IDSA Monograph Series No.38 June 2014

UNITED NATIONS SECURITY COUNCIL REFORM PERSPECTIVES AND PROSPECTS



Editors: Ruchita Beri and Arpita Anant

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EDITORS RUCHITA BERI AND ARPITA ANANT



Cover shows a wide view of the UN Security Council meeting to Consider Situation in South Sudan held on 12 May 2014 at New York.

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ISBN: 978-93-82169-39-0

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First Published: June 2014

Price: Rs. 200/-

Published by: Institute for Defence Studies and Analyses No.1, Development Enclave, Rao Tula Ram Marg, Delhi Cantt., New Delhi - 110 010 Tel. (91-11) 2671-7983 Fax.(91-11) 2615 4191 E-mail: contactus@idsa.in Website: http://www.idsa.in

Layout & Cover by: Vaijayanti Patankar

Printed at:

M/S A. M. Offsetters A-57, Sector-10, Noida-201 301 (U.P.) Mob: 09810888667 E-mail: amoffsetters@gmail.com

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PREFACE

Over the years, the world has changed in fundamental ways. We are witnessing a resurgence of Asia, Africa and Latin America. Growth and development have not only made the countries more interdependent, but new and increasingly complex challenges have also arisen. For multilateralism to remain relevant and effective in today's world, multilateral institutions must adapt and reform to reflect contemporary geo-political realities.

No multilateral body is more in need of reform than the United Nations Security Council which is still constituted in accordance with the geopolitical architecture of 1945. The lack of reform has affected the credibility and effectiveness of the Security Council as seen in a number of new crises afflicting the world.

The constituency for reforms has been increasing by the day. An overwhelming majority of countries have supported the demand for an urgent reform and expansion of the Security Council in both permanent and non-permanent categories of its membership.

Brazil, Germany, India and Japan have come together on the platform of G-4 to pursue the much needed and urgent Security Council reform and to make it more broadly representative, efficient and transparent and thus enhance its effectiveness and the legitimacy of its decisions. G-4 countries have reached out to all regional groups to find a path that will reflect the dominant call by Member States for a reform of the Security Council leading to an expansion in both categories of membership, permanent and non permanent. The G-4 initiative enjoys broad and cross regional support. G-4 countries reaffirmed their view of the importance of developing countries, in particular Africa, to be represented in both the permanent and non-permanent categories of an enlarged Council. G-4 countries have also welcomed the initiative taken by the current President of the General Assembly, H.E. John W. Ashe, to issue a Non Paper which faithfully reflects the current status of the discussions in the past five years, as a basis for text based negotiations in the 10th round of Intergovernmental Negotiations currently underway in New York.

The debate on expansion of the Council has been going on for a few decades with a consensus still eluding the international community. The time has now come to move ahead from words to action and take a decision on the way forward based on the wishes of majority of the UN membership. Given that world leaders agreed at the 2005 World Summit to achieve an 'early' reform of the Security Council, it is imperative that the world community work together for a concrete result before the 70th anniversary Summit of the United Nations in 2015.

G-4 countries have recognised the need for greater involvement of civil society, the media and academia in the discussions on Security Council reform. In this context, IDSA hosted a seminar on the "United Nations Security Council Reform: Perspectives and Prospects" on February 12, 2014.

FROM THE DIRECTOR GENERAL

As the UN approaches its 70th anniversary in 2015, there is cause for celebration and cause for concern. As compared to its predecessor the League of Nations, the UN has proved to be a success on many counts. It would be difficult to imagine a world without the UN, which has played an important role in promoting socio-economic development and international peace. Yet, as an intergovernmental organisation, it is also beset with several limitations. Calls for the reform of the UN and models thereof have been discussed especially since the end of the Cold War. One critical aspect of reform is that of the Security Council. As an element of outreach to broaden the constituency for Security Council reform, the Institute for Defence Studies and Analyses and the Ministry of External Affairs, Government of India, jointly organised a seminar on "United Nations Security Council Reform: Perspectives and Prospects".

This seminar was a unique initiative of the Government of India as a member of the G-4 group of countries, to take the debate on United Nations Security Council reform beyond the official portals to the civil society. Since the work of United Nations in general and the Security Council in particular affects the lives of millions of people, it was felt appropriate that the civil society of these countries become an active participant in the debate for reform. Thus, members of the strategic community, the diplomatic community, academics, civil society and the Indian and international media attended the seminar.

Several issues were raised during the seminar:

 Role for the G-4: The G-4 countries, namely Brazil, Germany, India and Japan, have always supported and stood for multilateral initiatives under the aegis of the United Nations, and therefore have taken the lead on the democratisation of the UN. With their material and ideational resources, not only do these countries have the credentials for permanent membership of the Security Council, they are also in a position to lead the process of reform. Their present unity is based on the twin pillars that UNSC reform should be in tune with the geo-political realities of today and to bring legitimacy to the decisions taken by the Security Council.

- Politics is holding back the process of reform: It was suggested that while over the years the issue of need for UNSC reform has been raised several times and various rounds of intergovernmental negotiations have taken place, yet the prospect of reform remains uncertain. Despite the widespread acceptance for reform of the Security Council, there is also, one must acknowledge, a constituency of 'naysayers'. Politics rooted in narrow self-interest is holding back the process.
- Developing world continues to be marginalised: It was noted that the process of UNSC reform cannot even begin if the developing world continues to remain marginalized. This correction is urgently needed as the Security Council's actions today are primarily focused on security issues involving developing countries.
- **Representation from Africa**: It was argued by several speakers that the UN Security Council is less effective because it is less representative; the most pertinent absence being that of Africa, a continent of 54 countries. During the discussions it was suggested that although 75 per cent of Security Council's work is on Africa, yet, there is no permanent member from Africa in the Security Council to represent their cause.
- Urgency for Text-based Negotiations: Some participants in the seminar recognised the urgent need for "text-based negotiations" that could be debated with clarity and precision. This will enable all nations to take unambiguous positions on the subject. A concrete outcome by 2015 on UNSC reform, the 70th Anniversary of the United Nations, will be the logical conclusion.

I acknowledge the efforts of Ruchita Beri, Arpita Anant, Saurabh Mishra and Nachiket Khadkiwala in organising the event and putting together this volume.

Dr Arvind Gupta, Director General Institute for Defence Studies and Analyses

ADDRESS BY MRS SUJATHA SINGH FOREIGN SECRETARY, GOVERNMENT OF INDIA

Shri Arvind Gupta, Director General of the Institute of Defence Studies & Analyses (IDSA),

Directors General for International Organizations from Brazil, Germany and Japan,

Your Excellencies Ambassadors and other distinguished members of the diplomatic corps,

Representatives of academia, civil society and media,

Dear Friends,

It gives me great pleasure to be here with all of you this morning to share views on a subject that has for long occupied the attention of the international community. The fact that a solution has eluded us so far does not make the subject any less important. Nor does it in any way make us believe in the inevitability of the continuation of the status quo. India's own history provides us with a counter example. Independence for us did not come quickly, nor did it come easily. The continuation of status quo was, however, never the inevitable; freedom was. And so on the question of the Security Council, it is equitable representation and logical expansion that is the inevitable.

We have a Security Council today that is clearly one of the most troubling anachronisms of our times. As a body mandated with the primary responsibility for maintenance of international peace and security, it is critical that it should represent today's geo-political realities and today's world and not a world that existed at a particular point of time over half a century ago. It is also important that it conduct its business in a transparent manner reflecting present day working methods and diplomatic procedures of consultation and cooperation. The Council's present composition and working methods do not command credibility; it's functioning with respect to some of the troubled issues in recent years has been clearly less than effective. Given this scenario, it is not surprising that there is today a widespread acceptance of the necessity of the reform of the Security Council in order to change its composition to one that is more reflective of the vastly expanded membership of the UN and consequentially more responsive to a world that is very different from the one that existed in 1945. This is the only way to impart legitimacy and balance to the Council and restore its credibility as the prime organ of the UN charged with the maintenance of international peace and security.

When we speak of reform of Security Council, it is important to understand that the process cannot even begin if the developing world continues to remain marginalized. The post war conditions that existed in 1945 are long gone. The Council's actions today are primarily focused on developing countries whether they be Mali, DRC, South Sudan or Syria. It is there that the manifold impact of its actions is felt. The Council's actions as we know, are also not divorced from the functions of the other organs of the UN. Multi-dimensional peacekeeping or peace-building with complex mandates impacts on various other aspects, be they poverty eradication, development, humanitarian assistance and even governance. The vast majority of developing countries however have little say in the formulation of these mandates which are increasingly becoming more complex and robust.

As a leading troop contributing country, India cannot but also comment on the manner in which the Council mandates peacekeeping operations. This is the most visible manifestation of the Council's attempts to maintain international peace and security. Consultations with troop contributing countries are limited and, at best, perfunctory. There is a near complete absence of genuine partnership between the Security Council and Troop Contributing Countries. Complex and dangerous operations like those in the DRC and South Sudan are mandated by those who have no boots on the ground. The absence of real life experience, and hence of genuine concern and understanding by the 'pen holder' of these mandates cannot bode well for the operations that they govern.

The need for increased representation of developing countries is widely acknowledged, and even promoted, by both the North and the South. It is this understanding that forms the basis for India's partnership with

Germany, Japan and Brazil in the G-4 format. This is a partnership that bridges the divide between the North and the South, between East and West. It is inclusive rather than divisive in its approach. After all, a spirit of inclusiveness cannot but be essential if we are to have even modest expectations from the pre-eminent world body entrusted with the responsibility for maintenance of international peace and security.

While need for reform of Security Council is widely acknowledged, the prescriptions to cure the disorder also vary widely. This is not surprising. We cannot but expect the diversity of the world to also be reflected in the solutions that are advocated. But just because the prescriptions are varied, this is no reason for us to reflect on them interminably. To do so would be to fiddle, while the world burns.

Despite the widespread expression for reform of the Security Council, there is also, one must acknowledge, a constituency of 'naysayers'. There will, regrettably, always be those who will only look at the issue from the point of view of their narrow self-interest.

The reform of the Security Council has been on the agenda of the UN since 1993 when discussions first commenced in the format of the Open-Ended Working Group. The mounting frustration with prolonged and inconclusive debate led to the launching of Inter-Governmental Negotiations, or the IGN in 2007. Progress in the IGN, however, has so far only been incremental. The task before the IGN today is clear: to begin actual text-based negotiations where genuine differences of view can be addressed and resolved. Only if we do this can we hope to come up with a concrete result by the time the UN meets for its 70thanniversary in 2015.

Important as Inter-Governmental Negotiations may be, the constituency of belief in this most challenging of issues, needs to be expanded beyond Governmental negotiations. There is a pressing need to take this issue to the people it directly impacts. The involvement of thinkers, opinion makers and communicators is crucial. It is in this spirit that we have organized this seminar with the cooperation of the IDSA following up on an initiative taken by Brazil last year. The programme gives ample opportunity for a fruitful exchange of views and we look forward to receiving your ideas, inspiration and guidance. The timing of this event is crucial as the discussions in New York are at a welldeveloped and critical stage. A push in the right direction will be in the interests of the UN, a body we are all committed to believe in and work for. I wish the deliberations all success.

Thank you.

1

UN SECURITY COUNCIL REFORMS: A PERSPECTIVE

PRAKASH SHAH

The year 2015 will mark the 70th anniversary of the United Nations. There is also the hope that at these UN celebrations, the long standing issue of the reform of the UN Security Council will be resolved in a manner that is more or less acceptable for all its members.

At the 50th anniversary celebrations of the UN in 1995, that were held at the same venue in San Francisco where the Charter was actually promulgated, the High Level Committee constituted in New York to discuss Security Council Reforms was already functional. There was a great deal of optimism that the end of the Cold War would witness the initiation of the process of revamping and reforming the UN as well as its Security Council. The fact that an issue of such importance was already being discussed then, and is continuing to engage the attention of the members of the UN, is in some ways, gratifying. However it is less than gratifying in other respects, because it indicates that the issue has not only remained static, but has now moved beyond official government levels into civil society, and think tanks, and other areas that have greater significance in 2014, than they did in 1995.

During the 50th anniversary celebrations it was said that to talk of the United Nations was to speak of human ideals. But to examine the reality of the UN during its first 50 years is to confront humanity's failures. What you will hear at its 70th anniversary will, be not too dissimilar to what was said in 1995.

Even though the UN was intended to be the new collective security arrangement born out of the disastrous experience of the Second World War; and intended to remedy the various failings of the League of Nations, its structure evolved from the balance of power paradigm, that existed at the end of the Second World War.

No organisation, the UN included, established under totally different set of circumstances that existed in 1945, can deal with the challenges thrown up by the 21st century. In hindsight, there is much to say about what the drafters of the UN Charter did in 1945 and how its relevance has diminished in the year 2014. However for anyone in their place in 1945, it would have been extremely difficult to foresee the course of events and the situations that one would have to face in the 21st century. It is too much to expect that whatever was done in 1945 should remain relevant to the international situation of today. What is not expecting a lot, however, is to understand the need for a continuing review, in order to enable us to deal with the changing requirements of mankind. The new international reality of today is determined by globalisation, privatisation, development, economics and human rights etc. which have metamorphosed the global scheme of things, which is no longer determined by politics and military might alone. Threats to international peace and security are no longer confined to military threats but are largely posed by terrorism, AIDS, global climate change, humanitarian issues and intrastate conflicts.

There were 51 members when the UN was established in 1945 and there are 193 members today. What this exponential increase in the membership of the UN means is, that the balance of power paradigm of 1945 has dramatically evolved into today's international reality. So that the issue of reforming the Security Council has not, in recent times, been a controversial issue. Almost everybody, both within the United Nations and outside of it agrees that the Security Council needs to be restructured, its permanent membership reviewed and the veto right revisited.

A major criticism of the Security Council is that it lacks representation from Africa, Latin America and the developing countries of Asia in its permanent membership; provides a platform for waning rather than rising powers; and does not have a place for economically powerful nations such as the G-4 members. The overall global influence is now pivoting towards Asia and away from the West, meaning that the composition of the UN Security Council reflects a post World War II colonial system what is woefully outdated, but is still influential in deciding global matters of war and peace. The G-4 and others have consistently put forward arguments and proposals for restructuring the permanent membership of the Security Council. It is not that the P-5 do not understand that the world has changed dramatically in the last 70 years. The problem lies in their reluctance to share or give up their entrenched powers, granted to them by the 1945 UN Charter, which cannot be changed without the positive vote of all five permanent members.

The question that faces us between now and the 70th anniversary of the United Nations is how to move forward to get the permanent members of the Security Council to accept the viewpoint of the other members, barring a few traditional naysayers.

One way forward, is to put the issue before the entire membership of the UN in the UN General Assembly, by introducing a framework resolution for the restructuring of the Security Council and seek a vote in the United Nations General Assembly, since it is believed to be the only democratic institution in the UN. If the framework resolution gets the vote of two thirds of the membership of the General Assembly, then the P-5 and the naysayers would have a difficult time resisting its implementation, or would be constrained to negotiate more seriously to resolve it.

The other idea is more provocative. The G-4 insists that the Security Council as constituted in 1945 is unrepresentative of today's 193 member UN, that it has no permanent member from Africa or Latin America, that its structure and processes are non-transparent and even self-serving and that its veto is often exercised in an arbitrary manner. And yet, every time the Security Council, which is deemed unrepresentative and ineffective, takes a decision approved by the five permanent members, all UN members including the G-4 dutifully accept these decisions and implement them. Perhaps, the G-4 and other potential candidates for permanent membership believe that their credentials would be bettered if they strictly follow the UN Charter, not withstanding their claims that it is outdated. But it might be necessary for the G-4 to give a thought to how this is viewed by the five permanent members. They see, that despite the loud talk by G-4 and others about Security Council restructuring, the world including G-4 will always accept the decisions of the unreformed Security Council and therefore there is no need for them to change the status quo.

There have been occasions when there was need to debate and consider an issue of international importance in a forum where G-4 countries had representation as well as decision making power, but it was agreed to transfer the issue for consideration and decision to the UN Security Council. One example is that of the Iran nuclear issue that was originally before the International Atomic Energy Agency (IAEA) which has all G-4 members on its board, apart from several other important countries, and the P-5. The Iran nuclear issue concerns not just the five permanent members but more importantly West Asia, South Asia and the whole world. Nevertheless, India was party to a resolution in the IAEA for handing the issue over to the UN Security Council.

Similarly, the all-important issue of sending peacekeeping forces into conflict situations is decided basically by the P-5 even though these are undertaken in countries and continents that have no representation amongst the P-5. In reality, while the P-5 does provide both financial and logistical support for peacekeeping forces, a large majority of the boots on the ground in Africa or Asia, are provided by developing countries that also have no representation in the P-5. It might be useful for G-4 and those who provide forces for UN peacekeeping efforts to say that they will not provide these forces because of the decisions made by an unrepresentative Security Council unless, they are consulted prior to the Security Council approval of peacekeeping operations.

The idea is not to enter into a confrontation with the P-5, but to convey to them that important decisions of war and peace can no longer be made solely by the victors of the Second World War, in the context of the changed world order of the 21st century. There is another point that needs to be considered by the G-4. There is no doubt that members of the G-4 are eligible for a permanent seat in the Security Council, on the basis of the credentials or qualifications laid down by the UN. There have been occasions when vetoes have stalled a Security Council Resolution and the more powerful countries have resorted to military action through "coalition of the willing" countries. The G-4 should ponder whether it is possible for them to demonstrate to the P-5 and others, that on regional issues, that are of lesser importance to the

international community, they could get together to find a solution, implement it, provide economic aid and create capacity, without the help of the P-5. It is not unlikely that the P-5 may be moved to consider the credentials of the G-4 for permanent membership more favourably if the group can demonstrate political or economic power that would invite international admiration.

The idea is to make it clear, through actions, that the world does not begin and end with the five permanent members of the Security Council; that there are others who have both influence and power, and without whose support all Security Council decisions cannot be implemented. This would be a great contribution to the discussions at the 70th anniversary of the United Nations.

2

UNSC REFORMS: A PERSPECTIVE

C S R MURTHY

The lack of success in the long winded deliberations involving diverse groups of member countries in the UNGA Working Group and the intergovernmental negotiations on the UN Security Council reforms since the early 1990s is generally attributed to "substantive and strategic differences among those professing to share specific goals". These differences are apparent from the positions adopted by the various major groups on both the substantive issues of expansion and the process to be followed for adopting the reforms. The discussion here divides these groups into two categories – first the four major groups, that have apparently taken somewhat maximalist positions on various issues from the early stages of deliberations, whereas the second set refers to those groups that have come on to the scene in due course and may have a bearing on the deliberations so far.

MAJOR GROUPS AND THEIR MAXIMALIST POSITIONS

Foremost among the principal groups active on the issue (particularly during the 2005 World Summit) is the group consisting of Brazil, Germany, India and Japan (known as G-4). This Group aspires for permanent seats for themselves (with one more seat for an African country) through expansion of the existing categories of membership, both permanent and non-permanent, in order to make the Council more representative of the new realities in the world stage. The group claims support of nearly 100 member countries. Members of this Group have pressed for a vote to clinch the issue without delay, by asserting that a minority view cannot hold up the reforms.

Staunchly opposed to the idea of adding any more permanent members to the existing ones is a group of nearly a dozen member countries (though claiming support of some 30 countries), known as the "Uniting

for Consensus" (UfC) group. They strongly oppose any further addition of permanent seats, because it would mean reinforcing untoward hierarchies in the international order. Instead, these countries have advocated expansion of democratically elected seats with a possibility of immediate re-election. Clearly they are opposed to extension of veto power to the newly added members. As the name of the group suggests, they favour negotiated decisions arrived at by the time-tested method of consensus instead of a formal vote which would be divisive. Since this procedure is time consuming, setting artificial deadlines would not be of much help. This group is faulted by others, however, for insisting that nothing could be agreed upon until everything is agreed.

The third critical configuration is the African Union, which favours expansion in both the permanent and non-permanent categories. The group is rightly aggrieved that the huge continent goes entirely unrepresented in the permanent category. They arrived at the Ezulwini Consensus to firmly claim two permanent seats (to be chosen by the African group) with privileges no different from those of the P-5. That is to say, that as long as veto power exists, the new permanent members too would enjoy it. The AU constituted a committee of 10 countries to negotiate in the UN.

Equally crucial is the approach of the P-5 countries, although they cannot be credited with a common position on the issue right now. Notwithstanding the fact that three of the five permanent members have endorsed the candidature of some of the G-4 countries, the reading of their statements from time to time shows that they would allow – if necessary - only a limited expansion of the Security Council, in the permanent and non-permanent categories. Otherwise they would not mind continuation of status quo (with regard to the permanent category) with some improvements in the working methods. In any case, they do not endorse the extension of the veto privilege to the new permanent members.

In course of time, new claims have emanated, on different grounds, from various quarters since the 2005 World Summit. A reference may be made to three such configurations here. First, the group of some 40 small developing and island countries as well as a few East European transition economies have voiced their claims for adequate representation

in the enlarged Council, while supporting the case for adding new permanent seats. It was pointed out that about 64 of them (with a population of less than 10 million) were never elected to the Council. Then the group of Arab countries has staked claim for a permanent seat, fearing that it is disadvantaged in the present framework of regional groupings at the UN. Last, but not the least, is the group of 21 countries (known initially as S5 countries) pressing for accountability, coherence and transparency (ACT) in the working of the Security Council. This group faced strong opposition from the other two groups, who feared that this initiative would shift the focus from the case for enlargement of the Council membership. Equally strong was the criticism from the P-5 countries who questioned the authority of the General Assembly to dictate the working methods and procedures for the Council.

As a consequence of maximalist positions, the process for achieving optimal outcomes also became a subject of differences. Whether open negotiations should continue among countries till an agreement is reached on all issues, or help of a small team of facilitators could be mandated to identify a common ground; whether a short concise text or a framework text would be desirable for kick starting or even clinching negotiations; and whether the required two-thirds majority with regard to the text would suffice or a text should be supported by a much more than two-thirds majority to represent the aim of 'widest possible agreement'.

TACTICAL SHIFTS IN THE GROUP POSITIONS AND BY INDIVIDUAL COUNTRIES

Notwithstanding the fact that each major group has accused the rival groups of taking inflexible positions, a careful study of the statements and proposals made by them would show that their respective positions have at times shown interesting signs of evolution. A few instances would be sufficient to substantiate the point. Having initially made veto power a non-negotiable, the G-4 subsequently agreed to forgo (or accept a moratorium on exercise of) veto power until a review of the veto as such. Again, on the larger issue of increasing the number of permanent members, these countries seem to have agreed to subject the enlargement to a review after a certain period of time (part of the L69 proposal in 2007). They have also lately signalled readiness to support the African Union's demand for two permanent seats. Notably,

further, some of the G-4 countries tried to reach out to the African group by drafting a text in partnership with developing countries (including those belonging to AU) in 2007. On its part the UfC group also moved a step forward with a proposal on an intermediary model that would enable the elected members in the expanded Council to serve for re-electable durations longer than initially proposed, while making clear that in no case would those seats be allowed to become permanent.

Alongside, it would be important to note how individual member countries belonging to the different groups mentioned above, have shifted their tactics and stances. In the G-4, Japan indicated in 2012 that it was willing to consider the intermediary approach as a "stepping stone" towards permanency. Germany too appeared positively inclined to consider long-term membership as an interim arrangement. There have been comments that these two countries were running out of time, while India would be hoping that time was on its side. Hence India has not shown interest in the interim solution, which for it constituted a problem, not a solution. After unsuccessfully trying to change the stated position of the AU, Nigeria and South Africa began to actively engage with India and Brazil. Mexico and even Pakistan – key members of the UfC group – have indicated their readiness to consider longer terms (8-10 years) for the newly elected members.

Among the P-5, Russia (which declared its support for Brazil and India) expressed a willingness to consider the intermediary solution. Similarly, the UK and France too have become interested in exploring the viability of such an alternative model. France came up with a proposal to regulate the exercise of veto as a response to genocide. China has studiously tried to slow the process by actively encouraging the UfC group as well as the African Union into taking tough positions, notwithstanding its stated position that it would like to see greater role for developing countries in the Council. The United States no longer links the UNSC reforms to the management reforms of the Secretariat.

SLIM PROSPECTS FOR AN IMMEDIATE BREAKTHROUGH

The shifts in the tactics and stances of individual countries do not necessarily constitute sufficient grounds for hopes for an agreement

on the UNSC reforms in the coming years as per the G-4 expectations. The deadlines set in the past (1995 by Japan, 2005 by the G-4, 2009 by India) produced no way out of the logjam. Hence hopes for a breakthrough in the 70th anniversary year (2015) do not appear to be well founded unless the G-4 and the AU agree to negotiate the intermediary model without either committing to, or ruling out, assured elevation to permanent membership after a review.

It is necessary to recall that the room for reform is conditional to the fact that the political foundations of the United Nations are inextricably twined with the power and pre-eminence of the United States. This is more true in so far as the design of the Security Council, which is the central organ of the United Nations, is concerned. There is no radical change in this primary condition, notwithstanding many other widely acknowledged changes (including the growing clout of the emerging economies of the Global South) since 1945. The patterns of use of veto in the past twenty years would testify to this overarching consideration. The United States has exercised its solitary vetoes twice as many times as the rest of the P-5 put together. While Russia and China chose to join hands more often than not in their exercise of veto power, the UK and France have not exercised it for years. This trend offers a refreshing lesson on the usability of that power to those who seek it now. In that case, the question that might be of some relevance is, whether reforming the UNSC membership is a practical goal without the sharp and irreversible decline of the pre-eminence of the United States. If and when that happens, whether and how other countries like the G-4 will be ready to provide the ideational inputs for the institutional contours suitable for the new era, will remain a moot point.

3

UNSC REFORM AGENDAS AND GROUP DYNAMICS

Varun Sahni

WHY UNSC REFORM IS NECESSARY, AND PERHAPS EVEN CRUCIAL

Of all international organisations, and principal organs thereof, there is none which is more state-centric (indeed, state power-centric) than the United Nations Security Council (UNSC). This is so, by design. As long as ensuring international peace and security – as opposed to socioeconomic development and/or global commons concerns - remain the core responsibility of the UN, veto-wielding UNSC permanent seats are a necessity, in terms of institutional architecture. The alternative is the likelihood that the UN will one day transgress upon the vital interests of a state that has the capacity to disrupt international peace and security, as almost happened in November 1950 when the UN General Assembly passed the 'Uniting for Peace' Resolution [377 A (V)] in response to the Korean crisis, because to do so would be to risk systemic war. It is this concern alone that justifies the veto powers of the P-5. The example of the League of Nations suggests that the UN must, therefore, either reform itself to reflect systemic power transitions, or risk becoming irrelevant.

There is another crucial and interrelated concern. Historically, new powers have emerged out of the crucible of war, the last two being Japan after the Russo-Japanese war and the Soviet Union after the Second World War. (Unless the argument is complicated by regarding the Soviet Union as the successor state of Tsarist Russia, which was a great power since the Napoleonic Wars.) Today, military technology in the form of nuclear deterrence fortunately has made war between great powers extremely unlikely. So the only marker of any systemic power shifts is their formal recognition in international organisation. Japan and Germany have eschewed military capability after the Second World War and have worked hard to be ideal global citizens. Thus, UNSC reform and a systemic power transition are linked not only symbolically, but intrinsically.

WHY A PERMANENT UNSC SEAT REMAINS IMPORTANT FOR INDIA

In World War II the Indian army, with 2.5 million men, constituted the largest all-volunteer military force in human history. Despite its important contribution towards the defeat of the Axis powers, India was unable to secure a permanent seat in the UN Security Council at the San Francisco Conference solely because of its colonial status, even though a defeated ally (France) and a nominally independent country (China) – both of which had contributed far less to the Allied war effort – were included. India became free in August 1947, barely two years after the San Francisco Conference (April-June 1945). For India, this exclusion was truly a 'near miss' at the moment of its birth as an independent nation, an omission made all the more poignant, and geopolitically relevant, when the PRC took over the China seat from Taiwan in the mid-1970s.

India's core attributes would suggest that the multilateral setting is important to the country, not so much as an end value, embodying a superior method of global governance, problem solving and conflict resolution, but rather as the most cost effective means of achieving and advancing its own national interests. In this regard, India is no different from other emerging powers. An emerging power is a middle power on the ascendant: it is a state that has both the capability and the intention to manoeuvre its way into great power status and has signalled that it intends to play a system-shaping role in the future. In the years before its emergence, such a state, like other middle powers, would have been generally supportive of international organisation and perhaps even an enthusiastic participant in its plans and activities. However, an emerging power also demands more from international organisation: it expects greater sensitivity for its own interests and particularly craves a symbolic recognition of its status transformation.

The history of India's relations with, and within, the United Nations underscores this conceptual point. India participated enthusiastically in UN activities till the early 1970s, and again from the early 1990s onwards. This is especially evident from India's record in UN peacekeeping

missions: more than 160,000 Indian soldiers have participated in 43 UN peacekeeping missions, making India the largest troop contributor to the UN; 135 blue helmeted Indian soldiers have lost their lives in UN operations. Over the decades, India has also provided the UN with one Military Advisor, one Deputy Military Adviser, 13 Force Commanders in various UN missions and one Division Commander in Congo.

However, there is a qualitative difference between India's engagement with the UN prior to 1970, when it participated wholeheartedly in a multitude of UN activities; its two-decade relative disengagement (1970s and 1980s) from the UN due to disenchantment over a variety of issues including the UN position on the Kashmir dispute and India's nuclear programme; and the re-engagement after 1990. In the latest phase, India has a much more *instrumental view* of the UN as the arena for power transition and status transformation.

A reasoned articulation of the Indian position on UNSC reform in recent years was made by India's Permanent Representative to the UN, during the First Exchange of the Eighth Round of Intergovernmental Negotiations on UNSC reform on November 28, 2011:

We can witness more effective and efficient functioning of the Security Council if and when the Council is able to utilize the energies and resources of its most willing and most capable member-states on a permanent basis... Along with membership will have to come responsibility, along with responsibility will come the willingness of burden sharing including where the costs are beginning to pinch and hurt the permanent members. (MEA 2011)

WHY THE G-4 INITIATIVE MAKES EMINENT SENSE

The G-4 initiative brings together two emerging powers (Brazil and India) and two defeated great powers from the last systemic war (Germany and Japan). All four countries have compelling reasons to seek permanent veto-wielding seats on the UNSC for themselves. Although the initiative has not been particularly successful so far, it is unlikely that either Brazil or India will change their political aspirations or diplomatic strategies on the matter of UNSC reform. Indeed, it makes sense for Brazil and India to pursue their UNSC aspirations in the G-4 rather than in the other highly visible group they are members of, i.e. the BRICS. The various BRICS countries have *mutually opposed interests* as far as UNSC reform is concerned. This internal contradiction has been expressed in quaint, diplomatically obfuscating and virtually identical verbiage of the five successive BRICS Summits:

- Joint statements issued during the First BRICS Summit in Yekaterinburg in 2009 and Second BRICS Summit in Brasília in 2010: 'We reiterate the importance we attach to the status of India and Brazil in international affairs, and understand and support their aspirations to play a greater role in the United Nations.' (Kremlin 2009, Itamaraty 2010)
- The Sanya Declaration, issued during the Third BRICS Summit in 2011: 'China and Russia reiterate the importance they attach to the status of India, Brazil and South Africa in international affairs, and understand and support their aspiration to play a greater role in the UN.' (*Xinhua* 2011)
- The Delhi Declaration, issued during the Fourth BRICS Summit in 2012 and the eThekwini Declaration, issued during the Fifth BRICS Summit in Durban in 2013: 'China and Russia reiterate the importance they attach to the status of Brazil, India and South Africa in international affairs and support their aspiration to play a greater role in the UN.' (MEA 2012, Fifth Summit 2013)

WHY THE G-4 ARE BEING SO ROBUSTLY OPPOSED

Of the P-5 states, three – Russia, France and UK – are clearly in the process of relative decline. (International politics is less affected by the absolute decline of states, which tends to be an infrequent phenomenon, than it is with the relative decline of states, i.e., not a decline in the absolute capabilities of a state but rather the fact that the capabilities of others are being augmented much faster.) The fourth, USA, is the systemic hegemon, but it too is probably at the zenith of its hegemony and will soon enter a stage of relative decline. Thus, China is the only rising power in the P-5 and therefore needs to be treated and analysed differently from the other P-5 states.

China will continue to invoke institutional efficiency and insist that no new permanent seats, with or without veto powers, are added to the

UNSC. China supports a regional representational principle that may or may not be rotational. In sum and substance, this means that different regional groups, could keep voting the same countries to the UNSC seats with regard to their region, or opt for a rotational formula instead. Given the strong candidatures of Japan and India for permanent vetowielding seats, it is evident that China has a compelling geo-strategic interest in Asia, to maintain its position on UNSC reform for the foreseeable future.

China has had good reasons to welcome the initiatives of Uniting for Consensus (UfC), the so-called 'Coffee Club' that came into being in the mid-1990s. Pakistan's membership of UfC, along with Italy, Mexico and Egypt, was then and remains now, a deliberate counterpoint to India's membership of the G-4. The core members of the UfC group today – Italy, Spain, Mexico, Argentina, South Korea, Indonesia and Pakistan – are precisely those middle powers that would have the least interest in seeing Brazil, India, Germany and Japan acquire a privileged position within the UN system. (If Japan, why not South Korea? If Brazil, why not Argentina? If Germany, why not Italy or Spain? If India, why not Pakistan or Indonesia?)

South Africa's position on UNSC reform is delicate and reflects that current ambiguities in Africa. While South Africa has a clearly expressed an interest in becoming a permanent UNSC member, it remains committed to the African Union's (AU) Ezulwini Consensus of March 2005 which advocates two additional non-permanent seats as well at least two permanent, veto-wielding, seats for Africa. South Africa's adherence to the Ezulwini Consensus is essential to its diplomatic posture of representing Africa and African interests. Unfortunately for South Africa, the Ezulwini Consensus is unlikely to succeed because there are three claimants – Nigeria, Egypt and South Africa itself – for what can never be more than two permanent UNSC seats for Africa.

HOW THE G-4 COULD PROCEED FROM HERE ON, AT LEAST IN THE SHORT TERM

Ten years after the 2005 World Summit, the year 2015 is loaded with symbolic significance for the UN system. It is therefore tempting for the G-4 to use the milestone of 2015 to push strongly for a UNSC reform agenda. However, the possibility, even likelihood, of failure

looms large, and with it the very real danger that this milestone could become a millstone around the necks of the G-4.

The moment may perhaps then have arrived for the G-4 to temporarily put their UNSC reform initiative on the backburner and opt for more modest aims for 2015. Are there any initiatives that the G-4 could take to break the current logiam and move the UN reform process along? Perhaps a more modest amendment of the UN Charter, which has been amended only once since its adoption, must precede UNSC reform. The G-4 could insist on the one UN Charter amendment that all states should, at least on the face of it, be comfortable in supporting, and that is the relatively innocuous, but nevertheless important, removal of the so-called 'enemy clauses' in articles 53 and 107. Would the P-5 and UfC be willing to support this amendment? Would China be willing to do away with the stigmatisation of Japan? If so, this would be a small but very important first step, replete with symbolism, especially for Germany and Japan. On the other hand, if the P-5 were to oppose the removal of this anachronistic vestige of seven decades ago from the Charter, it would be ample evidence of their unwillingness to budge, even slightly, from a preferential and privileged status quo.

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4

THE PROCESS AND THE OUTCOME

B S PRAKASH

For a diplomat, who was actively involved in the process of the formation of the G-4 from 2000 to 2005, it is interesting to reflect on the larger issues, and consider whether they will impact the actual diplomatic process for the practitioners.

WHAT IS THE DIFFERENCE IN THE SCENARIO OF THAT TIME AND TODAY?

First, a decade ago, with the 60th anniversary of the UN looming, the prospects of expansion seemed close, if not imminent. The focus was on the vision and outcome, and less so on the process. Not that the G-4 were naïve, or blindly optimistic, but the frustrations of the process were less obvious. Today, after so many years, the pain of the process has become clearer.

Second, the importance of having a candidate from Africa to complete the picture was known to the G-4, but perhaps how critical this was for any progress was insufficiently underscored in the internal deliberations. In the public domain, South Africa was perceived as a natural candidate, given the stature of Mandela. The claims of others from Africa – Nigeria in particular - were known, but South Africa seemed to have a greater appeal and resonance. But from the beginning, South Africa consistently stressed the broader issue of African candidature and the need for consensus building within Africa. This issue, compounded by the maximalist position of the Ezulwini Consensus, continues to complicate the process and create problems to this day. There is not much in the public domain since then that gives room for flexibility in negotiations.

Third, the taking of maximalist positions on the veto at a political level has meant that the 'perfect' has been the enemy of the 'possible', however difficult the latter may be. If the veto is non-democratic and an anachronism, then any 'P' member supporting it should be a nonstarter, and yet this is not said so explicitly. India did not calibrate the discussions on the 'veto' issue sufficiently and this gave rise to difficult questions.

Fourth, after great effort there has been a move to text-based negotiations - an advance. There is also a realisation that universal consensus is not a possibility and therefore the tactical issues, related to the garnering of votes, need to be addressed at every stage.

In short, what students of constitutions and complex institutions should be familiar with has been internalised, i.e. the problem of the process frustrating the 'outcomes'. The hitherto elusive goal of UNSC reforms is one such case: the process is more of a problem than envisaging an optimal product.

From the perspective of an outsider who interacts with students and the informed public on international issues, the debate on the UNSC expansion - as Shashi Tharoor points out in his long essay in *Ethics and IR* - is akin to a group of doctors examining a sick and weak patient. They are all agreed that there is a problem, most are even agreed on the diagnosis, but cannot agree on the prescription, the course of treatment or the prognosis. And this is because, most of the doctors are interested parties and are not as interested in the outcome, but how the attempted cure will affect them.

WHAT CAN BE DONE?

The lack of 'representativeness', 'legitimacy' and 'effectiveness' of the existing composition is now generally understood, certainly in the G-4 countries but in many others as well. The obsolescence of the P-5 in terms of its representation of global realities, the imbalance in the composition, the lack of effectiveness in terms of addressing problems of war and peace, the ad hoc and arbitrary manner in which decisions are taken - or not —by the UNSC, are all reasonably well known even within the P-5 countries. That the patient needs treatment is not really contestable.

In the G-4 and especially in India, the rationale for reform and expansion has been canvassed well; but explaining why it has not happened so far has not been done well. Most attribute it to the obstinacy of the US or

China; they are not aware of all the other complications – the African seat, the veto issue, the two-thirds majority plus the P-5 requirements etc. The heightened expectations in 2005 and again in 2010 – during India's membership of UNSC - have now faded. To retain public interest and support, the procedural obstacles will need greater voicing.

When institutions atrophy, or become dysfunctional, alternative structures do emerge. Today, academics and analysts have come around to increasingly accepting the multi-polar paradigm. The idea of a hyper power or a G-2 has receded and most analysts find it more meaningful to talk of multiple centres of power, perspective and prosperity. Does multi-polarity entail newer forms of multilateralism? Possibly, since the priorities in agendas, convergence of interests, the coalitions for purposive action, will result in newer forms of pluri-lateralism. There are already some examples: the importance of G-20 for not only macro economic issues, but for some political confabulations as well; the WTO as a virtually autonomous track for trade (and at the same time the talks on the trans-Atlantic and trans-Pacific tracks that could create separate groupings even within trade); the coalitions on security issues that are a part of the reality; and newer formations like BRICS and IBSA etc. True, none of these are universal and none of them have the force of international law that the UN has, but the point is, that there are different ways of achieving multilateralism. For outsiders, the UN is perceived as one of the many multilateral forums and not necessarily the most sacrosanct.

Many see the UNSC permanent membership as a symbol, as a validation of being a 'great power'. Students often raise questions, as to why the established nuclear weapon states (NWS) are permanent members. Some ask why India, now a NWS, does not advance its membership claims, after acquiring that capability. Even if that is facile or ignorant, there is a perceived correlation between national power and UNSC membership. However, today, theories of power stress not the hegemonic aspects of power, not the "power over" aspect, but the "power to"; in other words, power as the ability to influence outcomes. So, the G-4 have an obligation to explain how the outcomes will be different, even if marginally, if they were to get permanent membership. They need to tell their constituencies that what they are seeking is not only authority, but greater responsibility; that the UNSC

membership is not a symbol or vindication, but more an instrument to do some public good. Perhaps there is greater need for articulation of what that might be.

Finally, again, it is perhaps time to start voicing the view that an unreformed and unrepresentative UNSC, is not worthy of trust and allegiance. Those working at, or for the UN, will find it difficult to say so; but public opinion in many of the countries already thinks so.

To end on a more positive note, it is worthwhile to remember that changes in structures at the UN or elsewhere occurred because of 'happenstance' when circumstances brought them about unexpectedly: the acceptance of the UN Charter itself, a few years before the beginning of the cold war; the membership of Israel secured by a narrow vote; the permanent membership of PRC; and Russia taking the seat of the USSR are some examples. While work and debate will no doubt continue, one cannot rule out a situational change that may accelerate the agenda for reform. Such optimism is necessary for diplomats engaged in this historical work.

5

SECURITY COUNCIL REFORM: THE TIME IS NOW

HARDEEP SINGH PURI

For the last decade or so, Security Council reform and expansion has, in a sense, been the holy grail of the foreign policy narrative, of a significant number of countries. Considerable activity or what could be more appropriately described as, failed efforts, have characterised this process.

A backward glance into history would provide a frame of reference, for the challenges inherent in this exercise. In 1963, i.e. half a century ago, the membership of the UN Security Council was expanded from 11 to 15, a modest increase of four - in the non-permanent category only. The voting sheet of the General Assembly, which brought about this change, is instructive. It reads: 97- Yes, 11-No and 4-abstentions. The United States and the United Kingdom abstained, the then USSR and France voted against, and the then *fifth member, Taiwan*, was the only one of the then P-5s, which voted in favour.

Since then the membership of the United Nations has risen from 113 to 193. Eighty more countries have joined the United Nations, as independent member states. The composition of the Security Council, the UN's premier body, that is mandated to maintain international peace and security, and decide their collective fate, has not undergone even a minimal change.

The present predicament is truly bizarre. Given that more than 75 per cent of the work of the Security Council focuses exclusively on the continent of Africa, the Security Council does not have even one permanent member from the 53 member strong African contingent.

How has the Council responded to the various situations of conflict? Has its credibility been enhanced or damaged? Three examples from recent history exemplify why the credibility of the Council, given the manner in which it has responded to pressing situations of conflict, is at an all time low.

To begin with, consider the crisis in Libya. The Security Council authorisation and the NATO military intervention were nothing more than an attempt to reorder societies from the outside, by use of military force. This was proved, almost surrealistically, when it came back to haunt us, in the most tragic and brutal assassination of US Ambassador Stevens in Benghazi. Those who created the Frankenstein, and for reasons better known to them, chose to arm it, never imagined the consequences of that Frankenstein going out of control. Five countries including India, Brazil and Germany had abstained on the vote on Libya and for good reason.

They stand vindicated.

Second, examine the crisis in Syria. The highest loss of lives in recent history; and the Security Council, with the albatross of Libya around its neck, is unable to get its act together.

In South Sudan, the creation of which was supposed to be a success story, and where India, with one of the largest contingents mandated under the blue flag, have made the supreme sacrifice, is another example of how things can go wrong if the world's premier body, because of the vested power politics interests, decides to impose artificial solutions from the outside.

Prime Minister Dr Manmohan Singh in his address to the 66th UNGA on September 24, 2011 had said:

The observance of the rule of law is as important in international affairs as it is within countries. Societies cannot be reordered from outside through military force. People in all countries have the right to choose their own destiny and decide their own future. The international community has a role to play in assisting in the processes of transition and institution building, but the idea that prescriptions have to be imposed from outside is fraught with danger. Actions taken under the authority of the United Nations must respect the unity, territorial integrity, sovereignty and independence of individual states.

These examples serve only to illustrate the point that the response of the Security Council to situations of conflict has left a lot to be desired.

The reasons for this have a lot to do with facts that go beyond just the deeply entrenched power politics of a select few, but are rooted in its outdated structural composition, and unrepresentative character.

Conflicts are escalating around the globe. There has been unprecedented social and political upheaval in West Asia, the Gulf and North Africa. People of these regions are demanding the right to shape their own future.

Energy and food prices are once again spiralling and creating fresh instability, especially in developing countries. The Palestinian question remains unresolved and is at the root of instability and violence in the region. Terrorism continues to rear its ugly head and take a grievous toll of innocent lives. New threats to international security have emerged. Acts of piracy are being carried out with impunity from lands that are beyond the writ of any functioning state or of international accountability. All these challenges are only mounting in the face of a Council that is fast losing credibility as well as relevance.

This goes on to reinforce one fact: that the case for Security Council reform is perhaps more compelling than ever before. A reformed Council, is an expanded Council, that reflects the world of today, a Council that has representation from Africa, Latin America and Asia; and the leading country in Europe in the permanent category; and which responds to the aspirations of CARICOM, the Pacific SIDS and others. A Council that is truly representative will be better equipped to handle the myriad challenges of today as well as the challenges of tomorrow.

The challenges that lie ahead are complex but surmountable.

First, the exclusive P-5 (Permanent Five) club has an entrenched reluctance, to share the high table with others; and, from their perspective, this is understandably so. They frequently mouth platitudes to please the aspirants, even whilst their negotiators at the United Nations do whatever it takes to hold back progress.

Public scrutiny of this issue is increasing. Two of the P-5 members, given the play of international economics and how rising world powers

are stacked up, will find it hard to justify their privileged position in this setting.

The second challenge, is posed by a group of naysayers, whose numbers are not even in double digits, who are bound by the fictitious notion of 'complete consensus', as being the only way forward on this subject.

Complete consensus, meaning total agreement on a subject as complex as the expansion and reform, of the UN Security Council, will, by definition, never be possible. This amounts to giving a handful of countries the veto over expansion and reform.

This is a group that can be described as consisting of 'counter aspirants to the aspirants'. Secure in the knowledge that they will never make it to an expanded council, they work overtime to create fissures and stall forward movement, to keep the house divided.

The rest of the house instead of discussing the way forward, tends to get lost in trivial issues, of procedure, rhetoric and needless debates over who needs to be there and who does not. In this context, it is important to underscore the point, that unless the Common African Position, which binds itself to two permanent seats with a veto, declares who the two claimants from Africa are, it will continue to be viewed as an extremist position unacceptable to the P-5.

Having identified some of the key roadblocks, it is also important to analyse the state of play on this subject at the United Nations. The subject matter appears as an agenda item entitled: "Question of equitable representation and reforms of the Security Council and other related matters" and has been on the table at the UN since 1993, when discussions commenced in the format of the Open Ended Working Group. These went on for more than a decade. Frustrated by the slow pace of progress, a group of developing countries, led by the L69 (which includes India & Brazil) forced the format to be changed to Intergovernmental Negotiations or IGN in 2009. Since then, nine rounds of IGN have been held.

Member countries state known positions. The chair of the IGN has not yet produced a negotiation text, on which delegations can deliberate and make real progress. The President of the 68th General Assembly John Ashe, made the subject a priority for his presidency, and took the initiative by providing the Chair with an excellent working non paper, giving concrete options, as a way forward. The Chair has yet to make his next move clear, and this is unfortunately how the situation is at the UN, moving, if at all, at snail's pace.

This leads to the next question. Is some progress really possible and what is the way forward? A proposal, perhaps not accepted, even by erstwhile colleagues in the ministry of external affairs is: progress is not only possible but assured and doable. For this to happen, countries must shed their hesitation and put the issue to vote.

As for process, the exercise of reforming the UNSC under the aegis of the IGN cannot be an exercise in perpetuity. It is not just the stakeholders, but voices from outside that are now beginning to raise searching questions on the inefficacy of the process.

In 2005, at the World Summit of the United Nations, world leaders, and heads of state and governments, pledged their support, as per Para 153 of the Outcome Document, to the early reform of the Council.

All other commitments flowing from the same Outcome Document, including the setting up of the Human Rights Council, amongst others, have been fulfilled but the most critically important one remains unfulfilled.

2015, when all heads of state/government gather at the UN to adopt, what is being billed as the most ambitious project of the post 2015 Development Agenda, would not just be the 70th Anniversary of the creation of the United Nations, but will mark 10 years of the mandate of the 2005 World Summit, when nations committed themselves to early reform. As the clarion call for change in the Council grows louder, by the day, most of the key stakeholders are pushing for a concrete outcome by 2015.

The Prime Minister of India in a recent address at the 68th session of the UNGA on September 28, 2013 said:

Two years from now, the United Nations will be seventy years old. Every new state that was born during this period took its place in this Assembly not just with pride but also with hope. 2015 will be a moment to celebrate our successes and to ensure that the UN is ready for this century by completing the much needed reforms of the United Nations and its Security Council...

Another aspect which must be touched upon, and is a question that is often asked is: Why is India at the horseshoe table?

India's interaction with multilateralism began even before she attained independence. She was among the original members that signed the Declaration by United Nations in Washington on January 1, 1942 and also participated in the historic, UN Conference of International Organisations in San Francisco from April 25 to June 26, 1945.

India's overall approach to the multilateral system has been characterised by responsible and constructive cooperation while pursuing her national interest. This is part of the overall objective to maintain international peace and security and address the challenges of development, whether in the UN as defined by its universal membership, or in the more limited pluri-lateral and multilateral forums.

India's contributions to the UN system, over the last 60 years plus, encompass the entire spectrum, support - not just financial and political. India has been there, when the UN was in extreme crises. She is cumulatively the largest contributor, having provided more than 60,000 peacekeepers. At any given point of time, there have been 9000 to 10,000 peacekeepers on the ground. Participation in UN Peacekeeping Missions has entailed deployment in the most hostile terrain including DR Congo, Sudan, Ivory Coast, Lebanon, Golan Heights and Liberia. And the soldiers have made the supreme sacrifice - with 156 lives lost and counting, all under the blue helmet.

By any objective criteria, population, territorial size, GDP, economic potential, civilisational legacy, cultural diversity, political system and past and on-going contributions to the UN-especially UN peacekeeping operations, India is eminently qualified for the permanent membership of an expanded UN Security Council.

If the evolving multilateral system truly values India's role and benefits from the same, it should acknowledge India's centrality to the evolving global architecture. India has reaffirmed its willingness and capacity to shoulder the responsibilities and obligations of permanent membership. India does not view the permanent membership as a badge of honour, a symbol of national pride or a prize for any particular achievement. These do not add to, or detract from, her principled position. She needs space to grow and be present at the table, where decisions are made.

There are of course no objective formulae for calibrating these efforts, and a lot will depend on factors over which India has virtually no control. In a globalising world, India and her decision-makers have to reconcile themselves to unpredictable factors and be ready to undertake mid-course corrections in a non-dogmatic manner.

The question is: can the international community rise up to the challenge. By the international community, one means friends who dominate the architecture, as it exists today. Clearly, whenever the move is made, there would be the need to hold them to the public pronouncements and try to get them on board.

In the end, whenever the vote eventually takes place, they could still be on the opposing side, as was the case in 1963, but the demandeurs of change must push for this change, for, if the principal stakeholders do not make a concerted push now, the goal might not be reached even in 2015.

Victor Hugo, had said, "You can resist an invading army, but you cannot resist an idea whose time has come".

The case for reform is more compelling than ever before, and it is just a matter of time, when the world body, may either have to willingly embrace change or be made to accept it as a 'fait accompli'.

There is a need to draw inspiration from the African Asian solidarity that prevailed in 1963, the year of the first decisive change, and recall what the Indian delegate, the late Shri Brajesh Mishra had said in the course of that historic debate :

At the beginning of the session, it was difficult to imagine the way in which things would move, and there were cynics among us who until even a few days ago thought that we were engaged in fruitless discussions. The negotiations have been successful because the African Asian delegations were solid on this question. Their solidarity did not come out of any desire ... to gang up against other delegations in the Assembly. It was born out the belief of the African Asian delegations that their cause was just and the time was ripe...

There is hope that all stakeholders, the African/Asian delegations, the G-4, the L 69 and all like minded delegations, along with distinguished members of civil society, academia, media and scholars, can come together, through platforms such as these, and collectively work together for enhancing the constituencies of convergence, not just relating to the process but also the substance, to deliver on this long over due mandate.

There is no doubt that the procrastination now in evidence will continue indefinitely. The only way to break the logjam, the current impasse, is to put a text embodying broad agreement, to vote. Such a text or texts are available. A vote will force the naysayers and those on the fence to take positions from which a consensus will flow. Once there is an agreement on expansion and reform, in principle, country-specific demands can and will follow, in a second sequential stage.

6

UNSC REFORM: AFRICA HOLDS THE KEY

Ruchita Beri

In recent years the reform and democratisation of the United Nations and its vital organs, such as, the Security Council has become the focus of global attention. There is no doubt that United Nation's Security Council (UNSC) is the most powerful and influential organ of the United Nations. However the UNSC's antiquated composition has led to a global debate followed by negotiations for a structured reform of the institution. The latest round of intergovernmental negotiations, on the reform of the Security Council, has been on since 2009. Nevertheless, progress on this crucial matter has proven to be quite elusive, mainly due to multiplicity of reform proposals. Various groups such as G-4, United for Consensus, and the Africa group have submitted competing proposals.

Since the era of decolonisation, the African countries have organised themselves in the UN process, through the Africa group. In the recent years the Africa Group has gained prominence by taking common positions in multilateral arena. On the issue of UN Security Council reform the Africa Group has taken a common position and emphasised the need for permanent representation from the African continent, in the Security Council. Abdou Salam Diallo, permanent representative of Senegal in his argument in favour of the Africa Group during the UN General Assembly debate on UNSC reforms said:

How could a continent such as Africa, which represented 70 per cent of the Council's work, not be included in its permanent membership? It could not be emphasised too many times: that historical injustice must be corrected.¹

¹ "Security Council 'badly out of step' with evolution of geopolitics, speakers say as General assembly concludes annual debate on council reforms." Sixty-sixth General Assembly, Plenary, 52nd meeting GA/11169, 9th November 2011 at http://www.un.org/ News/Press/docs/2011/ga11169.doc.htm (Accessed on March 16, 2012).

There is no doubt that given the sheer numbers of conflicts in the continent, ensuring peace and security in the African region has dominated the agenda of Security Council over the past several years. It is also one of the two regions of the globe (the other being Latin America) without permanent representation on the world's most powerful diplomatic body. However the 54 nation continent is at present represented by only three non-permanent members in the 15 member UNSC. This paper analyses the African common position on UNSC reform process. It argues that the continent's inflexibility and failure to reach a compromise on the common position while negotiating with other like minded groups is the single most significant roadblock in the African countries' plans to acquire a permanent position on the high table. It also argues that without African support, it is unconceivable that any proposal or reform package could succeed in the General Assembly.

UNSC REFORM DEBATE

The post Cold War era, has seen an ongoing debate on the need for Security Council reforms. This debate has mainly highlighted the anachronistic structure of the UNSC. Many countries, especially from the developing world, have expressed their deep dissatisfaction with the unrepresentative character of the United Nations. At the time of its founding the United Nations had 51 members and the Security Council had five permanent members plus six non permanent members. In 1964, the number of non-permanent members was increased to 10. Since then, the membership of UN has risen to 193, while there has been no corresponding expansion of the Security Council. Over the years there has been agreement among UN members that the Security Council should be expanded though there is no convergence on the formula of expansion. These various formulae and proposals have addressed three issues; the size of the reformed Security Council (in terms of permanent and non- permanent membership); limitations on the scope and use of veto rights and the UNSC's working methods. However, the new permanent membership has proven to be most contentious issue in the debate on reforms. Any changes in the structure of the UNSC would require amendment of the UN charter, which in turn is possible only if two thirds of the UN members (roughly 128) approve it. Garnering this majority is indeed a challenging task.

The attempts for reforming the UNSC can be traced back to the establishment of the Open-Ended Working Group in 1993, to discuss issues relating to UNSC reforms including size and composition. In early 1997, Razali Ismail, president of the General Assembly and also the Chairman of the Open-Ended Working Group submitted a draft framework resolution.² The focus on United Nations Security Council reforms increased with the publication of the report of a High Level Panel on Threats, Challenges and Change in December 2004.³ Subsequently, the 2005 World Summit outcome document endorsed the need for reform, and through the L69 initiative in 2008, the debate shifted from the Open-Ended Working Group to Intergovernmental Negotiations.⁴ Nevertheless these efforts have failed in removing the impasse. The forthcoming 70th anniversary of the UN, and also the 10th anniversary of the 2005 world summit that called for "early reform" for the UNSC, in 2015, provides an opportunity for the member states to break this logiam and implement these reform.

However there were multiple proposals to consider in view of the emergence of several blocks. The first of these is the Group of Four (G 4), where Germany, Japan, Brazil and India have joined forces and put forward a proposal claiming permanent seats in the UNSC. At the same time another block, "Uniting for Consensus", also known as the Coffee Club, rejected any increase in permanent membership and put forward a proposal for semi-permanent membership. Ariyourk says that the Uniting for Consensus movement, demands a consensus, before

² Joachim Muller, Ed. *Reforming the United Nations: the Challenge of Working Together* (Leiden, Martin Nijhoff, 2010) p. 15.

³ More Secure World: Our Shared Responsibility: Report of the High-level Panel on Threats, Challenges, and Change. New York: United Nations, A/59/565, 2 December, 2004. http:// www.un.org/secureworld/report2.pdf (Accessed March 20, 2012). See also Satish Nambiar, Commentary on the report of the High Level United Nations Panel "A More Secure World: Our Shared Responsibility", USI Journal, October –December 2004, pp.294-508.

⁴ L.69 refers to the countries that supported draft resolution, A/61/L.69 which was submitted by 27 Member States on 11 September 2007. It was drafted by India and some of its more prominent co-sponsors were Brazil, South Africa and Nigeria. This resolution, which they threatened to bring to a vote, called for strong language towards intergovernmental negotiations and clashed with the draft report from the President of the General Assembly (PGA) under consideration. In the end, as a compromise, the PGA report was amended to include the language that L69 countries suggested.

any decision is reached on the form and size of the Security Council.⁵ On the other hand, "the G-4 argues significant changes can take place only through a vote and that seeking consensus is an excuse for inaction."⁶

The African Group constitutes the third block. After considerable deliberation the African countries arrived at a common position on the UNSC reforms - termed the Ezulwini Consensus. One of the reasons of the failure of the negotiations in 2005 was the inflexible position taken by the Africa Group.

EZULWINI CONSENSUS: THE AFRICAN COMMON POSITION

The Africa group remains the only geographical group that has arrived at a common position. In 2005, African countries met at Ezulwini in Swaziland, to debate the issue of UN reform. The meeting concluded with a consensus on a common African position on this crucial issue. This was achieved after a long process of discussions between the 53 African countries and could be traced back to the 1994 Tunisia summit of the Organisation of African Unity (OAU), the precursor of the African Union. During this summit the African countries agreed to push for democratisation of UN Security Council, based on the principles of equitable regional representation and the collective responsibility of preserving world peace. Subsequently during the OAU summit held in Zimbabwe in 1997, the African countries adopted the Harare declaration that spelt out the first African proposal on this issue. This declaration called for the enlargement of the UNSC, with two permanent (in rotation) and five non-permanent seats allocated to Africa.

The African position more commonly known as "the Ezulwini Consensus" draws from the Harare Declaration, though it omits any reference to rotating permanent seats for Africa. In fact the African Common position rejects the proposals of the High Level Panel and seeks "Not less than two permanent seats with all the prerogatives and

⁵ Ayca Ariyoruk, "Players and Proposals in the Security Council Debate 2005", at http://www.centerforunreform.org/node/45 (Accessed 21 January 2014).

privileges of permanent membership including the right of veto; and five permanent seats".⁷ Moreover, the Ezulwini Consensus suggests that, "even though Africa is opposed in principle to the veto, it is of the view that so long as it exists and as a matter of common justice, it should be made available to all permanent members of the Security Council".⁸ Notably, the proposal evaded the issue of identifying the two permanent candidates from Africa, or the process through which they would be selected and vested the AU with the authority "to determine, taking into consideration the representative nature and capacity of those chosen."⁹

MYTH OF AFRICAN CONSENSUS

In order to arrive at the magical figure of 128, it is important that the African countries align with other like minded groups to strengthen their bid. In this regard, the AU summit in Sirte, Libya in July 2005, apart from ratifying the Ezulwini consensus, had set up a follow up Mechanism on the Reform of the United Nations and had mandated it:

...to negotiate with other regions of the world and stake holders and to take necessary measures that would permit the attainment of Africa's aspirations as enunciated in the Ezulwini consensus, bearing in mind the necessity for reciprocal support from other interested groups and within the framework of achieving the provisions of Ezulwini Consensus and Sirte Declaration.¹⁰

However there was a lot of criticism of the African common position. First of all the Ezulwini Consensus was based on the concept of regional representation, while the current UN system determined the representation of countries on the UNSC on the basis of their

8 Ibid.

9 Ibid.

⁷ African Union, The Common African Position on the Proposed Reform of the United Nations: "The Ezulwini Consensus". Executive Council of the African Union, 7th Extraordinary Session, 7-8 March 2005, Addis Ababa.Ext/Ex.C1/2(VII).

¹⁰ See "Decision on the Expansion of the Follow-up Mechanism on UN Reform" at http://www.au.int/en/sites/default/files/ASSEMBLY EN4_5 JULY 2005 AUC FIFTH ORDINARY SESSION DECISIONS DECLARATION%20AND RESOLUTION.PDF (Accessed December 12, 2013).

individual merit.¹¹ The second criticism was that the Ezulwini Consensus was an inflexible negotiating position that was "doomed to fail at the onset." The collapse of discussions between G-4 and AU to find a common ground, earlier, is blamed on the insistence of certain AU member states to not dilute the common position.¹²

There are several factors that suggest that the African consensus is a myth. First and foremost is its failure to name the possible African representatives in the African Common position. However, South Africa, Nigeria and Egypt have officially declared their candidature and are widely perceived as being eligible on their own merit. South Africa is the economic powerhouse of the continent and has considerable military strength as well. It has also taken a leadership role, diplomatically, in the international arena and has acted as a mediator in several regional conflicts. Nigeria is the most populous country in Africa, leading energy producer and contributor to the UN peacekeeping efforts in the continent. Similarly, Egypt is amongst the most influential Arab- African country and has to its credit a U N Secretary General from its very own soil (Boutros Boutros Ghali).¹³

Nevertheless there is intense rivalry amongst them and severe criticism of their candidature within Africa. South Africa's growing economic presence has sparked the debate that "they still have the attitude of the old South Africa".¹⁴ Thus the South Africans have to deal with the tag - given by their rivals - of being "not black enough". Further the recent race for the African Union Commission chairmanship between South Africa and Gabon has brought to light the divide between Francophone

¹¹ Speech of South African representative to United Nations during the recent debate of restructuring of UN at http://www.southafrica-newyork.net/pmun/view speech.php?speech=4924406 (Accessed on March 12, 2012).

¹² See Y. Spies, 'The Multilateral Maze and (South) Africa's Quest for United Nations Security Council Representation,' at http://repository.up.ac.za/xmlui/bitstream/ handle/2263/6307/Spies_Multilateral%282008%29?sequence=1 (Accessed June 30, 2012). See also, A. Adebajo, 'Chronicles of Death Foretold,' in A. Adebajo and H. Hanlon (eds.), The Dialogue of the Deaf: Essays on Africa and the United Nations, Cape Town: CCR, 2008.

¹³ Y. Spies. n. 12.

¹⁴ Chris Alden and Mills Soko, 'South Africa's Economic Relations with Africa: Hegemony and its Discontents', *Journal of Modern African Studies*, 43(3), 2005, pp. 368–369.

and Anglophone African countries.¹⁵ On the other hand there is a growing perception that Egypt is more comfortable with its Arab rather than African identity. According to a survey only 8.1 per cent Egyptians, deem the African identity as their first identity.¹⁶ Hence Egypt has to deal with the tag of being "not African enough." Nigeria, on its part, appears to have brought a lot of ill repute to Africa, due to the involvement of several Nigerians in criminal activities across the globe. Moreover the Francophone countries were opposed to Nigerian candidature.

Another factor that reveals that the African consensus is a myth is that only 36 of the 53 African countries voted in favour the Sirte Declaration (that ratified the Ezulwini Consensus) in July 2005.¹⁷ Hence even if the Africa Group had managed to form a coalition with G 4 it would still not have got the votes of all members of the AU. Finally, it appears some of the P 5 countries have also fuelled these differences between the African countries. In the past, the Chinese UN Ambassador Wang Guangya had stated that they considered the G-4 proposal to be "very dangerous so far as China is concerned" and that they will "work with others to block the proposal." The growing Chinese economic and political clout in Africa may have scuttled the possibility of the coalition between Africa Group and G-4 in the past.¹⁸

TOWARDS G-4 - AFRICA GROUP CONVERGENCE

In the recent years India has been engaging African countries in a big way and has often pleaded for joint efforts to reform the United Nations:

Both India and Africa are acutely aware of a serious democracy deficit that afflicts the international body and the hidden and not

¹⁵ Jonathan Oshupeng Maseng, "UNSC Reform and the dilemmas of African integration" at http://pambazuka.org/en/category/comment/86942 (Accessed December 28, 2013).

¹⁶ Tamin K Kashgari, "African Dimension of Egyptian Foreign Policy" at http:// www.studentpulse.com/articles/574/the-african-dimension-of-egyptian-foreignpolicy# (Accessed January 15, 2013).

¹⁷ Y. Spies.n.12.

¹⁸ For details of China's growing engagement of Africa see Ruchita Beri, "China's Rising Profile in Africa" China Report Vol. 43, No.3, 2007, pp. 297-308.

so hidden opposition to their UN ambitions by some of the world's major powers. But if both sides representing more than half of the world's humanity can fight this battle for justice together, they can still make it and use their influence in the global body to create an equitable world.¹⁹

The Addis Ababa declaration of the 2011, India Africa Forum Summit highlights that, "Africa takes note of India's position and its aspirations to become a permanent member with full rights in an expanded UN Security Council." More importantly India and the African countries emphasised the "the need for Member States to exert utmost effort on the United Nations Security Council reform."²⁰

This was a reference to the text based intergovernmental negotiations for UNSC reform currently being pushed in New York by India and its G-4 partners, Brazil, Germany and Japan. However are the African countries willing to change their tune? Is the idea of G-4-Africa convergence just a pipe dream? In a statement during the recent round of negotiations the representative of the Africa group admitted that "engaging the L69 group and consultations heading towards a common platform."²¹ At the same time, African countries have also reiterated their support for the Ezulwini Consensus. In the meanwhile leading African countries, like South Africa and Nigeria, frustrated with the stalemate within their group, have continued to project themselves as the leaders of the African agenda. Some have argued that they move away from the Ezulwini consensus, and build coalitions elsewhere.²² However this presents countries like Nigeria and Africa, with an obvious

¹⁹ "India–Africa Ready to Embrace Global Destiny", article by Minister of State for External Affairs, January 25, 2006, at http://www.mea.gov.in/interviews.htm?dtl/4391/ India+Africa+Ready+to+Embrace+Global+Destiny+An+article+ by+Minister+of+State+for+External+Affairs+Rao+Inderjit+Singh (Accessed 25 January 2014).

²⁰ See "Second Africa-India Forum Summit 2011: Addis Ababa Declaration" at http:// pib.nic.in/newsite/erelease.aspx?relid=72319 (Accessed on April 4, 2013).

Africa group: calls for UN Security Council reform intensify at http://www.safpi.org/ news/article2012/africagroup-callsun-securitycouncil-reform- (Accessed October 15, 2013).

dilemma: how could they argue that they represent Africa if they are not part of the African consensus?

At this point it seems that the Africa group cannot agree on suitable candidates to fill the permanent seats allocated to the region. It is also doubtful whether other groups will negotiate with Africans without the possible African candidates being identified. Earlier, Nigerian President Olusegun Obasanjo had warned African leaders of the consequences that would follow, if they did not compromise: "The main issue before us," he said:

...is to decide either that Africa will join the rest of the world, or the majority of the rest of the world, in bringing to a conclusion a demand for UN reform, or if Africa will stand on a non-negotiable position which will certainly frustrate the reform efforts.²³

In order to build up momentum for implementation of reform by 2015, the African countries will have to heed Obasanjo's plea.²⁴ The recent call by South Africa's President Jacob Zuma for a "reformed, more inclusive, democratic and representative UNSC by 2015" suggests the possibility of a fresh enthusiasm within Africa on this crucial issue.²⁵ It is clear that without solid African support it is inconceivable that any proposal or reform package could succeed in the General Assembly. In conclusion, Africa currently seems to key to further progress on the expansion debate. It remains to be seen whether the African countries will take the initiative to use the key at an early date.

²³ See "G-4's formula on UNSC expansion receives a jolt" at http:// www.thetribuneonline.com/un-archives01.htm (Accessed April 5, 2012).

²⁴ Yeshi Cheodon, "India's perspectives on the UN Security Council Reform", India Quarterly, October –December 2007, pp. 14-47.

²⁵ "To much talk too little reform in UNSC- Zuma" at http://www.citypress.co.za/ politics/much-talk-little-reform-un-security-council-zuma/ (Accessed January 23, 2014).

7

REFORM OF THE SECURITY COUNCIL: A LONG WAY TO GO

Satish Nambiar

In order to realise why reform of the Security Council is still a long way off, it is important to document the experience gained from meeting some great people who were co-members of the Secretary General's 'Panel on Threats, Challenges and Change', and more importantly, visiting various regions to interact with government representatives, representatives of civil society and NGOs.

There is no disagreement on Security Council reform. The fact is that it is an anachronism from the post-World War II era. In so far as the P-5 powers are concerned, they each have their own reason for not favouring any expansion of the Council. As far as the USA is concerned they do not want anyone additions to the Council because it will make things even more difficult than they already are. In fact, given a choice they would say that in permanent category, there should be a onecountry Security Council. As far as France and UK are concerned, they are absolutely against any shake up because their positions are so precarious. So, they do everything to resist it. As far as Russia is concerned, it still merits a place on the Council but it is also not on stable ground anymore. China of course has a legitimate claim to a place on the Council. But it would also not like to see any expansion in the permanent category because it is guite happy with the privileged position of being the sole representative from Asia and the sole representative of the developing world. So, notwithstanding all the rhetoric they may indulge in, none of these countries want to see any additions to the permanent category in real terms. So, statements made during official visits to India, for instance, ought not to be taken seriously.

Secondly, one cannot accept a situation where Africa and South America do not have representation in the permanent category in the Security Council. Furthermore, in the second decade of the 21st century a situation where the developing world does not have greater

representation in the permanent category is not acceptable. Equally, there is a strong case for induction of the more developed and industrialised countries from some regions. In this context, there is little doubt that if India can get its economic act together and display coherence and competence in its decision-making, in both, the political and diplomatic realms, there is no way that, as and when the expansion of the Security Council takes place, India can be denied a place in the permanent category. If India does not get its act together, it will have no basis to lay claim to a seat. But if it does, a country of its size and with its capacities cannot be excluded, if the aim is to have an international arrangement that carries some credibility.

Thirdly, to reinforce a point already made, the thrust of the whole effort should be to get the basic principle that is on the table approved, i.e. the Security Council must reflect the international community, as it is today, in terms of permanent representation. The question, which country gets the membership, comes later. That is something to strive for. However, given the politics of the reform, this is not going to be easy. In this regard, it may be worthwhile for the G-4 countries to engage with countries in Africa. The support of the African nations is critical for the expansion of the Council - as all countries have interests in the continent. The situation in Africa is pretty dynamic and given the machinations in international relations, it is important to win allies on this issue.

It will not be improper to recall the third meeting of the High Level Panel in Vienna in June 2004 during which the subject of Security Council reform was addressed. The hypocrisy of the international community was quite amazing. There was manipulation at every level – there were members who wanted to manipulate; the members of the Secretariat who wanted to manipulate; there were some outsiders who wanted to manipulate and also some members of the research staff who wanted to manipulate. The end result was a draft on the issue of extendable two year terms; or something for certain categories. This was not what had been discussed, or at least, mandated, to be discussed. So, a written statement drafted by the author was submitted to the Chairman, a former prime minister of Thailand. This had the support of others such as, Madame Sadako Ogata, the Brazilian representative, Dr Salim from Tanzania, Amre Mousa and the muted support of Nafiz Sadiq of Pakistan. Eventually, as a result of this intervention, two options were presented in the final report, Plan A and Plan B. Also, the whole issue of three seats for Africa also came up for discussion for the first time as it was raised by Dr. Salim Salim (former Prime Minister of Tanzania) informally with the author, and was formally mooted later.

In view of these dynamics, the reform of the Council will be a long and tortuous process, but something that must be pursued with determination. The hope lies in the fact that the principle of the Responsibility to Protect (R2P), one of the recommendations made by the High Level Panel, was endorsed by the World Summit in 2005, despite the reservations of many developing countries of its possible misuse. The reservation was well founded, given the misuse of the principle in recent cases like Libya and Syria. Actually, in hindsight, India's intervention in Bangladesh in 1971 was a classic case of taking the responsibility to protect 10 million refugees. About three million people were slaughtered in Bangladesh by some accounts and India intervened. Of course India was criticised. Similarly, the Vietnamese intervention in Cambodia against the Khmer Rogue, the Tanzanian action in Uganda, were classic cases of R2P but were not endorsed by the international community at the time because these were actions taken by the developing countries. A way will have to be found, of getting the best out of the principle, without compromising on the principle of respect for national sovereignty. It is therefore not unimaginable, that the international community will display the vision and courage, to endorse the reform of the UN Security Council sooner, rather than later.

INDIA AND THE UNITED NATIONS

S D MUNI

As a founder member of the United Nations, India has sincerely and dedicatedly supported its growth and evolution as a multilateral institution for preserving peace and democratic relations among nations, so that humanity can progress and prosper. There are various ways, in which one can evaluate India's, or any country's role, in any international organisation, such as the United Nations. One of the parameters of such an evaluation could be India's place in the institutional structure of the UN and the role it has played as a member of its various bodies. One may recall here, that as early as in 1953, when the world was just learning to deal with the pressures of an emerging Cold War, India held the UN General Assembly chair. Its incumbent then was, Mrs. Vijava Lakshmi Pandit, a fine diplomat in her own right and the sister of India's first Prime Minister, Jawaharlal Nehru, who was internationally admired and respected. Nehru even used to be teased by his colleagues that his sister was more powerful than him. This was the time when India did not seek any status for itself. There are reports that suggest that in 1955 India did not show even the slightest interest in becoming a permanent member of the UN Security Council.¹

India has been elected to the UN Security Council non-permanent seats, often with comfortable margins, though not without experiencing the pains of defeat as well. There are a large number of committees on diverse subjects where various Indian representatives have served with distinction and made a lasting contribution. India even contested for the post of Secretary General, albeit unsuccessfully, and realised that garnering the solid support of all the permanent members of the

¹ "This Day That Age- UN Seat Nehru Clarifies", *The Hindu*, 28 September, 2005. Also "Was Nehru's action 55 years ago an unpardonable", http://indianthai.worldpress.com/ 2011/11/10/was-nehru. (Accessed February 10, 2014).

UN Security Council was not an easy challenge. The Father of the Indian nation, Mahatma Gandhi has been acknowledged as an icon of world peace by the United Nations, and as a tribute to Gandhi's principles and practice of non-violence the birthday of Gandhi on October 2, is now commemorated every year, by the UN as the International Non-Violence Day.

A study of India's role in United Nations must be placed in the context of world politics, the issues and challenges before the UN, the strengths and weaknesses of India as perceived by the international community, and the way its foreign policy decisions are taken and executed. In this overall context, the Nehru- Menon era, in the immediate post-war period during the late Forties and the Fifties was outstanding in terms of India's contribution to the UN efforts for world peace and stability. India came to be recognised as a great representative of the developing countries and their respective concerns for dignity and freedom as also peace and development. As compared to this period when the UN was, in many ways taking a shape, the 1960s were not a great decade for India, as it had to face wars and conflicts waged by its neighbours. India started raising its profile in the UN during the Seventies when the G77 succeeded in putting the developmental agenda at the forefront in UN deliberations. The New International Economic Order was outlined and the UNCTAD provided an alternative economic perspective for the global development, different from the one offered by the GATT and Bretton Woods institutions.² Since the late-90s, India is back to playing its role in United Nations - more actively and enthusiastically. Its voice is now heard with respect. India's Permanent Mission and its various heads through suave and skilful diplomatic engagements with their counterparts, as also by their innovative moves and initiatives on critical issues of peace and development have made India a key player in UN endeavours.

There are clearly three broad categories of UN activities where India's contribution is widely acknowledged. The first is the democratisation

² For an analysis of India's role in the UN during the Cold War years, see, Stanley A. Kochanek, "India's Changing Role in the United Nations", *Pacific Affairs*, Vol. 53, No. 1,(Spring 1980), pp. 48-68. Also Swadesh Rana, *Changing Indian Diplomacy at the United Nations*, Cambridge University Press, 1970.

of the world order which started with decolonisation and the antiracial struggle where India played a major role in mobilising countries. The Non-Aligned Movement in itself played a great role in influencing and shaping the United Nations as it was evolving. The UNCTAD and the Group of 77, mentioned above, became a new voice for the developing countries on developmental issues. They fulfilled the need for providing an alternative agenda and perspective to that of GATT and Bretton Wood systems where the developing countries could only plead, and not really decide one way or the other. India's struggle for UN reforms is essentially motivated by the desire to make the world body democratic and truly representative. India supported ideas and initiatives like the Community of Democracies and in 2004 joined the "UN Democratic Caucus". In 2005, India joined the UN Democracy Fund to promote the cause of democracy in various parts of the world by strengthening democratic processes and institutions. India has been making substantial annual contributions to this fund. By 2013, India's contribution had exceeded \$30 million.

In the area of development, India was inspired by the work of UN Economic Commission for Latin America (UNECLA) which had a different perspective on global economic relations. This led to the establishment of UNCTAD to recast international trade issues to benefit the developing countries and help them pull their economies out of the dependency mode. India was also very active in promoting the ideas and activities of the UN Developmental Decades. It is unfortunate that the promises made by the developed countries to help developing countries to the tune of 0.7 per cent of their GDPs as Official Development Assistance has remained a pipe dream. These allocations do not even exceed 0.22 per cent of the target. Although a developing country, India has been one of the most generous contributors to the UN Development Fund, in keeping with its improving economic performance. India has also worked to expand the agenda of development from the issues of trade and investments to health, education, and gender equality. This is where the Millennium Development Goals (MDG) have played a critical role. India is now ready to take the UN even further. There has been considerable progress in terms of the MDGs, but the issues of removing poverty and inclusive development continue to haunt us. There is need now to move towards Global Development Goals that may include issues like inclusive growth,

food and nutritional security, priority for gender equality, ensuring access to quality of basic services, strengthening decentralisation and delivering sustainable development which links with the environment issues in a big way.³ On these issues, India has been actively engaged in working out a "UN Development Action Framework" (UNDAF) for speedier and targeted action. India's contribution with regard to the global commons, such as the environment, is well acknowledged. India will continue to press upon the developed world to share the burden of environmental protection in an equitable and justifiable manner. India has made its position to the UN very clear on issues related to climate change and has said that no piecemeal solutions will be acceptable.⁴

India's third contribution in the UN is in the area of peace and conflict resolution. Beginning with post- Second World War reconstruction and conflict resolution as in Korea, Indo-China, and also Suez Canal crisis, India's role has very widely been acknowledged. India's substantial contribution towards UN Peacekeeping has been widely discussed and debated. In dealing with the newer threats to peace emanating from challenges like terrorism, India has always remained at the forefront in the United Nations. UN efforts in the area of counter-terrorism are of most critical importance to a country like India which has been a victim of terrorism for decades. India can now derive some satisfaction that its concerns on terrorism are better appreciated, by the international community, and the UN has become an active partner in the fight against this menace. On disarmament and non-proliferation issues, India has steadfastly put forth its position in the debates. India has been committed to general and complete disarmament since 1948. In 1954 India was the first to take the initiative on the Partial Test Ban Treaty. In 1978 India took the initiative on the convention to prohibit, or threaten the use of nuclear weapons. In 1982 India talked about the nuclear freeze. President Obama got the Nobel Prize for proposing the zero nuclear option. India's prime minister, Rajiv Gandhi as early as in 1988 had put forward an action plan for ushering in a "Nuclear weapons free and non-violent world order". It is unfortunate that the

³ Ramesh Thakur, "India and the United Nations", *Strategic Analysis*, Vol. 35, Issue 6, 2011; pp. 898-905.

⁴ Nitin Sethi, "No piecemeal climate deal, India tells United Nations", *The Hindu* 20 September, 2013.

international community did not pay enough attention to his plan which was submitted to the United Nations.

India is at times, criticised for refusing to sign the Comprehensive Test Ban Treaty (CTBT) as well as the Non-Proliferation Treaty (NPT). No one has however, ever tried to address the objections of India with regard to these Treaties, which it views as flawed and discriminatory. India has also expressed its reservations over the way some countries want to use the mechanisms and instrumentalities of humanitarian intervention for their specific political and partisan interests. Such interventions have been on the rise since 1991. India is seriously committed to the concept of sovereignty which is the cornerstone of United Nations. The United Nations has been vulnerable to powerful vested interests in the management of world politics and India will always remain alert and active in ensuring that, the UN is not compromised by such interests.⁵ India's position on the complex question of Syria reflects its principled commitment to the UN, in the area of peace and conflict resolution.

India respects the boundaries built into its UN peacekeeping role, which forbid any foray into the political realm of conflict resolution and peace building. There are several examples of the UN being led to cross these boundaries, making peace more difficult and complicated to achieve. India has had its own experiences in this respect. India has not forgotten that its sincere moves for ensuring peace in Kashmir through the UN intervention, way back in 1947, have not led to its resolution. India's experience was so painful that it has decided to distance itself from the UN peacekeepers in Kashmir. India has ensured that its UN peacekeeping role is clearly defined and precisely executed within the framework of UN Charter and its founding ideals, especially in its own neighbourhood i.e. Nepal, Maldives or Sri Lanka. In these countries, India has played the role of a peacekeeper, on its own at times, at their invitation. India had yet another experience of UN intervention in Bangladesh in 1971. Therefore, while India respects the principles laid down in the UN charter and would like the United Nations to play an active and effective role in curbing violations of

⁵ Rohan Mukherjee, "India's piquant position at the UN", *The Business Line*, 20 February, 2013.

human rights, but anything that goes beyond these principles and impinges adversely on basic principles of global engagement, and the fundamental interests of the countries affected, including India, is not acceptable.

These reservations have in no way diluted or diminished India's commitment to the UN as the most critical instrument available to the humanity for peace, order and development. The UN may be imperfect, but it is the only institution for ensuring peace and human development. India will continue to work towards strengthening and expanding the creative role of the United Nations, and reforming the structures, principles and practices that have outlived their utility.

APPENDICES

PROGRAMME

0930h - 1000h	Registration
1000h - 1040h	Inaugural Session
1000h - 1005h	Opening Remarks by Dr Arvind Gupta, DG, IDSA
1005h - 1020h	Keynote Address by Mrs Sujatha Singh, Foreign Secretary, GOI

Speakers (5 minutes each)

1020h - 1025h	Amb Paulo Roberto Tarrisse da Fontoura, Head, IO Division, Brazil
1025h - 1030h	Ms Ina Lepel, DDG for Global Issues, Germany
1030h - 1035h	Mr Yutaka Arima, Director, United Nations Policy Division, Foreign Policy Affairs Bureau, Japan
1035h - 1040h	Mr Navtej Sarna, SS (IO & Pol), MEA, India
1040h - 1100h	Теа

1100h - 1230h Session I: Perspectives on Reform

Focus on the challenges in expansion of the UNSC, the role of the P-5 and other groupings, the use of veto and effectiveness of the UNSC

Moderator: Dr Arvind Gupta, DG, IDSA

Speakers (15 minutes each)

- Amb Prakash Shah, Former PR, PMI, New York
- Prof CSR Murthy, School of International Studies, JNU
- Prof Varun Sahni, School of International Studies, JNU

Discussion

1230h - 1330h Lunch

1330h - 1530h Session II: The Way Forward: Achieving UNSC Reform by 2015

Focus on the on-going processes for UN Security Council Reform, such as G-4 interaction with the L69 and other groups, intergovernmental and text-based negotiations and outreach to Africa.

Moderator: Mr Navtej Sarna, SS (IO & Pol), MEA

Speakers (15 minutes each)

- Amb Hardeep Puri, Former PR, PMI, New York
- Amb BS Prakash, Former Ambassador, Embassy of India, Brazil
- Ms Ruchita Beri, Senior Research Associate, IDSA

Discussion

1530h - 1545h Tea

1545h - 1615h Session III: India and the UN

Focus on the contributions that India has made to the UN multilateral system, in both the spheres of development and peace and security

Moderator: Mr Vikas Swarup, JS (UNP), MEA

Speakers (15 minutes each)

- Prof SD Muni, Distinguished Fellow, IDSA
- Lt Gen (Retd.) Satish Nambiar, Distinguished Fellow, IDSA

Discussion

ABOUT THE CONTRIBUTORS

Ruchita Beri is a Senior Research Associate and Coordinator, Africa, Latin America, Caribbean and United Nations Centre at Institute for Defence Studies and Analyses (IDSA), New Delhi, specialising in political and security issues of Sub-Saharan Africa. Her current research focus is on India-Africa relations. She is currently the Vice President of the African Studies Association of India. She is also the member of Africa Committee of the Confederation of Indian Industry (CII) and the Indian Council of World Affairs (ICWA). She is on the Editorial Board of Austral: Brazilian Journal of Strategy & International Relations. She has edited two books, India and Africa: Enhancing Mutual Engagement; Africa and Energy Security and has contributed journal articles and book chapters to over 80 publications.

Arvind Gupta is the Director General of the Institute for Defence Studies and Analyses (IDSA) since 5th January, 2012. He holds a Ph.D. in International Relations from Jawaharlal Nehru University, New Delhi; M.Sc. in Physics from Delhi University. He was Visiting Member at the Tata Institute for Fundamental Research (1974-76) and served at the Oil & Natural Gas Commission (1976) and at the State Bank of India (1976-79) before joining the Indian Foreign Service in 1979. He has worked in the Ministry of External Affairs in different capacities and served in diplomatic missions in Moscow, London and Ankara. He is proficient in the use of the Russian language. Prior to joining the IDSA, he was Joint Secretary at the Indian National Security Council Secretariat (NSCS) from 1999 to 2007. His current interests include international security issues, India's foreign policy, energy security, climate change, technology & internal security issues. He has three books, several edited books and a number of academic publications to his credit.

S D Muni has taught, conducted and supervised research for forty years in international relations and South Asian Studies at Jawaharlal Nehru University (1974-2006), National University of Singapore (2008-2013), Banaras Hindu University (1985-86), and University of Rajasthan (1972-73). At Jawaharlal Nehru University he held the prestigious Appadorai Chair of International Politics and Area Studies. Prof. Muni

also served as India's Special Envoy on UNSC Reforms (2005) and Ambassador in Lao People's Democratic Republic (1997-99). In 2005 he was bestowed with 'Sri Lanka Ratna', Sri Lanka's highest national honour for a foreign national. He was invited to address the UN Special Committee on Indian Ocean as a Zone of Peace in 1985. Author and editor of twenty five books and monographs and more than 150 research papers, Prof. Muni has travelled extensively. He has been sitting on the selection committees for vice-Chancellors and Faculty members for different Indian Universities. Presently he is based at the Institute for Defence Studies & Analyses as Distinguished Fellow.

C S R Murthy has been on the International Studies faculty of Jawaharlal Nehru University since 1982. His teaching and research areas include the United Nations and other international organizations, approaches to peace and security, India and the United Nations. Prof. Murthy received his education at the Andhra, Osmania and Jawaharlal Nehru Universities. His professional experience includes Chairpersonship of the Centre for International Politics, Organization & Disarmament during 2006-08 and 2003-05; and Chief Editorship of 'International Studies' (premier peer review academic journal in India) during 2004-07. Prof. Murthy was Visiting Fellow, Friedrich Ebert Foundation, New York, 2007. Earlier, in 1993-94, he was Senior Fulbright Scholar, Institute of War & Peace Studies, School of International & Public Affairs, Columbia University, New York. He was also Leverhulme Commonwealth Post-Doctoral Fellow at Keele University, UK. He has published widely on several aspects of international organisation.

Satish Nambiar is a distinguished fellow at IDSA. He was commissioned into the Maratha Light Infantry in December 1957, the General Officer commanded two battalions of the Regiment, a mechanised brigade group and a Mechanised Division. He served in operational assignments including counter-insurgency operations and in the 1965 and 1971 wars on the sub-continent. Appointed the first Force Commander and Head of the United Nations forces in the former Yugoslavia he set up and ran the mission from 3 March 1992 to 2 March 1993. He was Director of the United Service Institution of India from 1 July 1996 to 31 December 2008. He served as a member a High Level Panel appointed by the Secretary General of the United Nations to review the status of international collective security

mechanisms and make recommendations for reform from 2 November 2003 to 30 November 2004. An inaugural member of the International Advisory Board of the 'Security Council Report', he is also on the Advisory Board of the Geneva based ICT for Peace Foundation. Appointed member of the Advisory Board to the United Nations Institute for Training and Research (UNITAR) Peacekeeping Training Programme (PTP) on 1 September 2009, he has assumed chairmanship of the Advisory Board in October 2013. He was conferred the *Padma Bhushan* by the President of India on the occasion of Republic Day 2009 for his contributions to National Security Affairs

B S Prakash is a visiting professor at Jamia Millia Islamia, New Delhi and also a visiting scholar at the Foreign Service Institute of India. He has a degree in Physics, a M.A. in Philosophy and an M.Phil. in International Relations. Having joined the Indian Foreign Service in 1975, he has been the Ambassador of India in Brazil (2008-2012), Consul-General of India in San Francisco (2005-2008), Head of the U.N. Division in Ministry of External Affairs, Government of India (2001-2005), Ambassador of India to Uganda, Rwanda and Burundi (1998-2001), Deputy High Commissioner of India in Sri Lanka (1995-1998), Minister and Alternate Representative of India to the International Atomic Energy Agency (IAEA) in Vienna (1992-1995). In his diplomatic career, he had an extensive experience in dealing with United Nations and multi-lateral organizations, with India's immediate neighbourhood, USA and Brazil. As Head of the United Nations Division and as Alternate Representative to the IAEA, he has had interaction with the UN system including on issues of conflict resolution, terrorism, peacekeeping and peace building, nuclear energy and non-proliferation, human rights and human development, and specific regional situations.

Hardeep Singh Puri was educated at the University of Delhi and obtained BA (Hons) degree in History and was placed first in the order of Merit in 1971. He obtained MA (History) in 1973 and was placed First Division in 1972. He joined the Indian Foreign Service in 1974. During a distinguished career spanning 39 years, he served in senior positions at the Ministries of External Affairs and Defence. He held Ambassadorial assignments in London and Brasilia and served as Permanent Representative of India to the United Nations in Geneva and New York. He had earlier served in India's Missions in Tokyo, and Colombo as well. He has extensive experience in multilateral diplomacy, having served on three occasions as a member of India's Delegation to the GATT/United Nations in Geneva where he was Ambassador and Permanent Representative from 2002 to 2005. He was also the Chairman of the United Nations Security Council Counter-Terrorism Committee. In August 2011 and November 2012, he was the President of the United Nations Security Council. Ambassador Puri retired from the IFS on 28 February, 2013.

Varun Sahni is a Professor in International Politics at Jawaharlal Nehru University, New Delhi, where he is Chairperson of the Centre for International Politics, Organization and Disarmament. He edits South Asian Survey, speaks annually (since 2006) at the National Defence College (NDC), and is Jury Member of the Jawaharlal Nehru Award for International Understanding. An Inlaks Scholar, he wrote his doctoral dissertation on the political role of the Argentine Navy at the University of Oxford (1991). He has written 105 research articles on nuclear deterrence issues, regional security, emerging balances in the Asia-Pacific, evolving security concepts, emerging powers, international relations theory and Latin American issues. He has been visiting professor at important universities in Mexico City, Washington, DC and Canberra. For his "outstanding contribution to research and teaching", he was conferred the V.K.R.V. Rao Prize in Social Sciences for 2006 by the Indian Council of Social Science Research. From December 2008 to January 2012, he served as the 10th Vice-Chancellor of the University of Jammu

Prakash Shah has served as India's Permanent Representative to the United Nations, both in New York and Geneva, India's Ambassador to Japan and Venezuela and India's High Commissioner to Malaysia. During 1998-2000, Ambassador Shah was the Special Envoy of the United Nations Secretary General for Iraq in his capacity as Under-Secretary General, U.N. He was Joint Secretary in Prime Minister's office under Mr. Morarji Desai, Mr. Charan Singh and Mrs. Indira Gandhi. He has served as India's Petroleum Advisor for Gulf countries with headquarters in Tehran, Iran and has worked as Director in the Ministries of Petroleum, and of Department of Economic Affairs in New Delhi. Ambassador Shah has led a number of official Indian delegations to UNCTAD, ECAFE, OPEC, UN, Disarmament

Conference, Non-Aligned and Commonwealth Summits, among other international conferences, during his career. He is currently Chairman of the Board on Policy and Development, of the Symbiosis International University, Pune, and a Member of the Indian Council for Research on International Economic Relations, New Delhi.

Sujatha Singh joined the Indian Foreign Service in July 1976. She assumed charge as Foreign Secretary on August 1, 2013. Prior to taking over as Foreign Secretary, she served as the Ambassador of India to Germany (2012-2013) and High Commissioner to Australia (2007-2012). She started her overseas assignments as Second Secretary in the Embassy of India, Bonn (1978-82). Subsequently she was First Secretary, High Commission of India, Accra (1985-89), Counsellor, Embassy of India, Paris (1989-92), Deputy Chief of Mission and Deputy Permanent Representative to ESCAP at Embassy of India, Bangkok (1997-2000) and Consul General, Milan (2000-04). She has served over a third of her career at Headquarters. She has been Joint Secretary and then Additional Secretary responsible for West Europe and the EU in the Ministry of External Affairs, New Delhi (2004-07). She completed her B.A. Honours in Economics in 1973 from Lady Shri Ram College, New Delhi and her M.A. in Economics in 1975 from the Delhi School of Economics.

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Over the years, the world has changed in fundamental ways. We are witnessing a resurgence of Asia, Africa and Latin America. Growth and development have not only made the countries more interdependent, but new and increasingly complex challenges have also arisen. For multilateralism to remain relevant and effective in today's world, multilateral institutions must adapt and reform to reflect contemporary geo-political realities. It is in this context that the expansion of the UN Security Council is of significance.

About the Editors

Ruchita Beri is a Senior Research Associate and Coordinator, Africa, Latin America, Caribbean and United Nations Centre at Institute for Defence Studies and Analyses (IDSA), New Delhi, specialising in political and security issues of Sub-Saharan Africa. Her current research focus is on India-Africa relations. She is currently the Vice President of the African Studies Association of India. She has edited two books, *India and Africa: Enhancing Mutual Engagement; Africa and Energy Security* and has contributed journal articles and book chapters to over 80 publications.

Arpita Anant is an Associate Fellow at the Institute for Defence Studies and Analyses (IDSA), New Delhi. She has a doctoral degree in international politics. Her current research focus is on India's foreign policy and issues in global governance.



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