



What is the purpose and relevance of reforming the United Nations Security Council?

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In accordance with Article 24.1¹ of the U.N. charter, the Security Council should work to alleviate the worldwide crisis to promote and maintain safety and peace. It is clear that in the 21st century there is a gap between this goal and the mechanism and structure of the Security Council, which has resulted in a deficit of resolution and resolutions that are not implemented but only exist on paper.

The most important international organization, which was established decades ago, needs to review its mechanism and its charter. Actually, Security Council reform has been on the agenda of the General Assembly since 1979, but to this day, there's no fundamental change with the exception of expanding the number of non-permanent members to 10 in 1965, before this matter was on the General Assembly's agenda.

The most important three factors that needed to be reviewed, based on the issues that have threatened the stability and the security of the world, are, firstly, the democratic process amongst the Council's members to make decisions, especially the vetoes and the presence of non-permanent members; and, secondly, the instruments of human rights and international

¹ Article 24, Chapter V, The U.N charter.



humanitarian law related to its work, in addition to the criteria to choose the members of the Security Council, and, finally, the sanctions and their effects on civilians instead of regimes.

1. The democratic representation of the members.
2. The feasibility of Human Rights and International Humanitarian Law (IHL).
3. The sanctions as arbitrary procedures

1- The democratic representation of the members:

The Security Council consists of 15 members, five of them are permanent members: (The Republic of China, France, the Union of Soviet Socialist Republics (**Russia**), the United Kingdom of Great Britain and Northern Ireland, and the United States of America).² The rest are non-permanent members. We notice that there is no representative from Africa, the Middle East, or Latin America amongst the permanent members, while three out of five are from Europe.

Those five states, who were victors of World War II, are today's global leaders. In one way or another, they are responsible for what is happening all over the world. In other words, global change leadership is based on power, not democracy or justice.

In the absence of a member from Africa for example, the Security Council won't act fairly towards the African states, especially if we take into account the benefits to France as a permanent member concerning their interests in Africa. The interests of the U.S in the Middle-East disallows the Security Council from achieving peace in that region, that has to be equiponderant peace, which is impossible in the absence of representation from the Middle-East.

In addition, the permanent members exercise the power of veto; the power of refusing an official action by law. In other words, any of these five states could stop a resolution agreed by any of the other ten or even other fourteen states. This prerogative limits the decisions to only the permanent members, making the others merely token members.

It is no secret that the resolutions have been made behind the scenes by the permanent members, then confirmed by the non-permanent members, considering that each non-permanent member is elected for two years only without renewal. This short period will not help the latter strengthen their role and pass their mandate peacefully without any controversy to the five powers.

Actually, the vetoes have become a tool of conflict between two world classes; we could say Russia and China vs. the U.S, France and the U.K (or P3). This division results in achieving peace in some areas where the two agree with each other, but creates conflict in other areas where there is no power sharing between them. "In debates, phrases like "obsolete privilege" and "exclusive club" tend to crop up."³ Says James A. Paul⁴.

² Article 23, Chapter V, The U.N charter.

³ "Security Council Reform", February 1995, James A. Paul

⁴ A writer, consultant and non-profit executive, with special expertise on international affairs, the United Nations, and the Middle East.



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In the most renowned council, where there is no real representation of the states all over the world, and also where there are methods like the veto which undermines the democratic process of making decisions, the council must at least be perceptive of the criteria of choosing the non-permanent members and the characteristics of the permanent members. Then, there will be compatibility between the last two while achieving the purpose of the Security Council in maintaining international peace and security.

Here's a short preview: The five powers own nuclear weapons. The U.S and the U.K have invaded Iraq without a resolution issued by the Security Council. There was the scandal of prisons like *Abu Ghraib* which was established by the U.S. Russia invaded Afghanistan and Ukraine. And then there's China, the single-party state as permanent member that having its problem with Tibet. In this short preview, we notice that, the five power that lead the world, are authoritarian or bullying states.

The extension of the Security Council has become a pressing issue, not only for the number of the permanent members but also for the representation of other continents and states that are effective in their regional areas. Their vetoes too have to be reviewed and restricted by a law that prevents conflict between the five. Less vetoes, more democracy. As for non-permanent members, the most important thing is the choosing criteria, not number of members or the period of the mandate. How could authoritarian states and states that violate human rights lead the world or even participate in its transition?

The issue of achieving the democracy and re-representing all the states in issuing the resolutions is an important issue that is not so much questionable but, due to the difficulty of it, the process have to be started, by joining more powers to the permanent members with restricted vetoes for all, accompanied by increasing the observe of the them and also the criteria of nominating the non-permanent members. All of that as step in order to achieve the complete representation in the Security Council one day. And all that work would be done by reviewing the U.N charter.

The absence of representation inside the Security Council is accompanied by unlimited vetoes and the absence of the criteria that controls the participation of the non-permanent members. That confirms the necessity of considering another factor and its feasibility; Human Rights and International Humanitarian Laws (IHL), which are other international organizations that work inside the U.N and as a system too.

2- The feasibility of Human Rights and International Humanitarian Law (IHL):

The lack of democracy inside the Security Council has pushed to create other mechanisms by the U.N to achieve and empower human rights and to observe, in one way or another, the work of the council, for example: ECOSOC and Human Rights council.

U.N organizations seek to correct the issues of the council in fields like human rights, observing violations all over the world, and of course, conventions ratified by the states who are members of the General Assembly. But still, nothing is effective.

These organizations always face troubles when they work in the zone of the five powers. Occupied territories for example: the conflict in the Southern Chinese Sea between China and other states like Vietnam, Taiwan, or even the U.S. In this example, we have two states which



are permanent members. Of course, any deal would take place outside of the Security Council system, or at least, it would be executed within its channels.

In the case of the conflict between Palestine and Israel, the Security Council had issued thirteen-eight resolutions up to 2009, relating in the most of it to the violations in human rights that threaten the stability and peace in the Middle-East, demanding Israel to respect the International Humanitarian Law, but without any comeback.

In addition, states like France occupy territories in Africa. How could any state (Permanent or non-permanent) connect with another state it occupies?

In the case where the occupation is by a permanent state, there is no solution as long as the veto still exists without restrictions. But, if the occupation is by a non-permanent state against another non-permanent one, the confliction will have another form which is depending on which of the two is supported by a permanent state (Yemen or Syria as example).

NGO's of human rights or IHL are trying to fill the gap by monitoring the violations and documenting them, then sending their reports to the U.N or participating in the Human Rights Council in order to advocate for an issue. But normally, they are facing GONGO's⁵. In other words, the complementary methods of the organizations that are working on achieving peace inside or outside the Security Council will be paralysis.

In the absence of human rights and because of the violations in IHL, the five powers can at least put pressure on others, i.e. bullying. This bullying takes many forms like threatening the states for whatever benefit, but the most dangerous of all, is one that takes a legitimate form, which is the sanctions.

3- The sanctions as arbitrary procedures:

"If we aim at the impoverishment of Central Europe, vengeance, I dare say, will not limp. Nothing can then delay for very long the forces of Reaction and the despairing convulsions of Revolution, before which the horrors of the later German war will fade into nothing, and which will destroy, whoever is victor, the civilization and the progress of our generation."⁶

According to Keynes, the hatred of the defeated might lead the victors to make a terrible mistake, which was considered at the time as a sign of World War II. If we compare the ideas of Keynes with the behavior of the five powers today, we could notice that history repeats itself, but through the tools of the twenty-first century.

The sanctions applied on Sudan, Somalia, Iraq, Syria, etc. will not cause their regimes to collapse or even be a form of punishment. Regardless of the fact that they are applied through a resolution issued by the Security Council (as in Iraq) or unilateral sanctions (as in Syria, the sanctions applied by the US and the EU). As an example: *Al-Bashir* is still the president of Sudan despite him being wanted by the International Criminal Court (ICC).

⁵ A Government Organized Nongovernmental Organization (GONGO) is a non-governmental organization that was set up or sponsored by a government in order to further its political interests and mimic the civic groups and civil society at home, or promote its international or geopolitical interests abroad.

⁶ "The economic consequences of the peace", 1919, John Maynard Keynes.



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The sanctions against Iraq started in 1990. But after five years of suffering without any outcome, and causing catastrophic consequences on a humanitarian level for the Iraqi citizens, the sanctions have affected all but Saddam Hussein's regime. The U.N was forced to apply the so-called "intelligent sanctions", where it started the "Oil for Food Program"⁷ that lasted until 2001. The sanctions on Iraq didn't target the Iraqi regime, but instead had the citizens suffering for years and years. Because of these sanctions and the U.S and U.K invasion later in 2003, and also as a result of the Paul Bremer's⁸ plan, the Islamic State (IS, Daesh) was found in Iraq and has been infiltrating all over the world, threatening not only the Middle-East, but also Europe and America.

Syria, as a recent example, is at war that has been threatening the world. Regardless of other factors, the US and the EU sanctions have contributed in increasing the inflammation rates, decreasing the value of the local currency, and increasing unemployment rates which resulted in an increased immigration to Europe.

Nowadays, the most dangerous issues that are threatening the international community are immigration and terrorism, which are the results of the Security Council's arbitrary policies.

These three factors have to be addressed urgently in order to restore the council's goal in maintaining the peace. In other words, proceeding from within the structure and mechanism of the Security Council before returning to other factors that are absent from the U.N system and its organizations, as in the right of development or other.

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⁷ The Oil-for-Food Program (OIFP), established by the United Nations in 1995 (under the UN Security Council Resolution 986), was established to allow Iraq to sell oil on the global market in exchange for food, medicine, and other humanitarian needs for ordinary Iraqi citizens without allowing Iraq to boost its military capabilities.

⁸ Lewis Paul Bremer III is an American diplomat. He is best known for leading the occupational authority over Iraq following the 2003 invasion by the United States.