNSC, which still reflects the power relationships of 1945. Jochen Prantl has written that ‘… all too often, the UN Security Council plays only a marginal role in the management of conflicts’. Prantl has described how informal groups (Groups of Friends or Contact Groups) played key roles in conflict resolution in Namibia, El Salvador and Kosovo. But even where the UNSC is not the key player, ‘the Security Council is sought as legitimiser of state action, which is one of its most important functions’.\footnote{Jochen Prantl, The UN Security Council and Informal Groups of States: Complementing or Competing for Governance? New York: Oxford University Press, 2006, pp. 8-9.}

\textit{The Economist} has summarised the case for formal Security Council reform as follows:

Why, for example, should Britain, with its 60 million people, have a permanent seat and not India, with more than a billion? Why should Russia with a GDP the size of Belgium’s have one and not Japan, [with] the world’s second biggest economy? Why doesn’t a single African, Latin American or Muslim country have permanent status?\footnote{The Economist, 30 November 2004, p. 26.}

Daniel Drezner makes the point more abstractly:
Global institutions cease to be appropriate when the allocation of decision-making authority within them no longer corresponds to the distribution of power — and that is precisely the situation today. The UN Security Council is one obvious example.\(^4\)

As presently constituted, the UN Security Council is unrepresentative, illegitimate, and increasingly ineffective in dealing with crises such as the war in Iraq, the genocide in Darfur and the alleged threat of a nuclear-armed Iran. However, a good solution is currently unreachable. The five permanent members (P-5) are selfish and will not give up their veto powers. Nor is there agreement among the other UN members. Adding more members with the veto power would render the organisation ineffective and would reduce the influence of the US, Russia, China, France and Great Britain. Adding permanent members without the veto power would make the new Council members second-class citizens and would alienate their regional rivals. Increasing the number of UNSC members per se would make the Council unwieldy when faced with crucial decisions. Jerzy Ciechanski summarises the problem as follows:

The UN security mechanism is at the mercy of the ambivalent relationship between power and legitimacy. The UN Charter recognizes that security cannot be achieved without the power necessary to enforce peace. The power to secure peace cannot be sufficiently effective if it is not regarded as legitimate. To be effective, the UN has to institutionalize the concert of the Big Powers and the hegemonic relationship between them and the rest of the membership. To be legitimate, it has to be ‘democratic’, that is, representative of the totality of its mostly powerless membership.\(^5\)

Satisfactory Council reform may become possible by 2020, if not before. This is the year a High-level Panel commissioned by the Secretary-General has suggested for a review of the composition of the UNSC. In a unipolar world, the leaders of a hegemonic power like the US may not feel that they need a strong and independent United Nations. However, as the world becomes increasingly multipolar, and international problems become less easy to manage, this may change. The Middle East has certainly become harder for the US to handle in recent years. A major world economic or political crisis may also be required to stimulate UNSC reform.\(^6\) At some point, given capable leadership in key countries, it may become possible to approximately square our circle by amending the UN Charter

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\(^6\) Possible crises might include accidental or intentional nuclear war between China and the US over Taiwan; nuclear war involving North Korea, Iran, Israel, or India/Pakistan; a world-wide bird flu pandemic (or other variety of flu); a variety of disasters relating to global warming and the environment; increased problems relating to terrorism and criminality; or a world-wide economic meltdown. There might also be a slow-motion crisis of UN and UNSC legitimacy or attempts to create a rival organisation like a ‘League of Democracies’.
through a General Conference of the Members, as described in Article 109.7

Here we advocate radical UNSC reform through what we call the Regional/Economic Proposal (REP). It is an exercise in constitution-building or political architecture. This proposal suggests that representation in the Security Council may be determined by objectively balancing the three claims of legitimacy, power/wealth and mutual advantage. It envisions a UNSC composed of 10 geographic Regions. Each Region would be headed by an anchor country, or by co-anchor countries. A Region’s UN representative could only vote on a particular issue if supported by countries representing 60 per cent of its population and 60 per cent of its Gross Domestic Product at purchasing power parity – GDP(PPP). This is the 60/60 rule. In emergency situations, only anchor and co-anchor countries would have the vote. There would be no veto power. Regions with at least 18 per cent of the combined GDP(PPP) of all Regions would receive two UNSC votes each on a permanent basis. This would currently give both Northern America and Europe two votes, with the other Regions having one vote each. East Asia (China, including Hong Kong, and North Korea8) will probably qualify for two votes by 2020, if not before. According to the World Factbook, East Asia currently has 16 per cent of the GDP(PPP) of all 10 world Regions.9 The composition of the Regions would be subject to revision by the UNSC, with General Assembly approval, every 20 years.

The Council currently consists of the P-5, plus 10 non-permanent members elected by the General Assembly on a regional basis for two-year, staggered terms with no immediate re-election.10 Decisions of the Council on matters other than procedural ones require an affirmative vote of nine members – including those of the permanent five.11 This provision gives some influence to the non-permanent members as well. The Presidency of the Council rotates on a monthly basis.

Repeated attempts to reform the Security Council have failed. One failure took place at meetings prior to the UN’s 60th anniver-

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7 Article 109 of the Charter stipulates that a ‘General Conference of the Members of the United Nations for the purpose of reviewing’ the Charter may be called by a two-thirds vote of the members of the General Assembly plus ‘a vote of any nine members of the Security Council’. Changes in the Charter require a two-thirds majority of the conference and ratification by two thirds of the UN membership, ‘including all the permanent members of the Security Council’.

8 For ease of reference, we always use ‘North Korea’ when the Democratic People’s Republic of Korea is meant, and ‘South Korea’ when the Republic of Korea is meant.

9 Extrapolations from figures published by the Asian Development Bank indicate that China’s GDP(PPP) may be substantially less than this. See Eduardo Porter, ‘China Shrinks’, New York Times, 9 December 2007.


11 Article 27(3) of the Charter laid down the requirement of the ‘concurring votes of the permanent members’ in order to pass a resolution. Since the early days of the UNSC, in practice an abstention of a permanent member has not been considered an obstacle to the adoption of a resolution.
sary celebrations in New York in September 2005. The efforts of an open-ended working group are still continuing in the General Assembly. These endeavours provide a useful backdrop to the long-term restructuring proposed here.

Reform plans A and B

In late 2003, UN Secretary-General Kofi Annan appointed a 16-member High-level Panel on Threats, Challenges and Change. Anand Panyarachun, a former prime minister of Thailand, was designated Chairman. About a year later, the panel submitted its report, entitled 'A More Secure World: Our Shared Responsibility'. The High-level Panel proposed the most drastic changes in the history of the United Nations, including a restructuring of the Security Council. The Panel members wrote:

Since the end of the cold war, the effectiveness of the Council has improved, as has its willingness to act; but it has not always been equitable in its actions, nor has it acted consistently or effectively in the face of genocide or other atrocities. This has gravely damaged its credibility. The financial and military contributions to the United Nations of some of the five permanent members are modest compared to their special status, and often the Council’s non-permanent members have been unable to make the necessary contribution to the work of the Organization envisaged by the Charter. Even outside the use of a formal veto, the ability of the five permanent members to keep critical issues of peace and security off the Security Council’s agenda has further undermined confidence in the body’s work. (para. 246)

The Panel proposed two alternative plans for UNSC reform, both of which would enlarge the Security Council to 24 members. The goals of both plans are:

1. to ensure that the Council broadly represents the membership of the UN as a whole;
2. to include those nations which contribute the most to the organisation financially, militarily and diplomatically; and
3. not to expand the veto, since this would further complicate decision making.


One plan, called *Model B*, would create a three-tier Security Council. The first tier would consist of the current P-5 with their veto powers intact. The second tier would consist of eight four-year-term renewable seats, without vetoes. Two new members would come from each of four geographic areas: Africa, Asia/Pacific, Europe and the Americas. The third tier would consist of 11 regional members elected for non-renewable two-year terms.\(^\text{17}\) This plan was reportedly attacked by Japan, Brazil, Germany and India. These countries, called the ‘Aspirant Four’, all believed they should have permanent, first-class status on the Council and worked together to this end. They pointed out that Japan and Germany respectively are the second and third largest contributors to the UN budget. The goal of wide geographical representation would favour the inclusion of Brazil and India.\(^\text{18}\)

The counterattack of the Aspirant Four led to *Model A*. This plan would create six new permanent Security Council seats without the veto power: two each in Africa and Asia/Pacific and one each in Europe and the Americas. No countries are specified, but the Aspirant Four would most likely get their seats and for Africa there would probably be one permanent member from the Arab north (possibly Egypt) and one from the sub-Saharan south (Nigeria or South Africa). There would also be 13 two-year, non-consecutive-term seats on the Council, divided among the major geographic regions. This plan had its detractors as well, however. Pakistan, and possibly China, questioned the idea of India having a permanent seat. Other Latin American countries resented the ascendancy of Brazil. Italy favoured a single European seat rather than an additional European seat for Germany.

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\(^{17}\) UN doc. A/59/565 para. 253. The 1997 Razali Proposal, developed by former General Assembly President Razali Ismail of Malaysia, in consultation with 165 countries, was the predecessor of Model B.

Canada and Spain did not support the idea of any new permanent members. China and both Korean states opposed a permanent seat for Japan. The Africans could not decide which countries should get their two seats. Finally, the US administration of George W. Bush favoured only a single new permanent member: Japan.19

Neither Model A nor Model B would resolve the basic problems of the Security Council. One of these problems is that Great Britain and France (and perhaps Russia) do not deserve their current veto powers on the Security Council. These are countries with great imperial histories, but today they are simply mid-level powers on the world stage.20 Unfortunately, criteria for continued permanent, veto-wielding membership on the UNSC were never established and these countries can veto any reforms they disapprove of. Reform plans A or B would make matters worse in some respects. A 24-member Council would be harder to manage than the current 15-member body. There is also little justification for the European Union (EU) having three of the 11 permanent members of the UNSC. The combined 2006 GDP(PPP) of Great Britain, France and Germany is only half of that of the US. These three countries together have only 18 per cent of the population of India. The new UNSC members might gain symbolic rewards, but without the veto, they would have relatively little real power.21 Edward Luck adds some additional criticism of Models A&B, writing that:

…simply adding seats to a flawed enterprise does nothing to improve the way it relates to other organs or reaches out to the larger UN membership. A few more countries are to be pulled into the charmed circle, but nothing is to be done to make it any more representative of the concerns and interests of the rest of the membership.22

Neither the High-level Panel Report nor that of former Secretary-General Annan specifies how many votes would be required for procedural or non-procedural decisions on the proposed 24-member Council. Nor do the reports provide a UNSC role for smaller or middle-level countries.23 Finally, neither Model A nor Model B is likely to be adopted any time soon, given the opposition of the US and China.24

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19 Ibid. See also Weiss and Young, pp. 146-147, and Traub, pp. 169-70.
20 In 2007, Russia had 141 million people and had an estimated 2006 GDP(PPP) of USD 1,746 billion. Brazil had 190 million people and a GDP(PPP) of USD 1,655 billion. The respective figures for France were 64 million people and USD 1,902 billion GDP(PPP), compared to India’s 1,130 million people and USD 4,164 billion GDP(PPP). World Factbook, updated 15 November 2007.
23 Ibid., p. 149.
In November 2007, nearly 40 delegations to the 62nd General Assembly plenary session participated in a debate on Security Council reform. A large majority agreed that overall United Nations reform was incomplete without reform of the Council. The current body, they argued, had a political structure favouring the balance of power of a bygone era. The Japanese representative complained that UNSC reform had been under discussion for 14 years. If the matter were to be deferred again, the Council’s effectiveness would be compromised and its credibility would be questioned.

The major developments at this point were growing support for an intermediary solution and support for regional representation. According to Argentina, the intermediary approach could last 10 to 20 years. The African states reaffirmed their support for the Ezulwini Consensus, at which they had arrived in 2005. This would give Africa two permanent seats with the veto power and five non-permanent seats. The United Arab Emirates requested one permanent and two non-permanent seats for the Arab Group, to be filled on a rotating basis. There was some movement, but probably too little, on the part of the crucial P-5. China said it was open to beginning an intergovernmental negotiation process, noting specifically that it would not back any formula that did not address Africa’s concerns.

The authors of the High-level Panel Report wrote: ‘We see no practical way of changing the existing members’ veto powers’ (para. 256). Without major concessions by the P-5, it is impossible to solve the problem of Security Council reform. Here we will ignore the current stalemate and try to imagine what the best possible UNSC would look like. With such a model, and a substantial time horizon to work with, we propose a solution that may be both better and more acceptable than those currently under consideration. Our objective is to formulate a realistic UNSC reform plan that will be acceptable both to the self-interested P-5 countries and to two-thirds of the (equally self-interested) members of the UN General Assembly. This organ would have to ratify the required changes in the Charter. There is no solution which all countries will consider ideal. However, it may be sufficient to design a Council structure which is most countries’ second choice.

The 2020 date for our reform proposal was chosen because of Recommendation No. 78 of the High-level Panel:

There should be a review of the composition of the Security Council in 2020, including … a review of the contribution … of permanent and non-permanent members from the point of view of the Council’s effectiveness in taking collective action to prevent and remove new and old threats to international peace and security.

There are many other proposals for UNSC reform in addition to Models A and B: Model C, Model X, Model Duo, the Blue and Green Models, the Italian Regional Proposal, the African Union Proposal (Ezulwini Consensus), the Razali Proposal, and the Uniting for Consensus Resolution, to name but
a few.25 They contain many thoughtful and ingenious suggestions, and the competition between the different plans has many advantages. To date, however, these advantages have remained largely theoretical. Some reform proposals accept the veto power of the P-5 countries in the interest of acceptability. Others would gradually phase out the veto or try to persuade the P-5 not to use it often.

For a third group, UNSC reform is part of a larger project to democratise and improve the world. Unfortunately, most of the latter’s proposals are either utopian, and could never be implemented, or would not solve the fundamental problems of effectiveness and legitimacy.

It would be both tedious and unnecessary to discuss each reform proposal in detail. We will limit ourselves to comparing the qualities of our Regional/Economic Proposal with those of High-level Panel Models A and B – in various permutations – and, briefly, with more abstract UN reform models proposed by academic Joseph Schwartzberg (2004) and Turkish UN official Kemal Derviş (2005).

Schwartzberg’s best elaborated proposal is found in Revitalizing the United Nations: Reform through Weighted Voting, although he has since suggested variations on the theme.26 Derviş’s book (with Ceren Özer) is A Better Globalization: Legitimacy, Governance, and Reform.27

The writer’s REP and the Schwartzberg and Derviş models were developed independently; however, they share some important features: (1) eliminating the veto power; (2) a regional orientation; (3) a single seat for the EU (Derviş only); and (4) weighted voting. For Schwartzberg, Derviş, Richard Falk, Robert Sheppard, James Junker and others, UNSC reform is part of a larger reform process extending, in some cases, to recommendations for a world parliament. The current proposal is limited to UNSC membership and voting; it does not deal with the General Assembly, the weak Economic and Social Council (ECOSOC) or other UN organs in any sustained fashion.


27 Brookings Press, 2005; available online at www.cgdev.org/content/publications/detail/2834/
This is not to say that other types of reforms are not advisable. For example, Paul Kennedy has made the sensible suggestion that the President of the General Assembly should be authorised to sit in meetings of the Security Council. Derviş argues for a United Nations Economic and Social Security Council (UNESC), at the same level as the Security Council. The UNESC would appoint the heads of the WTO, the World Bank and the IMF, thus increasing the legitimacy of the latter three organisations. This proposal might be more acceptable politically if representation on the UNESC were based upon the formula proposed here.

The Regional/Economic Proposal (REP)

By 2020, the economic and military balance of power in the world will have shifted towards Asian countries, especially China and India. In terms of PPP, China was already the world’s second largest economy in 2005. The Economist Intelligence Unit projects that China’s GDP(PPP) will slightly exceed that of the US by the year 2020. China surpassed Japan as the world’s leader in foreign exchange holdings in February 2006. As of March 2007, it had USD 1.2 trillion in reserves:

The National Intelligence Council, a U.S. government think tank, projects that by 2025, China and India will have the world’s second and fourth largest economies, respectively. Such growth is opening the way for a multipolar era in world politics.

Fiscal deficits; the unsustainable current account deficit; a declining dollar; the sub-prime mortgage crisis; social problems related to health care, retirement and growing inequality; an overextended military; and reduced international prestige (soft power) are likely to take their toll on the United States. As its relative power and autonomy decline, and the world becomes increasingly multipolar, the US may become more appreciative of the United Nations. This has already happened to some extent as a result of the Second Iraq War, which has become

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29 See Derviş, A Better Globalization, pp. 96–104. Derviş notes that the Rasmussen Report (2003) and Our Global Neighborhood (1995), the final report of the Commission on Global Governance, have proposed something similar to his UNESC. The only difference between Derviş’s proposal for representation on the Security Council and representation on the UNESC is that military capability would not be considered in the latter. This would further disadvantage Russia, which would have only 1.5 per cent of the total weighted vote (Table 4.1, year not specified, p. 97), compared to 25.7 per cent for the ‘EU and official candidates’.
31 Drezner, ‘The New World Order’, p. 34.
very difficult and expensive for the US. Leadership changes in the wake of the 2006 midterm and 2008 presidential elections may accelerate the process.

The original countries of the European Union may also experience economic decline and political strain in the coming decade and a half. Their aging populations will not be able to sustain their current welfare systems and their economies will strain to compete with those of China, India and other Asian countries. Great Britain and France may be persuaded by their EU colleagues that it is in their own interest, as well as in the general interest, to give up permanent status and the veto power in the UN in exchange for a permanent Security Council seat for the EU. This is more likely in the context of UNSC reform such as that proposed here, which eliminates the veto power entirely. Finally, it is in the interest of nearly all countries in the world to have a functional UN.

As of late August 2006, the US government was attempting to increase the voting power of China – as well as South Korea, Turkey and Mexico – in the IMF. According to Timothy Adams, US Under-Secretary of the Treasury for International Affairs, giving China a greater voice in the IMF will increase its sense of responsibility for the institution’s mission.33 We believe the US will take a comparable position on UNSC reform at some point – as long as its own interests are not threatened.

Conditions for satisfactory reform of the Council may or may not materialise. However, we should be prepared for the day when a window of opportunity for reform may open. As Edward Luck has argued, ‘... reform follows political convergence, not the other way around’.34 The proposed changes are radical and would require revising the Charter of the United Nations.

Ideally, no country should have veto power in the Security Council. The veto severely damaged the UN during the Cold War, although it can be argued that the Soviet Union would have left the organisation without that power.35 However, it is clear that the veto by the P-5 countries prevents reform today. Countries are selfish; they rarely give up power in the interest of a greater good. Nor should there be an unwieldy, 24-member UNSC, as proposed in the A and B Models described above.36

Geographic regions

Our suggestion is that geographic Regions, rather than countries, be represented on the Security Council. Representation by regions has been proposed before, but not

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34 Luck, ‘The UN Security Council ... ?’, p. 146.


36 Thomas Weiss, David Malone and W. Michael Reisman all make this point in separate articles in the September 2005 issue of Security Dialogue (Vol. 36 [3]).
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In this form, representation would be based on 10 geographic Regions (with a capital ‘R’): Northern America, Latin America, Europe, Sub-Saharan Africa, Middle East, Northern Eurasia, Southern Asia, Eastern Asia, Southeastern Asia and The Pacific. The UNSC would thus have 10 permanent members. There would be no veto power.

Only countries with a minimum of 4 million people or a GDP(PPP) of at least 40 billion constant US dollars would be allowed to participate in the UNSC Regions. The role of the smaller countries in the General Assembly would continue as it is. The legal principle of the sovereign equality of nations would not be affected in this sense. The 4 Million People/40 Billion Dollar GDP(PPP) Rule is designed to include small but in-
fluential countries such as Costa Rica and Norway. It would exclude the micro-states, to keep the operation of the UNSC from becoming excessively complex and slow. However, countries reaching and maintaining the thresholds of 4 million people or USD 40 billion GDP(PPP) for two consecutive decades – in constant dollars – could be added to the Regions.

The REP uses the concept of anchor and co-anchor countries. The anchor countries would correspond to the permanent members of the current Security Council. Anchor countries would be inextricably linked to a particular Region. An anchor country (or federation-like organisation) would be one that has more than half of the total size points of all participating countries in its Region. Size points, as described below, are determined by a formula weighting a country’s population and GDP – measured in terms of PPP. The anchor countries (one of them a regional supranational organisation) would be the United States, the European Union, China, India, Russia, and Japan. There would be co-anchor countries in Regions that do not have a dominant country, again chosen by a combination of population and GDP(PPP). Sub-Saharan Africa, Latin America, Southeastern Asia, and Middle East Regions would all have co-anchor or rotating co-anchor countries.

The determination of co-anchor and rotating co-anchor countries is somewhat more complicated. Population and GDP may be compared by arbitrarily assigning one point for each 10 million people and one point for each USD 40 billion GDP(PPP) in constant 2006 dollars. We will call this the Egyptian Standard, since this ratio weights population and gross domestic product approximately equally in Egypt – with GDP measured in terms of purchasing power parity. By this measure, Egypt would receive 8.0 points for population and 8.4 points for GDP(PPP). Measured in these terms, Pakistan is the largest country in Middle East Region with 27 size points – a size point being a combination of the points for population and GDP(PPP). Turkey, Iran and Egypt would follow with 23, 21.5, and 16 points respectively. Only countries with a minimum of 15 size points would be eligible for co-anchor status.

As noted above, there would be one large anchor country (a regional supranational organisation, in the case of Europe) in six of the Regions. The Permanent Representatives of the US, the EU, China, India, Japan and Russia, would preside as UNSC Chairs of their Regions most – or all – of the time (see Table

The statistics are from the World Factbook, updated on 15 November 2007.

It might be desirable to leave the decision as to the number of points allocated for population and GDP(PPP) for the members of each Region to determine, since GDP varies so much by Region.

This assumes that Turkey will join Middle East Region rather than Europe.

Colombia, which currently has 13.8 size points, is included here because it will soon reach the 15 point level.

39 The term ‘anchor country’ is also used by the German Federal Ministry for Economic Cooperation and Development (BMZ). There it refers to those countries ‘that have a vitally important political and economic status within their regions, which gives them a crucially important part to play in the development and security of their region and in resolving global issues’. These countries are identified as those that account for more than 20 per cent of the GDP of their region. See on-line dictionary World of Words of GTZ, www.gtz.de/de/publikationen/begriffswelt-gtz/en/include.asp

40 It might be desirable to leave the decision as to the number of points allocated for population and GDP(PPP) for the members of each Region to determine, since GDP varies so much by Region.

41 The statistics are from the World Factbook, updated on 15 November 2007.

42 $ = P/10 + G/40$ where $S =$ number of size points; $P =$ number of millions of people in the population of a country; and $G =$ number of billions of constant dollars of GDP(PPP).

43 This assumes that Turkey will join Middle East Region rather than Europe.

44 Colombia, which currently has 13.8 size points, is included here because it will soon reach the 15 point level.
There would be rotating ‘A’ and ‘B’ seats on the UNSC for co-anchor countries in the other Regions. Brazil and Mexico would co-anchor the Latin America Region most of the time, with Argentina and Colombia filling in for shorter periods. South Africa and Nigeria would co-anchor the Sub-Saharan Africa Region. Turkey, Iran, Pakistan and Egypt would alternate for specified numbers of years as co-anchors of the Middle East Region. Indonesia, Bangladesh, the Philippines, Thailand and Vietnam would alternate in the two co-anchor positions in Southeastern Asia. Japan would be the anchor country in The Pacific as long as it has over 50 per cent of the size points of this Region. Japan currently has 57 per cent of the size points of participating countries in its Region. Should it fall below 50 per cent in two consecutive census periods, a decade apart, it would become permanent co-anchor in the A seat. South Korea, Canada and Australia would then alternate as co-anchors in the B seat.

A specific example of how the above would work is as follows: Middle East Region countries with at least 15 size points would be divided into ‘A’ and ‘B’ groups. Each group would have approximately the same number of size points. Pakistan (27 points) and Egypt (16 points) would alternate in the A seat. This grouping has a total of 43 size points. Iran (21.5 points) and Turkey (23 points) would alternate in the B seat. These countries have a total of 44.5 size points. The total numbers of size points in each grouping should be as similar as possible. Years as co-anchor countries would be allocated in proportion to the percentage of size points a country has in its group.

Pakistan and Egypt respectively have 63 per cent and 37 per cent of the size points in group A. This is approximately a five to three ratio. Consequently, Pakistan would serve as co-anchor for five years in the A seat, followed by Egypt for three years. In the B seat, Iran and Turkey would serve identical three-year terms because their size point scores are similar (21.5 and 23.1 respectively). Table 1 includes the results of applying this procedure in the four (possibly five) Regions without a dominant anchor country.

It would seem preferable for the existing organisations in Regions with co-anchor countries to determine the precise rotations, that is to say which countries would be on the UNSC in a particular year. (In the case of The Pacific, a regional organisation would need to be created.)

Under normal conditions, UNSC co-anchor positions would confer more status than real power. The voting power of countries within Regions would be based upon their populations and GDP(PPP) – consistent with the 60/60 rule. Co-anchor status would not confer additional voting power. Anchor and co-anchor countries would be designated at the time of the UN Charter reform. Every decade thereafter, a country could present a claim for co-anchor status based upon an objective formula such as that described above.

45 Having a UNSC seat for the European Union would require a specific provision in a revised UN Charter. Though the EU is a supranational organisation, it is important for member states to preserve central elements of their sovereignty, including (at least for the foreseeable future) their separate membership in the world organisation.

46 Figures in the World Factbook (updated to 15 November 2007) yield size points for the remaining rotating anchor and co-anchor countries as follows: Latin America: Brazil, 60.4; Mexico, 39.5; Argentina, 19.5; Colombia, 13.8; Southeastern Asia: Indonesia, 47.1; Bangladesh, 23.4; Thailand, 21.4; Philippines, 20.4; Vietnam, 14.1; The Pacific: Japan, 118.2; South Korea, 34.8; Canada, 32.8, Australia, 18.9; Sub-Saharan Africa: South Africa, 19.1; Nigeria: 18.3.
### Table 1
Proposed Regions in UN Security Council with Permanent Chairs and Rotations of Countries Co-Chairing Regions

<table>
<thead>
<tr>
<th>Region</th>
<th>Permanent Chair</th>
<th>'A' Seat Co-Chair/s</th>
<th>'B' Seat Co-Chair/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Saharan Africa</td>
<td>South Africa</td>
<td>Nigeria</td>
<td></td>
</tr>
<tr>
<td>Latin America</td>
<td>Brazil</td>
<td>Mexico (5 yrs)</td>
<td>Argentina (3 yrs)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Colombia (2 yrs)</td>
</tr>
<tr>
<td>Northern America</td>
<td>United States</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eastern Asia</td>
<td>China</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southeastern Asia</td>
<td>Indonesia (6 yrs)</td>
<td>Bangladesh (3 yrs)</td>
<td>Philippines (3 yrs)</td>
</tr>
<tr>
<td></td>
<td>Thailand (2 yrs)</td>
<td></td>
<td>Vietnam (3 yrs)</td>
</tr>
<tr>
<td>Southern Asia</td>
<td>India</td>
<td>Pakistan (5 yrs)</td>
<td>Iran (3 yrs)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Egypt (3 yrs)</td>
<td>Turkey* (3 yrs)</td>
</tr>
<tr>
<td>Middle East</td>
<td>Pakistan (5 yrs)</td>
<td>Iran (3 yrs)</td>
<td>Turkey* (3 yrs)</td>
</tr>
<tr>
<td></td>
<td>Egypt (3 yrs)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Europe</td>
<td>European Union</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern Eurasia</td>
<td>Russia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Pacific</td>
<td>Japan</td>
<td>(Japan)**</td>
<td>(South Korea [4 yrs])**</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(Canada [4 yrs])**</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(Australia [2 yrs])**</td>
</tr>
</tbody>
</table>

* Assuming that Turkey joins Middle East Region. Should Turkey join Europe Region, Pakistan, Iran and Egypt would serve as rotating anchors of Middle East Region for four, three, and two and a half years respectively.

** If Japan’s size points should drop below half of the total of its Region, it would become permanent co-anchor of The Pacific in the A seat. South Korea, Canada and Australia would rotate as co-anchors in the B seat. Japan currently has 57 per cent of the total size points of its Region.
Operations of the Security Council might be disrupted if an anchor or co-anchor country—Nigeria, Pakistan, or Indonesia, for example—were to disintegrate politically. A mechanism would need to be established whereby the next largest country in a Region could temporarily take the place of the failed state. This might be accomplished by means of an 80 per cent UNSC vote, ratified by a two-thirds majority of the UN General Assembly.

Composition of geographic Regions

For practical reasons, the Security Council Regions should correspond as closely as possible to geographic forms and pre-existing organisational units. However, exceptions will sometimes be necessary for political reasons.

Northern America Region consists only of the United States and Puerto Rico, which has Commonwealth status with the former. Canada and Mexico are not included.

Other English-speaking areas of the Americas may be incorporated if they achieve the minimum size at some point. Latin America Region includes Mexico, Central America and the non-English-speaking countries of the Caribbean and South America. The most comprehensive international organisation in the Americas is the Organization of American States (OAS). The countries of Sub-Saharan Africa Region would generally be those nations of the African Union located south of the Sahara desert. Europe Region would include all the 27 members of the European Union, plus Norway, Switzerland and countries surrounded by the EU: Bosnia-Herzegovina, Serbia, Montenegro, Albania, Croatia and Macedonia. Turkey’s Regional affiliation is currently indeterminate. Europe Region could be represented in the UNSC by a future EU ambassador to the UN; alternatively, Europe could be represented by the Permanent Representative of the country holding the rotating EU Presidency at a given time.

Northern Eurasia would consist largely of the countries of the former Soviet Union, minus those that have chosen to affiliate themselves with the EU or may wish to join the EU.

47 Such a transition was effected without Charter revision when Russia took over the membership rights (including the Council seat) of the Soviet Union end of 1991. Twenty years earlier, the Beijing government assumed the seat previously occupied by the Taipei government in the UN organs in the name of China as a whole.

48 One might argue that Mexico should be included in the Northern America Region because it is part of the continent, because it is a founding member of the North American Free Trade Agreement, and because it would increase the relatively small population of Northern America Region. However, Mexico is historically and culturally part of Latin America and Mexican nationalism has largely been generated in opposition to the US. It seems preferable for Mexico to join the Latin America Region for political reasons. This would help to balance the influence of Brazil in the Region and it would increase Latin America’s population and economic weight. It would also make the decision-making process within Northern America less contentious. Canada would presumably not be happy in Northern America Region because it could always be outvoted by the United States, given its comparatively small population and GDP(PPP).

49 A South American Union of Nations (UNASUR) is still in the planning stage.

50 The regional affiliations of the Sudan and Eritrea are currently indeterminate.

51 Kosovo will be included if it becomes a UN member.

52 The European Community presently has observer status in the General Assembly, like other intergovernmental organisations. A single legal personality for the EU will be achieved only with the entry into force of the Treaty of Lisbon of 13 December 2007. This would greatly enhance the role of the EU as an actor on the global stage, but it would not create a new state. A specific modality for the representation of the EU (or comparable regional, supranational organisation) will be required.
Region. Russia would be the anchor country and dominant power. Southeastern Asia would include the larger countries belonging to the Association of Southeast Asian Nations (ASEAN): Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam, plus Bangladesh and Sri Lanka.

Southern Asia would probably include only India and Nepal. Eastern Asia would consist of China and North Korea, Mongolia being too small in population and GDP (PPP) to participate at the present time. The Pacific would include Japan, South Korea, Papua New Guinea, Australia, New Zealand and Canada. The Regional affiliation of Taiwan, which is not currently a member of the UN, is indeterminate. Finally, the Middle East would encompass the Muslim countries from Pakistan and Afghanistan in the east to Algeria and Morocco in the west. It would include Iran, Iraq, Syria, Jordan, Saudi Arabia, Kuwait, Oman, Yemen, United Arab Emirates, Somalia, Egypt, Libya and Tunisia – and possibly Sudan and Eritrea. (Turkey might join the Middle East or Europe. Israel might join Europe or even Northern America.) Many of the countries in the Middle East Region are presently members of the League of Arab States.

The estimated 2007 population of each of the proposed Regions is indicated in Table 2. This Table also lists the estimated 2006 GDP of the Regions, measured in terms of PPP. We believe that PPP is a more useful measure of wealth than real exchange rates. Real exchange rates are volatile in the short run and may be affected by portfolio preferences, price bubbles and monetary shocks. They also underestimate the economic level of people in subsistence economies and of countries without fully convertible currencies. For example, in January 2006, The Economist magazine’s Big Mac Index indicated that the Chinese Yuan was 59 per cent undervalued. Measuring wealth in terms of real exchange rates would thus have undervalued the size of the Chinese economy. US Ambassador to the United Nations John Bolton adopted this position in March 2006 when he proposed

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53 Taiwan, despite a number of attempts to attain membership, remains outside the UN. The vast majority of the international community accepts the ‘One China, Two Systems’ formula in which Taiwan is considered part of China. Since 1 January 2002, Taiwan has been a member of the World Trade Organization as the ‘Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu’ (Chinese Taipei). The WTO membership register puts the entity at a rather unusual place in the alphabet: ‘... Switzerland, Chinese Taipei, Tanzania... ’. One might find a similarly creative solution when placing the territory in the REP system.

54 All of the members of the League of Arab States that meet the minimum size requirement except Mauritania and possibly Sudan, would likely affiliate with the Middle East Region. Schwartzberg suggests that the formerly Soviet Islamic republics of Central Asia, and Azerbaijan, might also wish to affiliate with the Middle East.

55 The Economist magazine’s Big Mac Index is a simple example of PPP. The Index measures the price of a standard good – in this case a hamburger – in a wide variety of countries.


57 14 January 2006, p. 102.
that the dues of UN member states be based upon PPP calculations.58

Ideally, the size of Regional populations would be roughly equivalent. Regional populations do not differ greatly between Europe, Latin America, Sub-Saharan Africa and the Middle East. Southeastern Asia is somewhat larger. Eastern Asia and Southern Asia are necessarily much larger, given the enormous populations of China and India. Northern Asia, comprised primarily of member countries of the former Soviet Union, has the second smallest population size of any Region. This also seems unavoidable. In spite of their relatively small populations, the countries formerly comprising the Soviet Union constitute a huge, distinct, geopolitical area with an impressive natural resource base. Russia is recovering economically from its disastrous decline in the 1990s. It remains an important country with a large supply of nuclear-armed intercontinental ballistic missiles. Russia is currently a permanent member of the UNSC and it is unlikely to agree to any reform that would seriously diminish its status.

Northern America is the third smallest Region in terms of population – in part because Mexico has been placed in Latin America and Canada in The Pacific. However, as of 2006 Northern America was the second richest Region and the US had the world’s strongest military forces. The Pacific has the fewest people of any Region. However, since it includes Japan, its economy is the fourth largest of any Region. It is also geographically extensive, given the huge land areas of Canada and Australia.

It would be preferable for the Regions to be equivalent in terms of wealth as well as population. But this is not the nature of the modern world. Sub-Saharan Africa, the poorest Region, should be represented on the UNSC because of its population of over 680 million people, because the large number of states makes it powerful in the General Assembly (which has to ratify any Charter changes), and because of its special needs. Africa can cause the world a great deal of trouble if its needs are not addressed.

Finally, the composition of the Regions is necessarily affected by political considerations, both outside and inside the UN. Externally, it is desirable to place countries with histories of conflict with each other in different Regions. Consequently, India and Pakistan are separated – as are China and Japan; Japan and most of the countries of Southeastern Asia; Somalia and Ethiopia; and the United States and Mexico. In some cases, however, this does not seem possible – for example, Japan and South Korea. Within the UNSC, it seems desirable to separate the US from Canada and Mexico, and India from Bangladesh and Sri Lanka, because the smaller countries in each pairing would always be outvoted by the larger countries of their Region. If the smaller countries were not separated from the dominant countries in these Regions, they would not be likely to support the reform proposal, and for good reasons.

As of now, Canada, Australia and South Korea would not have the opportunity to serve as co-anchors of The Pacific Region. They would only be able to serve as co-anchors if Japan’s total size points (currently 57 per cent) were to fall to less than half of that of the Region as

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58 According to Bolton: ‘The point about purchasing power parity is that it’s not an effort to put the US in a better position or to put somebody else in a worse position. It’s an effort to say, “How do we really capture the strength of economies in the real world, how do we find a better way to reflect that reality in setting the UN assessment rate?”’ Warren Hoge, ‘Bolton Presses for New Method of Calculating Dues at the U.N.’, New York Times, 29 March 2006, www.nytimes.com/2006/03/29/international/29nations.html
<table>
<thead>
<tr>
<th>Region</th>
<th>Chairs/Co-Chairs</th>
<th>Population (680,000,000)</th>
<th>GDP (USD billions, PPP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Saharan Africa</td>
<td>Nigeria, South Africa</td>
<td></td>
<td>1.453</td>
</tr>
<tr>
<td>Latin America</td>
<td>Brazil, Mexico, Argentina, Colombia</td>
<td>551,000,000</td>
<td>4,808</td>
</tr>
<tr>
<td>Northern America</td>
<td>United States</td>
<td>305,000,000</td>
<td>13,136</td>
</tr>
<tr>
<td>Eastern Asia</td>
<td>China</td>
<td>1,329,000,000</td>
<td>10,519</td>
</tr>
<tr>
<td>Southeastern Asia</td>
<td>Indonesia, Bangladesh, Thailand, Philippines, Vietnam</td>
<td>746,000,000</td>
<td>3,282</td>
</tr>
<tr>
<td>Southern Asia</td>
<td>India</td>
<td>1,159,000,000</td>
<td>4,205</td>
</tr>
<tr>
<td>Middle East</td>
<td>Turkey, Iran, Pakistan, Egypt</td>
<td>661,000,000</td>
<td>3,525*</td>
</tr>
<tr>
<td>Europe</td>
<td>European Union</td>
<td>520,000,000</td>
<td>13,836</td>
</tr>
<tr>
<td>Northern Eurasia</td>
<td>Russia</td>
<td>274,000,000</td>
<td>2,543</td>
</tr>
<tr>
<td>The Pacific</td>
<td>Japan</td>
<td>239,000,000</td>
<td>7,392</td>
</tr>
<tr>
<td><strong>Total of Regions:</strong></td>
<td></td>
<td><strong>6,464,000,000</strong></td>
<td><strong>64,700</strong></td>
</tr>
<tr>
<td><strong>World Total:</strong></td>
<td></td>
<td><strong>6,602,000,000</strong></td>
<td><strong>65,960</strong></td>
</tr>
</tbody>
</table>

Source: World Factbook, updated 15 November 2007. Estimated population figures for July 2007; 2006 GDP(PPP) estimates. Only countries or entities with populations of over 4 million or GDPs (PPP) of over USD 40 billion are included. Taiwan (not a UN member) is not included. Turkey is provisionally included with the Middle East. Puerto Rico is counted with Northern America. Hong Kong is included in China/East Asia.

* With Turkey, Sudan and Eritrea included in the Region.
a whole. If this were to happen, Japan would become permanent co-anchor of The Pacific in seat A, while South Korea, Canada and Australia would alternate as co-anchors in seat B.\footnote{An earlier, unpublished draft of this article recommended the creation of a Coalition of Temporary Members (CTM), to function alongside the Regions. Countries that were unhappy with their Regions, for whatever reason, could join the CTM for periods of five or 10 years. The CTM would also include 10 countries chosen by the UN General Assembly, as at present. Anchor or co-anchor countries would not be eligible. This might be a way to deal with the Taiwan problem, since CTM membership would not imply full membership in the UN. The CTM would not have a vote under emergency conditions.}

It should be noted that co-anchor status in the Security Council would be a mixed blessing, which South Korea, Canada and Australia would not necessarily aspire to. They might not want to be directly involved in a potential conflict between China and Japan. It should be noted that for many years, Mexico did not attempt to claim one of the two-year Latin American seats on the current UNSC because it wanted to avoid a conflict with the US. Such a conflict did materialise when Mexico and Chile served on the Council immediately prior to the latest Iraq War.\footnote{Both Mexico and Chile declined to support the US position on the invasion of Iraq.} If Canada, Australia and South Korea did not have co-anchor status in The Pacific, they would be free to apply for membership in another Region in the future.

In theory, Russia could lose its anchor status in Northern Eurasia at some point. Like Japan, its population is declining relative to that of other countries in its Region. In practice, however, this will not happen. Some Northern Eurasian countries with Islamic identities may decide to join the Middle East, thus increasing Russia’s percentage of the Regional population. A country such as Georgia, currently in conflict with Russia, might ask to join Europe. The Regional location of the Ukraine might also change. Finally, Russia has a high percentage of the GDP (PPP) of its Region (currently 69 per cent), which will keep its size points up relative to the other countries.

\textit{Voting in the Security Council}

In all but emergency situations, a Region could only vote in the Security Council if its representative could meet the 60/60 requirement on a given issue. A Region would be required to demonstrate that its position was supported by the UN ambassadors of countries representing 60 per cent of its population and 60 per cent of its GDP (see Table 3 and Figure 3). The mechanics would be simple. The Chair of a Region would announce the countries in his/her Region that support a particular motion and a computer would instantly calculate the percentages.\footnote{Although independently developed, the 60/60 rule is similar to James Yunker’s proposal for voting in a world parliament, to be called a Union Chamber of Representatives. See \textit{Rethinking World Government}, New York: University Press of America, 2005, pp. 160–166. Richard Hudson’s ‘Binding Triad’ scheme is also similar in some respects. Ibid., pp. 184–185.} GDP would be measured for each country at the beginning of each decade in terms of PPP.\footnote{PPP figures from the \textit{World Factbook} are used here. However, the sources for recent PPP data, including the World Bank tables, may vary substantially.} In practical terms, this would mean that the US, China, the EU and India would always be guaranteed an independent vote. Russia, which had only 51 per cent of the population of its Region as of 2007, would require a coalition partner or two to reach the required 60 per cent. Japan, which had 53 per cent of the population and 57 per...
cent of the GDP(PPP) of its Region, would likewise need a coalition partner or two in order to cast a vote.63

The form of the decision-making process would be that of a mini-UNSC in each Region, with the UN representatives of anchor or co-anchor counties conferring with their colleagues prior to a vote. Brazil, for example, would need to form a coalition on a particular issue with Mexico and Argentina (or several other countries) in order to reach the 60 per cent level for both population and GDP in its Region. Japan would also need to negotiate on many matters. Similarly, there are no dominant countries in Sub-Saharan Africa or Middle East Regions (see Table 3). In five Regions, the 60/60 rule would provide a powerful incentive for countries to negotiate and compromise. Otherwise, these Regions would be unable to cast a UNSC vote on many issues.

Article 24(1) of the Charter requires that the Security Council be able to take ‘prompt and effective’ action to maintain international peace and security. In emergency situations, the 60/60 rule/requirement might unduly delay UNSC action. We thus propose that the Council be authorised to declare an emergency by procedural vote.64 In an emergency, each anchor country of a Region could cast one vote. Each co-anchor country of a Region could cast half a vote. Under Article 27(2) of the Charter, nine of 15 votes (60 per cent) are required for a decision on procedural matters. The REP would similarly require a 60 per cent UNSC vote to declare an emergency under procedural rules.65 Seventy per cent of the total votes by anchor and co-anchor countries would be required for the UNSC to take action in an emergency situation.

At first glance, the 60/60 rule may seem onerous and complicated. In fact, however, it would probably improve the normal functioning of the Security Council and the United Nations as a whole. The 60/60 rule would serve the function of interest aggregation between states – particularly in the four Regions without a single, dominant country. It would also make the Council more representative of the UN membership as a whole. China would be more likely to accept an anchor seat on the Council for Japan, its historical enemy, because the independent influence of Japan on the UNSC would be limited by its need to negotiate its normal-condition votes with South Korea, Australia, Canada or Papua New Guinea. However, Japan might also accept the plan because it would gain a key UNSC role in the large and important Pacific Region, which is a major improvement over its current UNSC status. Finally, the 60/60 rule would strengthen the affiliated regional organisations (OAS, League of Arab States, African Union, ASEAN, etc.) and link them more firmly to the world organisation.66

63 If the Ukraine were to join Europe Region, Russia would satisfy the 60/60 requirement by itself and would thus have an automatic vote.
64 The author is indebted to Professor Frank Klingberg for this suggestion.
65 Only anchor and co-anchor countries would be eligible to vote under procedural rules.
66 Msayuki Tadokoro advocates a weighted voting system in ‘A Japanese View on Restructuring the Security Council’, in Russett, ed., The Once and Future Security Council, pp. 119-134. He writes: ‘A big advantage of a weighted voting system is that it would transform the all-or-nothing kind of voting power (one vote or no representation, regular vote or veto) of member states into a continuous value. It therefore would enlarge a scope of bargaining among member states.’ (p. 128)
Table 3
Population and GDP(PPP) of Anchor and Co-Anchor Countries as % of Regions*; Regions as % of World Population and GDP(PPP)

<table>
<thead>
<tr>
<th>Anchors &amp; Regions</th>
<th>Population</th>
<th>GDP(PPP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nigeria</td>
<td>20%</td>
<td>13%</td>
</tr>
<tr>
<td>South Africa</td>
<td>7%</td>
<td>40%</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td>11%</td>
<td>2%</td>
</tr>
<tr>
<td>Brazil</td>
<td>35%</td>
<td>34%</td>
</tr>
<tr>
<td>Mexico</td>
<td>20%</td>
<td>24%</td>
</tr>
<tr>
<td>Argentina</td>
<td>7%</td>
<td>13%</td>
</tr>
<tr>
<td>Colombia</td>
<td>8%</td>
<td>8%</td>
</tr>
<tr>
<td>Latin America</td>
<td>9%</td>
<td>7.5%</td>
</tr>
<tr>
<td>Brazil</td>
<td>35%</td>
<td>34%</td>
</tr>
<tr>
<td>Mexico</td>
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* Taiwan has been omitted as a non-member of the UN and as regionally indeterminate.
** Assuming that Turkey joins the Middle East Region.

Changing Regional membership

One of the keys to our proposal lies in the membership of the 10 Regions. The basic rule is that anchor countries must remain in their original geographic groupings. The same rule should apply to co-anchor countries as well, although an exception might be made in the case of Turkey, which might shift between Europe and the Middle East. As indicated earlier, however, some countries may not wish to participate in the organisation of their geographic Region. Israel, for example, might not wish to participate in the representative organisation of the Middle East Region, which would be largely defined by its Muslim identity. Having been admitted to the General Assembly’s Western European and Others Group (WEOG), though on a temporary basis, Israel may wish to join Europe Region. The UNSC and the General Assembly would have to agree to such requests and should do so only in exceptional cases.

Historical enemies with continuing animosities should affiliate with different Regions. This is necessary to facilitate the internal negotiation process in the Regions prior to votes in the Security Council. Japan and China have thus been placed in different UNSC Regions, although they are in close geographical proximity. The same is true for India and Pakistan or Somalia and Ethiopia. Eritrea might join either the Middle East or the Sub-Saharan Africa Region. However, given its longstanding conflict with Ethiopia, the former might be the better choice.

It might be argued that the world’s largest Muslim country would want to affiliate with its co-religionists in the Middle East Region. We cannot speak for the Indonesians them-
selves, but several factors point to a preference for Southeastern Asia. These include geographic location, current membership in ASEAN, and the fact that a permanent or semi-permanent co-anchor position in the latter Region would seem preferable to sharing power with many other countries in the Middle East. Finally, the integrity of the reform proposal itself would be threatened if Indonesia were to refuse to affiliate with Southeastern Asia.

One Region, one vote?

Some countries might advocate what could be called an ‘ideal proposal’, saying that each of the 10 geographic Regions should have a single vote in Security Council deliberations. Each Region would vote under non-emergency conditions if it could form a 60/60 population/GDP coalition on a particular issue. (It would lose its vote if a voting coalition could not be formed within a reasonable time.) In this model, voting would proceed as follows: Northern America, Europe, Northern Asia and Eastern Asia vote ‘yes’. Latin America, Sub-Saharan Africa, Middle East, Southern Asia, Southeastern Asia and The Pacific vote ‘no’. The motion fails, 4-6. There would be no vetoes, although a 70 per cent vote would be required in matters of war and peace. The Presidency of the Council would rotate between the Regions every three months rather than every month, as at present, to provide greater stability and continuity.

Most of the countries of the world would probably support such a relatively democratic ‘ideal proposal’ for Security Council reform. We, however, do not support it — not even for the year 2020. It is hopelessly idealistic and there is no chance that it would be accepted by the current permanent (veto-wielding) members of the Council. Nor would it maximise the effectiveness of the body, which is crucial to all UN operations. As Albert Venter has written, ‘The United Nations was not created to foster democracy as such, but to foster international peace and to advance the cause of human rights.’

The rationale for Security

Council membership

We believe that membership in the Council should be based on the competing claims of (1) legitimacy, (2) power or wealth, and (3) mutual advantage in dealing with global problems. In our proposal, the population of the 10 Regions is a proxy for legitimacy. Advocates of liberal democracy claim to believe in the equality of individuals. An idealist might argue that Regions with relatively equal populations should have comparable voting power in the Council. GDP(PPP) is a proxy for power in our proposal. Countries or Regions with high purchasing power are more powerful or influential than countries or Regions with low purchasing power. To

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68 Liberal democracy is not the only standard of legitimacy. In the Middle East, Islamic identity may currently be more important. All of the countries in the proposed Middle East Region are thus Islamic. Equality or justice, as represented by socialist ideology, is a competing standard of legitimacy. In practice, nationalism may be the most important wellspring of legitimacy, a fact that has made UNSC reform very difficult.
69 The Virginia Plan is an interesting historical precedent for the idea of using wealth as a criterion for representation. Presented by Edmund Randolph on 29 May 1787, it proposed that representation in the US national legislature be based either upon ‘quotas of contribution’ or upon population. John Rutledge of South Carolina supported basing representation upon quotas of contribution, arguing that ‘money is power; and that the States ought to have weight in the Govt. in proportion to their wealth.’ www.constitution.org/dlc/dlc_0611.htm
be sure, this measure ignores the influence of military forces. However, a rich country like Japan, which is not strong militarily, could become strong very quickly. Japan could quickly acquire nuclear weapons, for example. GDP(PPP) may thus represent current or potential military power as well as wealth.

A realist might argue that the UNSC should mirror the real distribution of influence in the world. Countries or Regions with the highest GDP(PPP) should thus have disproportionate influence in Security Council deliberations.\textsuperscript{70} A pragmatist might argue that the competing claims of legitimacy and power should be combined in some fashion.

\textsuperscript{70} Some would say that real exchange rates provide a better measure of power than PPP. This is important, for example, because the US currently generates 27 per cent of world dollar GDP, compared to 20 per cent of the world GDP(PPP). There are several counterarguments. First, exchange rates may change quickly. The size and capability of a country's military organisation, a traditional measure of power, does not tend to change fast. Real exchange rates overestimate the coercive power of developed countries. How is one to understand the military problems the US is experiencing in Iraq (or earlier in Vietnam) on an exchange rate basis if US military and security expenditures are approximately the same as those of the rest of the world combined? A country such as China may have a significantly undervalued currency, which would undervalue its power in exchange rate terms. 'Power' is an ambiguous concept (hard vs. soft power?). Joseph Nye has suggested differentiating between: (i) the sphere of military power (currently uni-polar with the US being dominant); (ii) the sphere of economic power (currently multipolar); and (iii) the sphere occupied by transnational organisations such as Al Qaeda, drug cartels, and multinational legal businesses. The Paradox of American Power, New York: Oxford University Press, 2002, pp. 38–39. For present purposes, the most important thing is to have a relatively stable measurement which will be politically acceptable to a wide range of countries.

Legitimacy cannot be ignored, but if idealistic criteria for voting predominate, the strongest countries will ignore the UN and the organisation will be ineffective. Crucial problems like the prevention of war, global warming and the AIDS epidemic will not be addressed in a timely and useful manner.

\textit{A pragmatic proposal}

Our proposal for reform is a pragmatic one. What it loses in elegance it makes up for in acceptability and practicality. The ‘ideal proposal’ seriously underrepresents \textit{Northern America} Region with respect to economic and military power. It also underrepresents \textit{Europe}, an economic superpower. It is unlikely that any US administration – now or in 2020 – would accept a demotion from being one of the P-5, with a veto, to having only one of 10 UNSC votes as anchor country of \textit{Northern America} Region, without the veto. Our idea is to modify the ‘ideal proposal’ in one important respect, making it the Reg-\textit{ional/Economic Proposal (REP)}: Regions with 18 per cent or more of global GDP(PPP) would be given an extra vote on a permanent basis. As of 2006, \textit{Northern America} had 20.5 per cent and \textit{Europe} 22 per cent of the world’s GDP(PPP). These two Regions would thus have two UNSC votes each (see Figure 3). The other Regions would have a single vote. The total number of votes on the Council would rise from 10 to 12. Eight of 12 votes would be necessary to pass a resolution in normal circumstances if a 60 per cent vote were required. Eight votes would also be necessary to pass a resolution under emergency conditions, when a 70 per cent vote would
be required.\textsuperscript{71} In effect, the votes of Northern America, Europe and one other Region would suffice to block an emergency UNSC resolution. This might be acceptable to the current permanent members of the Council in exchange for giving up their vetoes – at least by the year 2020. The potential benefit would be to make the UNSC more legitimate and more effective in dealing with global issues than it is today.

A crucial advantage of the Regional/Economic Proposal – like the Derviş and Schwartzberg models – is that of being able to adjust to future changes in the world’s balance of power. According to the World Factbook, Eastern Asia (China, including Hong Kong, plus North Korea) generated 16 per cent of the 2006 total Regional GDP(PPP). If Eastern Asia’s economy generates 18 per cent or more of the total GDP(PPP) of all Regions when (and if) the REP is adopted, it would acquire an additional, permanent UNSC vote.\textsuperscript{72} Ideally, the REP would be adopted before Eastern Asia becomes eligible for a second vote. India, Russia and China could thus enter the reformed Security Council on the basis of equality. Everyone would know, however, that China’s superpower status would soon entitle it to a second vote. China would be unlikely to accept the REP without this provision.

\textbf{The REP compared to Models A and B and variations thereon}

How does the Regional/Economic Proposal for reform of the Security Council compare to reform Models A and B proposed by the High-level Panel in November 2004? The REP does not directly address the first reform principle proposed by the High-level Panel, which is that involvement in Security Council decisions should be linked to financial, military and diplomatic contributions to UN operations. This principle stems from Article 23(1) of the Charter, but it applies only to the election of temporary members to the UNSC by the General Assembly. We believe that representation on the Security Council by geographic Regions should be based primarily on the importance of the countries in question, as opposed to their good behaviour at a particular time. The UN is not a tea party to which one invites only polite and agreeable guests. However, the logic of the first principle of the High-level Panel parallels our own in that financial contributions to the UN are linked to the economic strength of the member countries. It could be incorporated into the REP if financial contributions to the UN are measured in terms of PPP – something that the US delegation recently proposed. The non-payment of dues has been a serious problem for the world organisation. Consequently, while

\textsuperscript{71} There is no difference between a 60 per cent and a 70 per cent voting requirement here. However, the extra 10 per cent would make a difference in voting if the total number of UNSC votes were to increase from 12 to 14, as we anticipate.

\textsuperscript{72} Regions currently having at least 18 per cent of the world’s GDP(PPP) would not lose their extra vote should their economies drop below 18 per cent. This provision is crucial to ensure political support for the proposal by Europe and Northern America Regions. Based upon 2006 GDP(PPP) figures, India would have the same vote as China in the Security Council, an outcome which China may not welcome. However, China is famous for taking a long-term perspective. It may be confident that by 2020, when this reform is to be implemented, East Asia will have attained the 18 per cent level of total Regional GDP. China would thus qualify for an extra UNSC vote. (A Region would need to reach the 18 per cent level in two consecutive measuring periods, i.e. decades, to attain the extra vote. This should dampen arguments about fairness and statistical validity.)
representation in the Security Council should not be limited to countries that contribute financially and in other ways to UN operations, the right to vote at a particular time might be made conditional on a country’s meeting its financial obligations to the organisation. This can be accomplished very simply by applying Article 19 of the Charter to voting in the REP Security Council, as well as to voting in the General Assembly.

The High-level Panel’s second principle is that reforms should make the decision-making process more representative of the broader membership, especially of the developing world. The premise is that the decisions of a more representative Security Council would be more legitimate than is currently the case. In this regard, the REP is superior to Models A and B, which over-represent Europe. UNSC representation in the REP is also more congruent with population size in the different areas of the world than it would be under Models A and B (see Table 2). Finally, interest aggregation between states is built into the REP. Models A and B would make the UNSC more representative than it is now, but the Council would reflect primarily the interests of its 24 members. In the REP under non-emergency conditions, the Council would represent the entire world, with the exception of the smallest countries. A Security Council on the REP model would also address what Maurice Bertrand has called ‘the unsatisfied need for an institutional framework suited to a more and more interdependent world’.

The third High-level Panel principle is that reforms should not impair the effectiveness of the Security Council. Models A and B would impair UNSC effectiveness because both plans would increase membership from 15 to 24 countries. When a comparable UNSC expansion was being considered in 1991, former Australian Permanent Representative Peter Wilenski wrote:

Perhaps the greatest drawback in making the Council more representative is the practical risk that a significantly enlarged Council would make decision-making more difficult. P5 co-operation, while at times frustrating to the rest of the membership, has brought great benefit in the resolution of regional conflict.

… An unwieldy three tiered structure could inhibit quick Council action. The behind-the-scenes negotiation of the texts of resolutions would become even more complex and tedious.

This unwieldiness would carry with it the risk not merely that responses would be too late, but also that the major powers would become less willing to devote the time and effort needed to work through the Council and would be readier to adopt unilateral action.

The dramatically increased workload of the UNSC adds force to Wilenski’s argument. In 2006, the body held 272 formal meetings and 193 informal consultations, an increase of 21 per cent over 2004. The number of resolutions and presidential statements in-


creased by 36 per cent in the same period.\textsuperscript{75} Though ‘output fell significantly’ in 2007, with the number of resolutions and statements receding by 27 per cent, this did not indicate ‘a reduction in activity’. ‘To the contrary, the Council remained very busy … although some of the more intense activity did not result in agreed outcomes.’\textsuperscript{76}

The REP would reduce UNSC membership to 10 Regions under normal conditions. In emergencies, five \textit{anchor} countries plus the EU would cast one vote each. The 10 \textit{co-anchor} countries would divide the votes of their Regions. The total number of countries would thus be 14, one less than at present. But unlike today, 14 of the \textit{most important} countries in their Regions would vote. In 2006, eight of the 10 non-permanent members had less than 10 size points. (Fifteen size points are required for \textit{co-anchor} status under the REP.) Small countries are more susceptible to vote-buying.\textsuperscript{77} The REP is thus superior to Models A and B in terms of likely effectiveness.\textsuperscript{78}


\textsuperscript{76} \textit{Annual Statistics on the Security Council}, February 2008. www.securitycouncilreport.org/

\textsuperscript{77} Harvard economists Ilyana Kuziemko and Eric Werker find that aid from the US to developing countries on the UNSC increases by 59 per cent and aid from the UN by 8 per cent when they enter the Council, an effect which increases during years in which key diplomatic events occur. ‘How Much Is a Seat on the Security Council Worth? Foreign Aid and Bribery at the United Nations’, \textit{Journal of Political Economy}, 2006, Vol. 114, No. 5.

\textsuperscript{78} It might be difficult today for the EU to formulate a foreign policy position quickly. This should be less of a problem if the Treaty of Lisbon comes into effect. Among other things, the Treaty creates the office of the High Representative for the Union in Foreign Affairs and Security Policy; he or she will simultaneously serve as the Vice-President of the European Commission.

The REP would eliminate the veto and the threat of the veto. This should dramatically improve the functioning of the UNSC.\textsuperscript{79} The High-level Panel authors wrote:

\begin{quote}
We recognize that the veto had an important function in reassuring the United Nations most powerful members that their interests would be safeguarded. … Yet, as a whole the institution of the veto has an anachronistic character that is unsuitable for the institution in an increasingly democratic age… (para. 256)
\end{quote}

This speaks to the final principle by which the High-level Panel writers say they have evaluated proposed reforms: ‘They should increase the democratic and accountable nature of the body.’\textsuperscript{80} We believe that the REP represents a way of making the Council more democratic and accountable while safeguarding the interests of its most powerful members.

There is little doubt that the REP would dramatically improve the global legitimacy of UNSC decisions.\textsuperscript{81} In 2006, Iranian President Mahmoud Ahmadinejad repeatedly attacked the Council as an illegitimate body. He is at least partially right because, as presently constituted, the UNSC is not a representative organ. The ultimate test of reform, however, is whether the body would be better equipped to deal with the six clusters of threats to the world that were identified by the High-level Panel:


\textsuperscript{80} Para. 73 and para. 249.

• economic and social threats (including poverty, infectious disease and environmental degradation);
• inter-state conflict and rivalry;
• internal violence;
• nuclear, radiological, chemical and biological weapons;
• terrorism; and
• transnational organised crime.

Most of these threats either come from, or are more severe in, the poorest areas of the world. The poorer countries would have more influence on a REP Security Council than is the case today, and more influence than they would have if Model A or Model B were to be adopted. In theory, increased representation on the UNSC should lead to increased awareness of the many threats to global security and to increased commitment to solutions that are jointly decided upon. The REP-model UNSC should also be more effective in creating the formal and informal coalitions required to deal with a wide variety of issues. However, there is no guarantee that a reformed Security Council will be an improvement over what we have today. Success or failure will still depend upon the leadership of the countries on the Council. If the relevant countries have little interest in halting genocide in a country like Sudan, for example, the slaughter will continue. Equitable representation on this organ does not guarantee positive outcomes. Legitimacy is substantially a psychological phenomenon, which is more easily destroyed than created.

The REP represents a more drastic change in the UNSC than the High-level Panel has recommended. It would require rewriting the UN Charter. This is not necessarily bad, however. Bertrand writes:

If there is any possibility of genuine reform, it will not originate within the U.N. In fact, only a constitutional reform could reinstate the organization in its legitimate and natural role. Although the majority of specialists believe that this is impossible, it is in fact only the serious reform which has any chance of success.82

The relatively modest UNSC reform proposals of the High-level Panel were ignored in the prestigious September 2005 UN meetings. The 2007 General Assembly debate over reform proposals was destined to fail as well. Even if a ‘transitional’ (permanent?) reform were to be adopted, it would not solve the problems of Models A and B, noted above. These outcomes support both Bertrand’s argument and our own.

It might be helpful to take a closer look at the interests of some of the actors. On 8 May 2006, the General Assembly adopted its resolution 60/260 on the Secretary-General’s report Investing in the United Nations: for a stronger Organization worldwide83 by a vote of 121 in favour to 50 against. The report dealt with Kofi Annan’s wide-ranging proposals to reinvigorate the UN management structure. Earlier, on 28 April 2006, a similar vote broke the tradition of consensus decision-making in the General Assembly’s Fifth (Budget) Committee. In the resolution the Assembly reaffirmed ‘its oversight role and the role of the Fifth Committee in administrative and budgetary matters’ and made the point ‘that setting the priorities of the United Nations is the prerogative of the Member States’. This defeat was inflicted

82 ‘Can The U.N. be Reformed?’, p. 10.
upon the Secretary-General by the Group of 77 (G-77), which represents 130 developing countries. In the view of the G-77 the proposal for UN administrative reform represented a US-led effort to take away power from the General Assembly. The G-77 at that time was headed by South Africa’s ambassador Dumisani Kumalo. Such objections would presumably vanish if the REP were to be adopted. South Africa would be co-anchor of one of the world’s 10 UNSC Regions and every developing nation with a population of at least 4 million people or a GDP(PPP) of 40 billion constant dollars would have voting rights in the UNSC. Countries with significant power in the Security Council would not be likely to complain about it.

The REP would probably be backed by an overwhelming majority of countries in Latin America, Africa, the Middle East, South Asia and Southeast Asia. Russia has no reason to oppose the proposal, since it would retain a strong position in the Council in spite of its relatively small population and modest economic base. China might acquiesce in the REP because of the restraints on Japan, its East Asian rival. Japan might be pleased with its prospective status as a UNSC anchor country of The Pacific. Many Latin American, African, North Asian and Middle Eastern countries would oppose the idea of granting two UNSC votes to Regions with 18 per cent or more of the world’s GDP(PPP). However, pragmatism should win out here. The REP would substantially improve the status and influence of Third World countries in the Security Council. Once they understand the alternatives – or their absence – the major countries of Africa, Latin America and the Middle East are likely to support the REP or something very much like it. Most countries in the world have an interest in legally and institutionally restraining the naked use of military power and economic dominance by the strongest countries.

The Schwartzberg and Derviş Models

How do the Schwartzberg and Derviş UNSC reform proposals compare to the REP with respect to the High-level Panel’s reform criteria of (1) inducing members to contribute to the work of the organisation, (2) increasing the representativeness of the body, and (3) not decreasing its effectiveness?

Both Schwartzberg and Derviş propose weighted voting (WV) schemes in the UNSC, based partially upon countries’ contributions to the UN budget, which the REP does not do. In the Schwartzberg proposal, a country’s WV score would consist of: (1) its percentage share of the total population of all UN members, (2) its percentage contribution to the total budget (roughly GDP), and (3) its share of the total UN membership (1/191), divided by three. If such a scheme had been in place as of 2004, the weighted votes of the major countries, in percentages, would have been: US, 9.1; China, 7.7; Ja-

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84 The G-77’s membership list includes China. Statements in international fora are made ‘on behalf of the Group of 77 and China’.
pan, 7.3; India, 6.0; Germany, 3.8; France, 2.6; and Great Britain, 2.3. Derviş bases his weighting upon four factors: population, GDP, contributions to the UN budget and military capability. The percentages of the total for the most important countries in his scheme were: EU, 26; US, 23.2; Japan, 10.9; China, 7.5; India, 5.2; and Russia, 1.6.\textsuperscript{87} Russia would thus go from being one of the P-5 to a position of relative insignificance. It is hard to imagine why it would accept such a change. (The percentages are subject to change over time and would be revised every five years.)

The Schwartzberg and Derviş plans are superior to the REP with respect to representativeness in the sense that they would include all countries in the work of the Security Council, on a weighted scale, while the REP has a size threshold with respect to population or GDP (PPP). The key differences lie in how member countries are grouped or organised. For Schwartzberg, countries with at least 4 per cent WV scores would have individual seats on the Council. Blocs of self-selected, like-minded — but not necessarily contiguous — nations with aggregate populations of over 1 per cent of the total and combined WV scores of 4 per cent or more would also have a seat at the table. A final seat or two would be reserved for nations not otherwise represented, for a total of 18 UNSC seats. Each of the 18 individual states or groupings would cast one vote.

In the Derviş model, the US, the EU, Russia, China and Japan might be permanent members. Other countries would be grouped into ‘constituencies’ with names such as Other Asia (9 per cent), Latin America, Caribbean and Canada (7.45 per cent), Arab League (3.4 per cent), Africa (3.2 per cent) and Other Europe (2.5 per cent). The total size of the UNSC would thus be 14, one less than at present. There would be no veto in either of these reform models. The modest size of the Security Council according to Schwartzberg and Derviş (18 and 14 seats respectively) indicates that they might score well on the effectiveness criterion. However, the REP seems superior in limiting the number of micro-states involved in the decision-making process.

In theory, the Schwartzberg and Derviş models are both improvements over the High-level Panel’s A and B models. However, both could be improved upon. The Schwartzberg model is elegant, but ultimately unsatisfying because of the absence of specified geographical regions. The idea of countries choosing their own regions makes it attractive in one sense, but highly unpredictable. Why would countries choose radical UNSC reform when they cannot predict what the outcome would be? Schwartzberg relies on a long transition period to wean the P-5 countries off the veto power, but it is difficult to see why they would accept this outcome, even after 15 years or so. The Derviş model also founders on the issue of acceptability. Neither the G-77 nor China would accept military capability per se as a criterion for voting power on the UNSC. Second, Derviş has used real exchange rates rather than purchasing power parity as a measure of GDP. This would have the effect of increasing the voting power of the US, the EU and Japan relative to China, India and Russia — in

\textsuperscript{87} Schwartzberg, Executive Summary, p. 1; Derviş, Table 3.1, p. 63.
addition to the problems of using real exchange rates described earlier. This choice increases the likelihood that the US and the European countries would accept the plan. However, it makes the model completely unacceptable to China and Russia, each of which presently has a veto. This problem can easily be fixed by switching to PPP, however. A third problem of the Derviş model in particular is that the criteria for determining the weight of a country’s vote are excessively complex – particularly with respect to measuring military capability. A model which is not readily understandable to the layman is not likely to be accepted.

**Conclusion**

The Regional/Economic Proposal should increase the legitimacy of the Security Council for the developing countries. The REP would be more representative, it would be substantively superior to the major reform alternatives, and it would solve a number of political problems. For example, the High-level Panel’s Model A proposal foundered in part because the countries of the African Union could not agree on two of the three strong candidates for permanent membership: South Africa, Nigeria and Egypt. This would not be a problem in the REP, since: (1) Egypt would be in Middle East Region, and (2) there would be objective, rather than political, criteria for deciding upon co-anchor countries. South Africa and Nigeria would clearly be the co-anchors for Sub-Saharan Africa. Finally, the REP would answer several of the objections Edward Luck has to Reform Models A and B: (1) it would not increase the number of countries in the UNSC during periods of crisis; (2) it does reflect current power realities; (3) it does specify UNSC voting procedures; (4) it is representative of all but the smallest members of the UN; and (5) it provides an important role for the medium-sized and smaller countries.

At present, the United States would oppose the REP as well as the Schwartzberg and Derviş models for Security Council reform. In November 2007, US Permanent Representative Zelmay Khjalizad stated on the floor of the General Assembly that only a modest expansion of the UNSC was needed. The US did not have a specific proposal for Council expansion, but it supported Japan’s candidacy and other nations might be considered as well. Great Britain, Russia, France and China would probably oppose these reform models as well. In September 2007, British Foreign Secretary David Miliband rejected the proposal that Great Britain give up its seat on the Council in favour of a seat for the EU – an idea advocated by Lord Malloch Brown in Brussels the previous October before he joined the British Foreign Office. The High-level Panel authors are correct in saying that the P-5 are

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unwilling to give up their veto powers.\textsuperscript{90}

As of early 2008, the Bush administration in the US is not interested in strengthening the United Nations. However, by 2020 — or earlier — things could be different.

The Democratic Party in the US seems likely to strengthen its hold on the Congress and a Democratic President may be elected in 2008. The balance of economic and military power in the world will change in coming decades. United Nations Secretary-General Ban Ki-moon favours Security Council reform, as does a large majority of the member states. Finally, the presence of a viable alternative to the current reform plans could make a difference. Derviş writes:

Some claim it is unrealistic to ask France and the United Kingdom to give up their veto, even as part of a medium-term vision. And yet, if one were to ask any reasonable panel of experts or well-informed citizens whether the UK and France are likely to retain their vetoes, say in 2020, the answer would be no. Somehow we have to get from today to 2020\textsuperscript{91}

\textsuperscript{90} In 2007, the Facilitators ‘on the consultations regarding the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council’ had this to report on the issue: ‘The general perception of the permanent members regarding the veto … is that the veto is at the core and is the sustaining force of the system of collective security. It is considered to be inherently different from other elements discussed in the reform process as it is the result of a political understanding that pre-dates the Charter and thus could not be reformed by the wider membership.’ UN doc. A/61/47, 14 September 2007, p. 16. However, the permanent members might be willing to appease concerns about the veto by means of a voluntary commitment or an oral understanding; ibid.

\textsuperscript{91} A Better Globalization, p. 65, footnote 19.

Seen objectively, the US, France and Great Britain would stand to gain from the REP. We believe that this is a win-win model in which all the current (P-5) and aspiring permanent members would gain.\textsuperscript{92} To begin with, the apparent decline in the influence of the P-5 would be less than appears at first glance. One reason is the 60/60 rule, which requires substantial Regional agreement before a vote can be cast. This will be particularly significant under normal conditions in Regions not dominated by a single country. Secondly, the major powers would retain their economic and military muscle and have their own ways of influencing votes. Third, Northern America (the US) and Europe, with a total of four votes, would be able to block military action, even when East Asia (China) acquires two votes. Fourth, since the UN does not have a real army, the major powers have little to fear from Security Council votes that it is unable to enforce. Fifth, emergency procedures give additional influence to the most powerful countries. Finally, it cannot be overemphasised that the biggest threats to the US and Europe are global ones such as nuclear proliferation, terrorism, pandemics, global warming and environmental degradation. These threats can only be met successfully by an institutionalised, global coalition. Ad-hoc ‘Coalitions of the Willing’, Groups of Friends and Contact Groups are not likely

\textsuperscript{92} It could be argued that European influence in the UNSC would increase if the REP were to be implemented: Europe would speak with one voice rather than many. Under the REP Europe would have two of 12 UNSC votes; the loss of the vetoes of Great Britain and France appears to be less significant since the US, Russia, and China would also lose theirs. The veto power is also overrated; it can only be used to block action rather than to accomplish any positive goal.
to be enough. This is to say that the United Nations, or something very much like it, is indispensable. By 2020, the world will be increasingly multipolar and the severity of environmental and other global problems is likely to have increased. Our arguments should thus gain added force.

If the P-5 countries are not willing to accept change, either the effectiveness of the Security Council will decline or a new United Nations organisation may eventually be created. This might be a more workable organisation, one that eliminates the legal fiction of equality between major powers and micro-states in the General Assembly, and/or adopts a form of weighted voting. It would certainly feature a UNSC more favourable to the interests of countries of the Southern Hemisphere, the Middle East and Asia. Great Britain, France, Russia, China and the US may retain their permanent seats and their veto power in the current UN, but they may ultimately lose the organisation itself. John Bolton, US Permanent Representative to the UN until late 2006, has said:

The U.N is simply one of many competitors in the global marketplace for problem solutions and problem solvers. If it is not good at solving problems, Americans will look to some other institution; some other organisation; some other framework. Other countries are likely to take the same position as Ambassador Bolton. If the current UN, and the current configuration of the Security Council, does not serve their interests, they may wish to create a new organisation – perhaps with its headquarters in Shanghai. There is already talk of moving the UN out of New York City. It seems doubtful that a world organisation located in China, for example, would serve the interests of the US and the EU as well as a reformed, New York-based United Nations.

Dividing the world between rival blocks again would be as detrimental to the interests of the Third World as it would be to the interests of the developed nations. Globalisation means that the world has one, large set of problems. These problems can only be effectively addressed by a single United Nations, linked to the World Bank, the IMF, the WTO, the OAS, the African Union, ASEAN, civil society and NGOs, and so forth. The Security Council is the centre of

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93 Malik writes: ‘Should Beijing and Washington fail to respond to the demand for a more democratic international order, there is a danger of the United Nations becoming irrelevant in security matters, as did its predecessor, the League of Nations.’ In ‘Security Council Reform: China Signals its Veto’, p. 27.

94 We would recommend, for example, that full membership in the UN requires that a country either have a population of at least 1 million people or a GDP(PPP) of over 10 billion constant US dollars. Smaller countries would have associate status until they could meet one of these two criteria.


96 Drezner writes: ‘If China and India are not made to feel welcome inside existing international institutions, they might create new ones – leaving the United States on the outside looking in.’ In ‘The New World Order’, p. 36.
this web of organisations. It is the key world body that can take effective action on matters of war, peace, and international security. We should do what we can about the UNSC at present, although this may not be very much. However, our best hope may be to lay the groundwork for real reform of the Council – at least by the year 2020.
There is widespread discontent among the now 192 member states of the United Nations with its Security Council - the most powerful of the UN’s six principal organs as it is entrusted with the ‘primary responsibility for the maintenance of international peace and security’. Of the Security Council’s 15 members, five are privileged since they occupy their seats permanently, not having to stand for election or re-election, and are entitled to block any action of the Council if they so wish. This double privilege bestowed on a few countries is resented as much as the composition of the Council as a whole, large parts of the world community feeling they have little or no say on major decisions.

Since 1979, and with fresh impetus since the early 1990s, a lively debate about reforms of the Council has been going on. This volume takes stock of the debate and offers perspectives that go beyond the issue of extension, investigating central questions of democratisation and representativeness. The contributions concur on central issues: their approach is anti-hegemonic, and they favour the phasing-out of veto power. Moreover, they have an imperative common denominator: the case for viable regional representation.