***UN Security Council Reform – Briefing***



Chair — Fraser G

Introduction

Hello delegates of the Security Council, I’m Fraser, and my email is: fgemmell06@gmail.com and I will be your chair for the debate on Security Council reform at PHS’s Summer Conference. This debate is based around constitutional reform within the Security Council, which can include amending its structure, procedure or makeup.

This is a multi faceted debate that requires a lot of knowledge on the UN Charter and how the Security Council currently operates, I have attempted to cover a lot of this in this briefing but there are still some gaps. As a result, I would recommend reading the Chapter on the UN Security Council within the UN Charter (attached in sources below) to gain some insight into its procedure and structure as it stands now.

This briefing will outline the background of the Security Council, its criticisms and failings as well as potential reforms that could be considered by delegates. We would of course recommend extra research outside of this briefing and the sources attached at the bottom in order to make your county’s position as realistic as possible and allow the debate to remain lively and interesting.

Background

On the 24th of October 1945, the UN Charter officially came into force it was ratified by the original 51 member states of the United Nations. The charter outlined the procedures and structure of the UN, its positions and its bodies including the Secretariat, The International Court of Justice and debatably the most important of these, the UN Security Council.

The UN Security Council (UNSC), its powers and its rules of procedure are outlined across the UN Charter but are particularly prevalent in chapters V, VI, and VII that state the extent of the UNSC’s power not just in the UN but throughout the world. The UN Charter says that members of the Security Council should settle disputes through the peaceful means of negotiation or settlement. With this in mind, the Security Council is given the power to “call upon the parties to settle their dispute by such means” (Article 33). This demonstrates that even when peaceful measures are adopted by member states, the UN still operates under the watchful eye of the UNSC. This power within the UN is also seen within the appointment of the secretariat, who is appointed through the general assembly but after the recommendation of the UNSC (Article 97). Finally, all member states by signing the UN Charter, agree to accept and carry out the decisions of the Security Council (Article 25).

The significance of this fact cannot be understated as the UNSC is the only UN body with the power to regulate armaments (Article 26), deploy sanctions (Article 41) or authorise the use of force against parties which can include the militaries of member states or UN peacekeeping forces (Article 42). This when combined with the fact that member states have to implement UNSC decisions, gives the UNSC signficant power over the use of force that the UN as a whole may choose to take. All of these measures demonstrate the importance of the UNSC while also pointing towards signficant problems and criticisms.

Issues and failings

The root of almost all criticisms of the UN Security Council comes from the permanent 5 and their power of the veto.

China, USSR, the US, the UK and France, were all chosen to be permanent members of the Security Council for a variety of reasons. For starters, they were the primary victors of WW2, all being instrumental to the allies' victory against the Axis powers and thus had the influence and power post WW2 to shape the new geo-political landscape that formed. Secondly, at the time of the Charter’s. Signing, they were all global superpowers. The USSR, China and USA were massive (as they still are today) and furthermore, France, as the UK had colonies across multiple continents. These states (plus France) as President Roosevelt once stated were the “four policemen” of the world. Consequently, at the time many argued it made sense that these states were to be given special powers within the UN because of their superpower status and size.

However, this was in 1945, and times have obviously changed. The USSR has fallen and its permanent seat on the UNSC held by the Russian Federation. Furthermore, Britain and France’s empires have collapsed, with them losing power over many states that were once their colonies. As a result, there are questions to be asked about wether the UK and France should remain permenant members of the Security Council considering that they are no longer the massive colonial powers they once were.

Furthermore, even when France and Britain were colonial powers, they did not use their seat on the Security Council to protect and represent the people who lived in their colonies but to simply maintain their power and influence. This effectively means that continents such as Africa (with a population of over a billion) still are yet to have a state that permanently represents its views on the security council, and thus instead have to rely on bi-annual UNSC elections for representation.

On top of this lack of representation that comes from continents such as Africa or South America, there is also the criticisms about wether the current permanent 5 actually represent UN values and use their veto power for the greater good with criticism of the permanent 5 not being hard to come by. From China’s treatment of democratic protestors in HongKong and Uighur Muslims in Xinjiang, to Russia’s invasion of Ukraine and also the US’ historical interference with democratic governments; there is no shortage of actions from these states that fundamentally go against UN values. Their positioning as permenant members on the UN’s highest body is questionable to say the least.

Furthermore, these states frequently use their veto to their allies that have a poor record of human rights like Russia’s protection of Syrian dictator Assad, or China’s protection of North Korea or as we have seen recently with ceasefire motions for Gaza, the US using its veto to protect its allies such as Israel from accountability for their broadly unpopular actions. This not only prevents popular motions from being passed and positive change occurring but also prevents accountability being instilled on states around the globe simply due to their proximity to the permanent 5. This points towards the veto as a whole being unfair to UN member states as well as acting as a roadblock to positive change.

This is something that has been particularly prevalent in the area of Russia’s invasion of Ukraine, with Ukrainian President Volodmyr Zelenskyy stating that Russia’s misuse of the Veto, on top of only a few states holding the power of the veto and a lack of representation from certain continents, is a “detriment” to all UN members.

Potential reforms

Zelensky’s criticisms of the UN Security Council did not come without suggestions for reform, among his suggestion that Russia have its veto and permenant status removed, he suggested that the general assembly as a whole be given the power to override a veto by a permenant member. Furthermore, he suggested that the UN Security Council reflects the current realities of the world member states exist in.

This is the most common suggestion for reform in the Security Council, changing or adding to its membership to include more permenant members or at least more states then the current 15. This is a reform that has occurred in the past, for example in 1963, Articles 23 and 27 were amended to expand the membership of the Security Council from 11 to 15 and change the affirmative votes needed to pass a resolution from 7 to 9. This expanded the makeup of the Security Council and allowed for more diverse views to take up residency within it.

However, this still does not tackle the issue of the lack of permanent members of continents such as Latin America and Africa. If the UN is to fix the representation issues properly, then it would mean adding more permenant members from these continents. The issue then becomes what countries would then be added as permenant members and for what reasons, would the countries be chosen based on population? Economic power? Political influence? With this in mind there has arisen multiple new powers that have campaigned to gain a permenant seat on the Security Council such as Nigeria and Brazil as well as those on continents that already have a permenant member such as India.

But this poses another question, if these states are to become permanent members, will they also be given the veto? If so, won’t this lead to even more deadlock than before? This leads into more arguments about wether there should be permanent members of the Security Council or vetos at all, or wether all the seats should be filled based on bi-annual elections out of fairness for all states.

Finally, there is always the question of wether the UNSC should be the only UN body with the power to use force or enforce sanctions. There have been many arguments put forward suggesting that this power simply lie with General assembly as a whole rather than an exclusive clubs of selective states.

Conclusion

This debate of UNSC reform is incredibly complex. Some delegates will find their state being in favour of some reforms but not others and as a result be forced to campaign for one country succeeding to a permanent seat on the UNSC while rejecting others. With this in mind, the permanent 5 will have a difficult role in this debate, they will want to be seen as not impeding the values and democratic will of the UN but also, they will want to maintain as much of their power as the debate will allow. We suggest that all delegates investigate what reforms their states are in favour of, including campaigns from other potential states to becoming permanent members or reforms that have not been discussed in length in this briefing.

On a final note, in order to prevent a deadlock and prevent actual debate from taking place, we have made it possible for vetos of the permanent 5 to be overridden by a vote of 2/3rds (10 votes in favour) majority of the UNSC. This is due to the fact that the charter states that the amendments to the charter must be passed in the General assembly by a 2/3rds majority of all member states. Now this cannot be done in a UNSC debate (for obvious reasons) so we have taken some liberties with the procedure which will yes make it less realistic but will open the motion up for more opportunities to debate.

Sources

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* <https://timesofindia.indiatimes.com/blogs/ashoks-statecraft/indias-quest-for-un-security-council-permanent-membership-a-holy-grail-of-its-foreign-policy/>.
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