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Op-ed

UN Security Council Reform: A New Approach to Reconstructing the International Order ***By Daryl Swanepoel***

It is universally recognised that reform is necessary and urgent for the United Nations (UN) to reclaim its initial promise. Failure to do so would feed into the current narrative of an increasingly irrelevant organisation clinging on to old-world structures and processes, which still reflect the post-1945 unipolar geopolitical and economic landscape.

The emergence of new centres of power over the last 77 years – mainly in Africa, Asia, and Latin America – heralds the end of the hegemony of the West. If the UN truly wants to remain relevant, credible, and responsive, not only in terms of geographical inclusion, which it does by way of membership, but also in terms of geopolitical orientation, influence, and the realpolitik, it will need to adapt and become fit for purpose for the new multipolar world order. But this cannot be complete without a comprehensive reform of the United Nations Security Council (UNSC).

The Council is assailed by a number of disquiets about its efficiency, transparency, accountability, representivity, and governance mechanisms. It has been criticised for its ineffective leadership: while the UN has the power to pass resolutions, it often lacks the punch to enforce them. Its decision-making and interaction processes around major global disputes happen largely behind closed doors and lead only to stalemates, instead of to unlocking the solutions needed – and those who make the rules often do not follow them, with few accountability mechanisms in place.

Critics also point to the overly bureaucratic and slow way in which it deals with development issues, its lack of coherent strategic planning, outdated structure and business practices, and staggering personnel costs. In fact, as the UN has expanded more and more over the years, many of its bodies now have overlapping mandates, and it has become a rather unwieldy organisation.

Greater representivity is another aspect being fiercely focussed-on in the reform debate. Currently, entire regions continue to be excluded – notably Africa, Latin America, the Middle East, and the Caribbean – from the permanent membership category. Regional inclusion is important for ensuring enriched discussion, more inclusive decision-making, and holistic consultation.

Statistics of the UNSC meetings show that Africa has the most peace and security issues of all regions by quite some margin. Yet, no African country is a permanent member of the council, which means no government in Africa has any say on what action needs to be taken in respect of threats to peace, breaches of the peace, and acts of aggression, to resolve the issues of its own continent. And despite holding all the power, the UN's track record of peacekeeping in Africa makes for grim reading. The institution failed to prevent the mass killing of hundreds of thousands of Tutsis in Rwanda in 1994, and its slow response to the Sudan genocide are shameful episodes that will haunt it for generations.

There is also the fear that, should countries such as the members of BRICS continue to feel excluded, overridden and marginalised from the decision-making processes of the UNSC, they could morph into alternative geopolitical multilateral institutions competing against the UN processes. This would obviously not bode well for global coordination against worldwide threats, such as, for example, climate change.

But, of the many reforms that are being called for by analysts, it is the use – or rather, misuse – of the veto power of the five permanent member countries – the US, Britain, France, China, and Russia – that has most seized the minds of those arguing for reform.

The UN is shackled by the principle of veto rights, watching on as these powerhouses decide on matters to suit their own interests, rather than the interests of the international community. Since 1982, the US has used its veto power to block 35 resolutions critical of Israel. Other permanent members have put a stop to 27 resolutions over the same time period. And recently, UN intervention in Syria has been blocked by Russia and China.

In the corridors of the UN, they are aware of the problems at the heart of the institution and what needs to change. And they are mindful that there are different modes of reform, namely a far-reaching versus a modest approach. Partial measures taken over a period of time, such as reforming the working methods to increase their effectiveness and efficiency, may just be the ticket to change. At the end of the day, what is required is a piecemeal approach.

Of great importance, however, is that the P5 be directly engaged about the veto power, with careful consideration of the political will and interests of UN member states. It must be brought to their attention that there is a real threat of increased proliferation of competing regional and international organisations. If the P5 members continue to wield their power in selfish ways, they may end up losing it altogether, as other states withdraw their support.

Two main proposals vis-à-vis the veto power stand out. The first is not to eliminate, but to limit the veto. The contention is that the principle of recusal should apply if a veto power is the subject of discussion; it is not the case currently. The principle of recusal says that any party who has a self-interest in, or is biased or prejudiced against, a matter on the table for discussion should voluntarily refrain from participating for the purpose of avoiding a conflict of interest.

It cannot be right – it goes against all principles of natural justice – for a P5 country to exercise its veto right on a resolution in which it is the topic of discussion. It cannot be player and referee at the same time. In any judicial system around the world, where there is a conflict of interest, the conflicted party needs to recuse themselves from the discussion and decision. Not so in the UNSC.

The second proposal is that an appeal mechanism needs to be found – such as a super-majority vote in the UN General Assembly – that allows the authority to override any veto of a P5 member.

A partial measure – an olive branch, if you will – should also be offered to appease aggrieved states, in the form of either modest expansion of the Security Council in both permanent and non-permanent categories, or a rotational format.

As difficult and as near impossible as it seems, meaningful change and reform at the UN are within reach. Reform is the right thing to do and will assist with peace, security, and sustainable development in the world at large. And the UN is worth saving. It has helped ward off hunger, poverty, and violence for hundreds of millions of people. It leads the fight against climate change. Its agencies take care of

approximately 60 million refugees and other vulnerable people across the world. Despite all its faults, it remains a relevant force.

But for the organisation to regain its lustre, inclusive multilateralism and natural justice should be the focus. These are, after all, the noble values enshrined in the UN Charter that inspired the world in 1945.

Daryl Swanepoel is the Chief Executive Officer of the Inclusive Society Institute. This opinion piece draws on the Inclusive Society Institute's paper United Nations Security Council Reform: A New Approach to Reconstructing the International Order