



INDIAN COUNCIL  
OF WORLD AFFAIRS

# ADVANCING REFORMED MULTILATERALISM

Two Essays

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**Indian Council of World Affairs**  
Sapru House, New Delhi

The Indian Council of World Affairs (ICWA) was established in 1943 by a group of eminent intellectuals led by Sir Tej Bahadur Sapru and Dr. H.N. Kunzru. Its principal objective was to create an Indian perspective on international relations and act as a repository of knowledge and thinking on foreign policy issues. . By an Act of Parliament in 2001, the Indian Council of World Affairs has been declared an institution of national importance. The Council today conducts policy research through an in-house faculty as well as through external experts. It regularly organizes an array of intellectual activities including conferences, seminars, roundtable discussions, lectures and brings out a range of publications. It has a well stocked library, an active website, and publishes the journal 'India Quarterly'. ICWA has over 50 MoUs with international think tanks and research institutions to promote better understanding on international issues and develop areas of mutual cooperation. The Council also has partnerships with leading research institutions, think tanks and universities in India.

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# Advancing Reformed Multilateralism in the Changing World

## **Asoke Kumar Mukerji**

Former Permanent Representative of India to the United Nations

*India became an original member of the UN when the UN Charter was negotiated and adopted at the 1945 San Francisco Conference. Since 1945, India has led the movement within the newly formed UN to give substance to the provisions of the Charter from the perspective of the Global South.*

*Two major outcomes of this activity are visible today. First, the democratization of international relations following the adoption of the historic Decolonization Resolution in December 1960 in the UN General Assembly, has given an equal role in decision-making to developing country member-states in most UN structures. Second, the consolidation of developing country priorities through the coordinating platform of the Group of 77 in 1964 is universally acknowledged to have placed development at the heart of the UN's agenda.*

*The interlinkage between peace, security and development is explicitly recognized in the UN's Agenda 2030 on Sustainable Development. Prime Minister Narendra Modi has reaffirmed that India's national development objectives to transform India into a major power are aligned with Agenda 2030.*

*The UN Security Council however has been unable to stop the growing breakdown of peace and security, thus jeopardizing Agenda 2030. This is the background to India's call for "reformed multilateralism" at the UN. The Council's unequal decision-making process is widely perceived to be the main reason for its inability to respond to existing and emerging challenges to peace, security, and development. Reforming the Security Council is therefore a priority for India. How can this be achieved?*

India's call for "reformed multilateralism" during the 75th anniversary of the United Nations (UN) reflects her interests in using multilateral structures in the changing world to support her emergence as a major power, home to one-sixth of humanity. In essence, "reformed multilateralism" seeks India's participation on an equal basis in decisions taken by multilateral bodies of which India is a member.

In the UN, the provision of equal decision-making is enshrined in the UN Charter's Article 18, which gives each member-state one vote in decisions taken by the UN General Assembly (UNGA). The only UN organ where the principle of democratic decision-making based on one-country one-vote is denied is the UN Security Council (UNSC). Secret negotiations between the four major military powers (the Republic of China, the Soviet Union, the United Kingdom, and the United States of America) during the Second World War resulted in their mutual agreement to join the proposed UN with the right to veto proposals in the UNSC that were perceived to be against their individual interests. This agreement was made a non-negotiable pre-condition in the invitation extended by these four powers to the 45 other participating countries to the San Francisco Conference in 1945 to negotiate and adopt the UN Charter.

The world in 2021 is radically different from that of 1945. The call for "reformed multilateralism" seeks to make the UN reflect this reality. Apart from seeking to review the provisions of the UN Charter regarding decision-making in the UNSC, the call for "reformed multilateralism" also addresses new issues and challenges facing mankind and their integration into the activities of the UN today by amending the UN Charter.

## BACKGROUND

If military contributions to the creation of modern multilateral structures are considered as the determining factor for giving weight to self-selected powers to dominate decision-making in these bodies, then India's case is an

"anomaly". This is because despite her huge military contribution to the victorious outcome of these global conflicts, India has not been able to participate on an equal basis with these powers in how decisions are taken on matters of peace and security. The dominant narrative in the negotiating history of the UN Charter continues to gloss over the contributions of colonial countries like India to the victory of the Allied forces in the Second World War.

In fact, India became a part of multilateral structures a century ago, when she signed the Treaty of Versailles on 28 June 1919. The Treaty created the League of Nations, which lasted for less than 30 years before collapsing with the onset of the Second World War. Over 1.4 million Indian troops volunteered to fight in the First World War on the side of the Allied troops, ensuring that India became an equal member of the League of Nations.

Over 2.5 million volunteer Indian troops served with the victorious Allied armies in the Second World War, the largest such contribution by any country. This was recalled by Prime Minister Narendra Modi during the first Leaders Conference on Peacekeeping held in the United Nations in September 2015. He said: "The foundations of the United Nations were laid by the brave soldiers on the battlefields of the Second World War."

India was among 26 countries that participated in the January 1942 Washington Conference of Allied Nations at the invitation of President Franklin Delano Roosevelt of the United States. The Conference issued a "Declaration by United Nations", which committed its signatories to the objective of creating what we today call the UN. The intention of the countries creating the UN was to both "secure" and to "sustain" the peace that would emerge once the Second World War ended. The UN was conceptualized as a post-Second World War global governance structure, which would rest on three pillars: political, economic, and human rights.

The role of three leaders, Mahatma Gandhi from India, Dr Martin Luther King from the United States, and Nelson Mandela from South Africa exemplify the UN Charter's commitment in Chapter 6 to the peaceful settlement of disputes.

The first structures to “sustain” the peace were created in July 1944 when 44 countries including the original 26 from the Washington Conference of 1942 participated in the UN Financial and Monetary Conference held at Bretton Woods in the United States. The International Monetary Fund (IMF) and International Bank for Reconstruction and Development (World Bank) were established to coordinate a supportive role for monetary and development policies.

India played an active role in the negotiations at Bretton Woods. Reserve Bank of India Governor Sir C.D. Deshmukh and Sir R.K. Shanmukham Chetty, both of whom were to become Finance Ministers of independent India, were part of the Indian delegation. They are widely credited to have placed “poverty and development” into the mandate of the World Bank and secured for India permanent membership of the Executive Board of the IMF and World Bank because of her economic profile.

Between April and June 1945, India joined 49 other countries in negotiating the provisions of the San Francisco Treaty, known as the UN Charter. The leader of the Indian delegation Sir A. Ramaswami Mudaliar played a prominent role in chairing the discussions on economic and social issues to “sustain” the peace. India is credited for three of the Charter's provisions, viz. its reference to “promoting and encouraging respect for human rights and for fundamental freedoms for all” in Article 1; the withdrawal of the right to vote by a member-state which is in arrears in Article 19; and the criteria for non-permanent elected members in the first paragraph of Article 23.

At the same time, several public representatives from India travelled to San Francisco to convey the need for issues of political freedom and socio-economic development to be included in the treaty being negotiated. Vijayalakshmi Pandit, who would become the first woman to be elected the President of the UNGA in

1953, was the most outspoken member of this non-official representation from India.

### THE FIRST STEPS TO REFORM MULTILATERALISM

The San Francisco Treaty (the UN Charter) was signed on 26 June 1945. India became the first member-state to be elected President of the Economic and Social Council (ECOSOC) in 1946 by the UN General Assembly. Under India's presidency of the first, second and fourth sessions of the ECOSOC between 1946-47, several major initiatives were taken by the newly formed UN. Among them, three stand out in terms of “reformed multilateralism” today for implementing the UN Charter's call for upholding fundamental human rights and freedoms.

The first was non-discrimination. In 1946, India successfully inscribed in the UNGA the call to abolish discriminatory policies based on color against Indians in South Africa. This metamorphosed into the wider Anti-Apartheid Movement, which culminated with the successful multi-racial elections held in South Africa in April 1994. In September 1994, President Nelson Mandela led South Africa's first democratically elected multi-racial delegation to the UNGA. Apart from enshrining its commitment to the principle of non-discrimination contained in the UN Charter, the anti-apartheid movement symbolized by Nelson Mandela also highlighted the importance of a peaceful, pre-dominantly non-violent political means to bring about change in the world around us. The role of three leaders, Mahatma Gandhi from India, Dr Martin Luther King from the United States, and Nelson Mandela from South Africa exemplify the UN Charter's commitment in Chapter 6 to the peaceful settlement of disputes.

The second was the outlawing of mass atrocity crimes. Among the three mass atrocity crimes

in focus today, viz. genocide, war crimes and crimes against humanity, it was genocide that attracted the attention of the UNGA in its First Session. The impassioned advocacy of Raphael Lemkin, the Polish lawyer and activist who coined the word “genocide”, drew him to the newly formed UN to seek to outlaw genocide through an internationally applicable legal convention. When he was advised that the UNGA had to adopt a resolution to authorize the negotiation and adoption of such a convention, he sought out member-states to co-sponsor such a resolution to ensure a majority vote. Lemkin has recounted how he decided to approach three member-states to get the maximum support for the resolution in the 51-member UNGA and obtained the support of two of the 20 Latin American states (Cuba and Panama) and one of the 9 Asian states (India).

At the first session of the General Assembly, in late 1946, Cuba, Panama and India presented a draft resolution that had two objectives: a declaration that genocide was a crime that could be committed in peacetime as well as in time of war, and recognition that genocide was subject to universal jurisdiction (that is, it could be prosecuted by any State, even in the absence of a territorial or personal link). General Assembly resolution 96 (I), adopted on 11 December 1946, affirmed “that genocide is a crime under international law which the civilized world condemns” and mandated the preparation of a draft convention on the crime of genocide. The text of the Convention for the Prevention and Punishment of the Crime of Genocide was adopted by the United Nations General Assembly on 9 December 1948. After obtaining the requisite twenty ratifications required by article XIII, the Convention entered into force on 12 January 1951.

The third was gender equality. The Universal Declaration of Human Rights (UDHR), the first document in history to set up an international standard of rights for all mankind, was approved on 9 December 1948 by the U.N. General Assembly meeting in Paris. Hansa Mehta was responsible for changing the language of Article 1 of the UDHR from “all men” are born equal (the original proposal of the drafters) to “all human beings”, highlighting the need for gender

equality. Hansa Mehta became Vice Chairperson of the UN Human Rights Commission in 1950.

## THE UNGA'S SURGE TO DEMOCRACY

In the political landscape of the UN, the major impetus for greater representation based on the democratic principle of one-country one-vote came after the independence of India from colonial rule in August 1947. During the initial fifteen years of the UN, the applications for UNGA membership of many newly independent countries who had become free from colonial rule were blocked by the P5 using the veto in the UNSC. Under the UN Charter, without a UNSC recommendation on their application for membership, these countries could not become members of the UNGA. Along with leaders of other newly independent former colonial countries, India spearheaded the negotiations that resulted in the unanimous adoption in December 1960 of the historic Decolonization Resolution in the UNGA.

This Resolution lifted the arbitrary use of the veto by the P5 to block UNGA membership, opening the doors for scores of newly independent countries to become member-states of the UN. It is interesting to note that despite this reform, the People's Republic of China, which unseated the original founder-member of the UN, the Republic of China, from both the UNGA and UNSC seats in October 1971, used its first veto in the UNSC in August 1972 to oppose a decision to recommend the membership of newly independent Bangladesh in the UN.

The surge to democracy in the UNGA had an immediate impact on attempts to reform the UN Charter. Following the Decolonization Resolution, the numerical balance in the UNGA tilted in favour of newly independent developing countries. It was this numerical majority that enabled the landmark first, and to date only, revision of the UN Charter by an affirmative vote of 97 out of the 112 members of the UNGA present and voting. The UNGA resolution created an additional four non-permanent seats in the UNSC to give more representation to developing countries. Four of the P5 (the exception being the Republic of China, which needed the support of the majority of the UNGA not to be unseated



in the UN by the People's Republic of China) did not support the amendment of the UN Charter in the UNGA on 17 December 1963. Yet, none of the P5 blocked the momentum and demand for change, and elections to the additional non-permanent seats in the UNSC were held in 1965. Since then, the membership of the UNGA has swelled to 193, while the structure of the UNSC has remained frozen at 15, consisting of the P5 and 10 elected members who serve two-year terms. This forms the basis for the current call for reforming the structure of the UNSC to provide greater representation to UN member-states.

### **BRINGING SUSTAINABLE DEVELOPMENT INTO THE UN'S AGENDA**

The sea-change in the membership of the UNGA also resulted in reforming the provisions of the UN Charter to provide greater representation to UN member-states. From the 1945 level of 18 member-states, the UNGA adopted resolutions to amend the UN Charter in 1963 to expand the ECOSOC membership to 27, and another resolution in 1971 to expand the representation of member-states to its current 54. Unlike the UNSC, the entire membership of the ECOSOC is chosen through democratic elections. These elections are held in the UNGA, based on one-country one-vote, and fill vacancies of members retiring after their three-year term from the five regions of the world represented in the UNGA. Decisions in the ECOSOC, as in the UNGA, are taken by consensus or if there is no consensus by majority vote by its 54 members. None of the ECOSOC members, including the P5 countries of the UNSC who may be elected to the body, have any veto over this decision-making system. The case of the expansion of the ECOSOC illustrates how the UN can be effectively reformed by amending the UN Charter.

The consolidation of a developing country majority in the UNGA led to the emergence of two major platforms seeking effective international cooperation for peace, security, and development. The first was the political grouping of 24 member-

states that created the Non-Aligned Movement (NAM) in September 1961. Today the NAM has 122 member-states in the UNGA. The second was the creation of the Group of 77 (G-77) developing countries in 1964, which turned the focus on accelerated development priorities as the focus of the UN and its ECOSOC. The G-77 today has 134 out of the 193 member-states in the UNGA.

In 1965, the UNGA responded to the aspirations of most of its developing country members for accelerated development by creating the UN Development Programme (UNDP), which is today active in over 170 UN member-states. The impact of accelerated development on the environment became the basis for the growth of a sentiment for environmental protection within some developed countries in the UNGA. This led the UN to hold its first Conference on the Human Environment in Stockholm in June 1972. Speaking on behalf of India, Prime Minister Indira Gandhi made the link between the need to eradicate poverty to sustain development, when she said, "poverty is the biggest polluter".

The perceived contradiction between humanity's aspirations for development and for environmental protection was addressed by the UN's Brundtland Commission, which came up with the concept of "sustainable development" in its Report issued in 1987. The Report played a major role in the outcome of the 1992 Rio Summit, popularly called the Earth Summit, which adopted the UN Framework Convention on Climate Change. The 2015 Paris Agreement is the most recent outcome of this process for climate action.

In parallel, the 1992 Earth Summit also created the framework for sustainable development. This 20-year effort culminated in the mandate given to the UNGA by the 2012 Rio+20 Summit to negotiate the Sustainable Development Goals (SDGs). Between March 2013 and September 2015, the UNGA identified and negotiated the targets of the 17 SDGs which form the core of the ambitious UN Agenda 2030 for

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Sustainable Development. The acceptance of a common global framework for peace, security and development was evident in the fact that Agenda 2030 was adopted by consensus, including by all the P5 countries, in the UNGA.

The unanimous adoption of Agenda 2030 in September 2015 counts as a major achievement of the UN since the adoption of the Decolonization Resolution in 1960. In a vindication of the position taken by India in 1972, the first and overarching SDG of Agenda 2030 is the eradication of poverty. The Agenda is a universally applicable global framework for all 193 UN member-states, who have the sovereign right to implement it in keeping with their national development priorities.

Every year, the UN High-Level Political Forum under the auspices of the ECOSOC reviews voluntary reports from UN member-states on the national status of implementation of the SDGs. Apart from helping to statistically monitor progress on the goals of Agenda 2030, these annual meetings held every July serve to pinpoint areas where member-states may need assistance through international cooperation to achieve their targets.

At the July 2015 Addis Ababa Conference on Financing for Development, two issues had been negotiated by G-77 countries as "means of implementation" of the SDGs. These are supportive flows of multilateral finance from the institutions set up by the UN to "sustain" the peace, like the Bretton Woods Institutions as well as newer financial structures; and transfer of technologies related to achieving the SDGs through a "Technology Facilitation Mechanism". Both these became an integral part of Agenda 2030 when it was adopted in September 2015.

Implementing Agenda 2030 before the onset of the current pandemic has shown the ineffectiveness of multilateral institutions in facilitating financial flows or transfers of technology for SDGs, primarily because of the continuation of old mind-sets in multilateral institutions, cultivated during the past seven decades. The promised financial flows from multilateral institutions have been slow, in part due to the lack of implementation of agreed reforms in the decision-making structures linked with the quota holdings of Western member-states of the IMF. The ongoing Covid-19 pandemic has aggravated the low availability of financial resources for implementing the SDGs, including the prospects of such resources from within the economies of member-states.

The pandemic has also pushed the issue of technology for development into the forefront of multilateral discussions. The use of digital communications technologies to connect the multiple stakeholders engaged in implementing the SDGs has been accompanied by calls for governments to take the lead in securing cyberspace to provide transparency and predictability in this man-made global domain. The recourse to digital technologies by the UN in holding its commemorative 75th anniversary Session demonstrated how important technology has become to the work of this multilateral organization. At the same time, the politicization of technology flows especially in the digital domain is becoming a major challenge to using technology to implement the SDGs.

India negotiated the SDGs keeping her own national development priorities in mind. The UNDP is the principal partner of India's NITI Aayog in implementing her national development priorities which are aligned with the SDGs in Agenda 2030. India highlighted her national experience in implementing the SDGs during the UN's 75th anniversary events.

The listing included progress SDGs on affordable and clean energy through national programs using renewable energy, as well as India's co-sponsorship with France of a global International Solar Alliance in 2018. The goal on reduced inequalities was targeted through the Jan Dhan Yojana scheme, which used the

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Aadhar biometric database, mobile telephony, and personal bank accounts to introduce direct financial transfers to empower over 400 million people within five years. The goal on good health and wellbeing was addressed through the Ayushman Bharat scheme, under which 500 million people have today got access to free healthcare in India. The goal on sustainable cities and communities was reflected in India's Smart Cities scheme to build 100 smart cities in India. The most significant contribution that India made in implementing these national development goals was to use digital technology for sustainable development, especially empowerment, under the Digital India scheme.

However, as a country committed to international cooperation to achieve her aspirations to become one of the leading powers of the world, India's aspirations to become a \$5 trillion economy by 2025 depends on a supportive external political and economic environment. 40% of India's GDP is generated by her international trade, illustrating the importance of such international cooperation for her core national interests.

### PEACE, SECURITY, AND DEVELOPMENT

In the Preamble to Agenda 2030, the UN had committed itself to the proposition that there "can be no sustainable development without peace and no peace without sustainable development". The response of the UN to the complex challenges facing mankind today has been overshadowed by the political fracturing of its international peace and security pillar represented by the UNSC, which has "primary responsibility" for maintaining international peace and security. The inability of the UNSC to respond effectively by giving a political impulse to the UN's response to the Covid-19 pandemic in March 2020, including implementing calls for a global ceasefire, has illustrated why UNSC reform is the core issue for "reformed multilateralism" today.

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implementing the visionary declaration adopted on the UN's 75th anniversary in the autumn of 2020. In his three major addresses to the UN on its 75th anniversary in 2020, Prime Minister Narendra Modi placed implementation of the SDGs at the heart of the call for "reformed multilateralism", saying that "we cannot fight today's challenges with outdated structures. Without comprehensive reforms, the UN faces a crisis of confidence. In today's interconnected world, we need a reformed multilateralism – that reflects today's realities, gives voice to all stakeholders, addresses contemporary challenges and focuses on human welfare".

How can "reformed multilateralism" be implemented to make the UN more effective and responsive to the challenges faced by mankind in the 21st century? As a first step, the democratic principle of taking decisions by equal participation needs to be ensured across the board in existing multilateral bodies. The focus of this in the UN must be the UNSC, where we have seen how democratic decision-making based on consensus, or a majority vote if there is no consensus, is not allowed to happen due to the veto privilege of the P5.

### REFORMING THE UNSC FROM WITHIN

While cognizant of the larger framework for "reformed multilateralism", member-states must prioritize using existing UNSC working procedures and provisions of the UN Charter to make the UNSC more responsive to growing challenges on the ground to peace, security, and development. Two priority areas for this are UNSC mandate formulation for PKOs especially in Africa and Asia, where the bulk of the UN's Peacekeeping Budget is spent; and enforcing UNSC measures to counter terrorism.

The first UN's PKO originated in 1948 during the Arab-Israel War, with the UNSC deploying unarmed UN peacekeepers as a mechanism to create space for political solutions to violent conflicts. Although there is no specific mention of

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PKOs in the UN Charter, once troops contributed by UN member-states are deployed by the UNSC, then the provisions of Article 44 of the Charter for the equal participation of troop contributing countries in these UNSC decisions must be ensured.

India is the largest contributor of troops to PKOs having sent more than 253,000 troops in 50 PKOs so far out of the 71 PKOs deployed by the UNSC since 1948. 175 Indian peacekeepers have made the supreme sacrifice while serving in UN missions, which is also the largest number of casualties by any UN member-state in UN peacekeeping.

Since 1956, the UNSC has mandated deployment of armed peacekeepers who are expected to operate within the framework of three core principles of effective UN peacekeeping. These principles are deployment of peacekeepers with the consent of the parties, impartiality in operations, and non-use of force by peacekeepers except in self-defence and defence of the mandate.

The end of the Cold War resulted in a mushrooming of crises marked by intra-state conflicts rather than conflicts between member-states. By their very nature, intra-state disputes require a different approach for successful preventive diplomacy. Three issues are of critical importance for the success of such PKOs. First, the most important requirement is the availability of direct inputs from the ground to the UNSC about the triggers of the dispute on its agenda, while respecting the sovereignty of concerned member states. Second, a pro-active role must be played by the UNSC for an “inclusive” negotiated peaceful solution, involving all legitimate parties. Third, the right people and resources must be deployed

by the UNSC on the ground if the UN is to sustain the eventual peace solution.

This requires the UNSC to agree to two “reforms”. First, the P5 must implement Article 44 of the UN Charter transparently by allowing member-states contributing troops to specific PKOs equal participation in UNSC decisions regarding the effective deployment of their troops. Second, the P5 must integrate the views of elected UNSC members from regions where these PKOs are deployed in its decisions without using the veto.

## COUNTERING TERRORISM

The direct impact of terrorism on international peace and security, especially after the 11 September 2001 attacks on the United States, galvanized the UNSC to assume an active role to counter terrorism. Till 2020, the UNSC has adopted more than 50 resolutions to counter terrorism. However, the ineffectiveness of the UNSC, due to its non-democratic structure and method of decision-making, has reduced the impact of these resolutions on the ground, with countries flouting their obligations to enforce UNSC decisions with impunity.

India has proposed to make the UNSC’s enforcement of its decisions on countering the financing of terrorism more effective through enhanced cooperation with the Financial Action Task Force (FATF), whose “recommendations” have already been integrated into existing UNSC resolutions like UNSC resolution 1267 to counter the activities of Al Qaida/Taliban. India’s success in implementing this approach will be dependent on the position of the P5, who have displayed varying levels of ambivalence on prosecuting terrorism emanating from the Af-Pak region due to their regional and geopolitical interests.



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## REFORMS BY AMENDING THE UN CHARTER.

Inter-Governmental Negotiations (IGN) on UNSC reform were unanimously launched by the UNGA in 2007, and five specific areas for UNSC reform were also unanimously agreed on in 2008. These five areas are categories of membership, the question of the veto, regional representation, the size of an enlarged UNSC and its working methods, and the relationship between the UNSC and UNGA. Despite unanimously adopting a proposal by the President of the UNGA in September 2015 to use written contributions by 120 member-states of the UNGA (including France and the UK) to engage on text-based negotiations for a UNGA resolution on UNSC reform, the momentum has been stymied by the stiff and orchestrated resistance from the P5, led by China.

Today, instead of progress on a draft UNGA resolution, the IGN is dominated by China's insistence on "widest political consensus" on UNSC reform, despite China being a party to a consensus UNGA resolution adopted in 1998 that clearly stipulates a two-third majority vote for the UNGA to decide on UNSC reform. Seeking reforms through the IGN will therefore require leadership among the pro-reform member-states to overcome this challenge.

## THE WAY FORWARD

The theme adopted unanimously by UN member-states for the current 75th anniversary Session of the UNGA is "reaffirming our collective commitment to multilateralism". The convergence of multiple challenges to the objectives of the UN Charter requires concerted action by member-states to address calls for "reformed multilateralism" in the context of making the UN relevant for the 21st century.

The drafters of the 1945 UN Charter had anticipated in Article 109 the need for convening a

General Conference of the UNGA "for the purpose of reviewing the present Charter" in 1955. For historical reasons connected with the Cold War, such a General Conference was never held.

To reform multilateralism and respond to a post-Covid 19 world, it would be necessary for UN member-states to agree through a simple majority vote of the UNGA to hold such a General Conference now. Issues on the agenda of such a General Conference would include, apart from the outcome of the IGN on UNSC reform, proposals for amending outdated provisions of the UN Charter agreed to at the UN's 2005 Summit, such as deleting references to "enemy state" in Articles 53, 77 and 107, and deleting Chapter XIII on the Trusteeship Council which has completed its work. Other issues on the agenda would include enhancing or introducing Charter provisions to enable and regulate the UN's response to new challenges, including global challenges like terrorism, pandemics, sustainable development and use of new technologies which were not considered during the 1945 San Francisco Conference.

In 1945, governments adopting the UN Charter had heard but not felt bound to respond to ideas and views of "we the peoples" represented outside the negotiating halls of the San Francisco Conference. Since the beginning of the 21st century, member-states have amended their stance, and supported the active involvement of multiple stakeholders in drawing up global frameworks for human rights, digital technologies, and sustainable development. In keeping with this trend, any UN General Conference held to review the UN Charter to reform multilateralism must be a multiple stakeholder process, which will give the governments of member-states the resources to both conceptualize and implement "reformed multilateralism". ■

# Reformed Multilateralism Needs a Reformed Security Council

## Manjeev Singh Puri

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*Most important global challenges of today require global action making it imperative to have world bodies for global governance. An active and thriving UN is thus an imperative. Commemorating the UN's 75th anniversary, Prime Minister Modi strongly underlined the need for the organization to reform in keeping with contemporary reality or things would just move past it.*

*At the UN the effective levers of decision making are centred in five countries (P-5), the permanent members of its Security Council (UNSC) with veto. This needs to change given a vastly expanded UN with 193 members today as compared to 51 in 1945 when the UN was established, the emergence of newer and capable powers and the shift of global influence away from Europe to the Indo-Pacific.*

*India is a charter member of the UN and has been a seminal contributor to UN actions, including UN Peacekeeping. Today, as the largest democracy and fifth largest economy in the world, it is demanding its rightful place on the global high table.*

*Along with Germany, Japan, and Brazil, India is pushing for expansion in the permanent membership of the UNSC. But shaking the status-quo is not easy with the P-5 loath to share the de-jure high table of global governance and others, in particular middling countries, wary of letting a select few graduate. These issues require gritty determination to keep at it as their resolution is critical to the UN and, indeed, the common good of humankind.*

The United Nations (UN) turned 75 this year but instead of grand celebrations, the UN General Assembly (UNGA) was witness to an empty hall with world leaders addressing it through a video screening of their pre-recorded statements!

Social distancing and travel restrictions, forced by COVID-19, was the proximate cause. But, for many the emptiness symbolized the abject failure of the world organization to rise to the greatest challenge in its history, the COVID pandemic. This had reached all parts of the world, taken over a million lives, wasn't seeing an end even after raging for months and had caused a global economic down-turn never seen before.

Global action was the need of the hour, yet the UN was almost silent and, indeed, its specialized agency in the area of global health, the World Health Organization (WHO) appeared to be acting sans coherence and without a plan. The WHO even stood accused by the US of having colluded with China in keeping silent about the pandemic in its initial stages.

In this paper, the author seeks to briefly set out the background to the basic governance deficit that bedevils the UN today and the way forward through the key reform of the UN Security Council.

### WHY GLOBAL GOVERNANCE AND THE UN

COVID has given a big fillip to anti-globalists and those who decry multilateralism. But, the need for a global organization is more imperative today since globalization, like the genie, cannot be put back into the bottle even though there may be some limits placed on its feverish run of the past couple of decades. Indeed, in the future more issues, not just the pandemics and climate change that are bedeviling us today, will require global action and participation making it imperative to have a global organizational system to coordinate and harmonize international action.

Many a times questions are asked whether regional organizations or coalitions of the willing could do the job(s) and do so more effectively.

In so far as regional organizations are concerned it would appear that while they may have

certain relevance, especially in matters of limited geographical spread including peace and security, bigger and global issues, including pandemics and climate change, would require global action with the participation of all. This requires a global organization with universal participation.

As regards coalitions of the willing, they don't empower 'everybody' and hence lack global de-jure acceptance. They also give rise to the potential of competing coalitions being established rather than coalesced action. This is so even if universality is somewhat compromised by a certain give and take of global negotiations.

The lack of universal membership is particularly important even when most of the heavy lifting must be done by just a few. A good case in point was the 2008 global recession which saw the establishment of the G-20, whose concerted action greatly helped in the recovery. But the 20 largest economies from both the developed and developing world were clear that it was further useful and critical to leverage the capacities and de-jure position of the International Monetary Fund (IMF) for global action. And they did it. The G-20 example also underscores another point. Apart from being universal, the global system must be able to leverage the weight of its largest constituents.

The UN is, therefore, an imperative but it must reform to leverage contemporary reality and not be stuck in the bygone Second World War era.

While better administration and rationalization of mandates is certainly required and needs to be an on-going process, at this point in history, after 75 years, what is really needed is for the UN's key governing structure in the Security Council being reformed to reflect today's reality and thereby keeping the UN relevant and useful to humankind.

### A BIT OF THE HISTORY

The UN was established in 1945 as the Second World War (WWII) came to an end and the victors clearly recognized that a structure for global governance was very much required.

Three UN conferences were held to this end. One at Bretton-Woods, near Washington DC,



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resulted in the establishment of the International Monetary Fund and what is today called The World Bank. The operating rules of these organizations were basically based on share of global GDP and are such that even today no real decisions are possible without a US go-ahead.

Another conference, in Havana, produced a still born proposal of a body to govern world trade but this didn't pass muster with the US Senate and a watered down version, known as the General Agreements on Tariffs and Trade (GATT), came into being. Only much later, in 1995, after the cold war and its clear primacy did the US find it acceptable to establish a World Trade Organization (WTO) and that too without a veto for itself.

The UN itself was established in San Francisco in June 1945. Apart from a General Assembly, where all members of the UN would find representation, the organization was vested with three smaller Councils.

The first was the Security Council that focused on the maintenance of international peace and security. The second was the Economic & Social Council to deal with matters of human well-being, while a third, the Trusteeship Council dealt with issues of trust territories (now no longer relevant). Given the imperative of world peace, especially post WWII, the Security Council, in effect, became the powerhouse of the UN with the victors abrogating to themselves the role of guarantors of international peace and security.

The United States, UK and Russia as the three main victors of the War, self-selected themselves to the position of guarantors of world peace but the number of guarantors finally turned out to be five and included China and France. How did this happen? The answer, as for several other elements in the UN charter, lies in the First World War (WWI).

China saw an opportunity in WWI to rid itself of German occupation from some of its territory and allied with UK and France. But they could

not send soldiers as the Japanese, who were in competition with the Germans for the same Chinese territories, also allied against the Germans and refused to countenance Chinese troops in action. So, the Chinese sent large numbers of labour to support the western war efforts against Germany and won an invite at the Versailles Peace Conference, which established the forerunner of the UN, the League of Nations, after WWI and the defeat of Germany. Things, however, did not turn out well as the West sided with the Japanese and China refused to sign the Versailles Peace Treaty.

The US, though, was sympathetic to the Chinese cause and a few years later helped reach a peace deal between China and Germany. The US also had strong trans-pacific connections with China and a domestic impetus given the presence of a large Chinese community on the west coast of the US. WWII, moreover, saw strong US-China military collaboration in the victory over Japan, including US operations conducted from India. This ensured that the Chinese were co-opted into a small club of WWII victors that became known as the Four Policemen and China became the first country to sign the UN charter in 1945.

The US also felt that the China would act as a bulwark against the USSR (Soviet Union). But that was the Republic of China (RoC) led by the Kuomintang who were routed on the mainland soon after WWII by the communists and found themselves on the island of Formosa (now Taiwan). This is important as the People's Republic of China (PRC) would have us believe that it was a founder of the UN! RoC retained the UN seat of China till 1971 when, with the US going along, it was expelled from the UN and PRC admitted as a member and making it a member of the P5 and giving it a de-jure pole position at the UN.

France, which had been runover in its mainland by Germany in WWII, was, however, an old and major European power. On the UK's insistence, it was brought into the big league at the UN. The US, on its part, was also interested

in having Brazil in the group but this was opposed by both the USSR and the UK.

The UN charter thus included the five guarantors of international peace and security as five Permanent Members (P5) of the UN's Security Council. The charter also provided them with a veto on Security Council proceedings. Obviously, this was also linked to their national interests, in particular the USSR, which would otherwise see itself outgunned in the Security Council by the western allies. In 1991, the Russian Federation succeeded the Soviet Union at the UN with no country objecting or challenging this change.

Today, the P5 are also associated with nuclear power but this was not the case in 1945 when nuclear weapons were possibly only with the US. The Nuclear Non-Proliferation Treaty (NPT) was negotiated between 1965-1968 and came into force in 1970. In a sense, it added to the P5's de-jure position at the top of the pyramid of global governance.

India, in so far as the UN is concerned, is unique in being a founding member of the League of Nations even though not independent. Similarly, India became a charter member of the UN in 1945, two years before its independence. Pakistan, incidentally, only joined in September 1947 after applying for UN membership!

#### **UNITED NATIONS SECURITY COUNCIL: THE UN'S KEY**

In 1945, the UN was established with only 51 members with a 11 member United Nations Security Council (UNSC), with 5 permanent members (P-5) and 6 non-permanent members elected for two-year terms. The regional distribution of the 6 non-permanent members was 2 for Latin America and 1 each for East Europe, West Europe, Middle-East and British Commonwealth. Other than overcoming the veto, 7 affirmative votes were required for the adoption of a resolution.

In 1965, by when the UN membership had reached 117, the size of the UNSC was expanded to 15 with the addition of 4 more non-permanent members. The regional representation was also changed to 5 non-permanent seats each for

African and Asian countries, 2 for Latin America, 1 for East Europe and 2 for West Europe and other countries. And 9 affirmative votes were stipulated for adoption of UNSC resolutions.

The expansion of the UNSC in 1965 was the outcome of the decolonization process culminating with the 1960 Decolonization Resolution and the subsequent entry of more newly independent developing countries into the UNGA. Article 108 of the UN Charter provides that "*amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council*". The resolution adopted by the UNGA in 1963 (that came into force in 1965) has provided the key test for democratic decision making in the UNGA using the principle of one country one vote to adopt a resolution to amend the UN Charter through a two-thirds majority. This "constitutional precedent" is important for the future amendment of the UN Charter process.

This is where things stand today even though UN membership has nearly doubled to 193 with a large number of new members from Asia and Africa. Moreover, quite apart from not being representative of the geopolitical realities of today, both Africa and Latin America lack a permanent seat on the Council, while Europe is over-represented, and Asia is underrepresented.

Three specific articles of the UN charter, 25, 27 and 97, ensure that the P5 not only has a major sway on the decisions of the UNSC and global governance but also in the running of the UN.

The first is Article 25 under which "*The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter*". This effectively makes UNSC decisions mandatory and its resolutions, international law. The resolutions of the UNGA, on the other hand, remain non-binding on UN Member-States.

The next is Article 27 under which substantive "*decisions of the Security Council ... shall be made*

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*by an affirmative vote of nine members including the concurring votes of the permanent members, i.e. the P5 would hold a veto on UNSC resolutions.* It is, of course, worth noting that over the years, the wording on concurring votes of the permanent members has been interpreted as not casting a veto, not just abstaining.

There is also the issue of the 9 affirmative votes, a hurdle that has never stood in the way of UNSC resolutions being adopted though Resolution 1973 on Libya adopted in March 2011 saw a close challenge with only 10 affirmative votes being cast and the rest, including two of the P5, having abstained. It bears noting that an increase in the number of non-permanent members, by itself, will raise the bar for getting things done in the UNSC, no matter the veto, as there will be a concomitant increase in the required majority for adoption of a resolution.

The veto was the result of extensive discussion among the Four Policemen and it appears that all favored their being on board UNSC decisions not only out of desire for the P5 to be seen as acting in consonance but also to protect their own sovereign rights and national interests. In the end, at San Francisco, the veto for the P5 was non-negotiable.

The effects of this construct were clearly visible in first few decades of the UN with the UNSC mostly in a quagmire as a result of the US-USSR rivalry of the Cold War and the Cold War balance in Europe maintained by a regional organization, NATO (North Atlantic Treaty Organization). However, the UNSC saw forward movement in geographies where direct contest between the superpowers was not in evidence. It 'invented' UN Peacekeeping. Interestingly, during this time, progress was seen in several areas of human well-being where UNSC action was not required but the ECOSOC and UN agencies took the lead.

While these two articles crystallize the extraordinary and powerful role of the UNSC in global governance, article 97 embodies its special place in the functioning of the UN itself by laying down that the Secretary-General of the UN, its chief administrative officer, "shall be appointed by the General Assembly upon the recommendation of the Security Council". In practice, this has translated into the UNSC forwarding only one name to the UNGA for a take it or leave it situation and the result has been endorsement by acclamation. And, in the UNSC, straw polls are used to determine the recommendation. Apart from the majority support, the key requirement in these straw polls is no 'pink slips', from a P5 in keeping with the requirements of article 27. Needless to say, the P5 have overwhelming influence on the running of the UN, including its key appointments, with little likelihood of a Secretary General being able to take them on.

## UNSC REFORM

The world of today is vastly different from the world of 1945. Germany and Japan, which were excluded in the post WWII arrangements as 'enemies' are among the largest economies and biggest contributors to the UN. India, then a colony, is now the fifth largest economy in the world. The fulcrum of the world has moved from the Atlantic to the Indo-Pacific and Africa and Latin America have come of their own.

The US has been the sheet anchor of the UN, even if in its first fifty years some power sharing with the USSR was an accepted norm. Also, during those decades there was little doubt as to economic power being with the US as the uncontested leader. The extraordinary rise of China, including as the biggest economy in the world in PPP terms, has challenged this hegemony as never before and COVID-19 provided a natural segue for its disparaging by the US.

US-China contestation has put the UN in a kind of slumber; this must be overcome, and a key lies in broadening the polarity at the top of its most important decision-making and influencing organ, the UNSC. For a country of the long-haul like India, engagement with the diplomatic song and dance of contemporary issues is important but its institutional presence in governing structures is what is critical.

The idea of UNSC reform has been in discussion for quite some time. In 1979, at the behest of Algeria, Argentina, Bangladesh, Bhutan, Guyana, India, the Maldives, Nepal, Nigeria and Sri Lanka, “the question of equitable representation on and increase in the membership of the Security Council” was brought on to the agenda of the UNGA. The central issues generally noted in Council reform are membership, veto and working methods.

In 1993, the General Assembly adopted resolution 48/26 establishing an Open-Ended Working Group (OEWG) “to consider all aspects of the question of increase in the members of the Security Council, and other matters related to the Security Council”. This was a time when the Cold War had ended, and Japan and Germany had become the second and third largest contributors to the UN’s budget respectively. There were apprehensions that these two might just be co-opted into permanent membership of the UNSC with little resistance, especially as Russia of that time was much diminished then the old USSR and China was on its way to develop its ties with the West. This could leave the developing world out in the cold. On their part, the Japanese and Germans also realized that they needed the backing of more than just the most powerful to be successful in their bid for permanent membership. In 1998, it was affirmed that any UNSC resolution on Security Council reform would require a two-thirds majority.

In 2005, in the wake of the 60th anniversary of the UN, the then UN Secretary-General, Kofi Annan, in a seminal report “*In Larger Freedom*” proposed two models – both expanding the UNSC to 24. One proposal was for 6 new permanent members and 3 new non-permanent members. The other one proposed creation of 8 seats in a new category of members, a renewable

longer-term seat, plus one additional non-permanent seat. In neither case did he propose to extend the veto beyond the present P5.

Rightly, in the view of this author, Mr. Annan’s proposals focused on the issue of membership of the UNSC. He sidestepped the vexatious issue of veto given that none of the P5 would be even willing to discuss such a “reform” making the exercise meaningless and rendering infructuous possibilities of improvement that had the potential of real effect on the working of the Council and its leadership of the UN and global governance. This also answers another group interested in UNSC reform, a group of small countries, for whom transparency and reform in the working methods of the Council is all that matters.

In this context, it is important to understand that “reform” is what is on the agenda, not remaking of the UN! Moreover, additions to the permanent membership, even without a veto for the newcomers, would change the balance of power in the Council making the exercise of veto by the P5 a doubly challenging task in the real world. Policy space may be available but exercising it in a manner that goes against the mood in the real world, even for powerful countries, is neither easy nor without costs.

Emphasizing the importance of UNSC reform, Kofi Annan wrote “*in my view no reform of the United Nations would be complete without reform of the Security Council .....The Security Council must be broadly representative of the realities of power in today’s world*”. Underscoring the need for imminent action, he further wrote “*member States should agree to take a decision on this important issue before the summit in September 2005. It would be very preferable for Member States to take this vital decision by consensus, but if they are unable to reach consensus this must not become an excuse for postponing action*”. Kofi Annan’s criteria for additional membership were:

- increase the involvement in decision-making of those who contribute most to the United Nations financially, militarily, and diplomatically.
- bring into the decision-making process countries more representatives of the

broader membership, especially of the developing world.

- not impair the effectiveness of the Security Council; and
- increase the democratic and accountable nature of the body.

The 2005 World Summit Outcome Document noted that UN member states “support early reform of the Security Council...in order to make it more broadly representative, efficient and transparent and thus to further enhance its effectiveness and the legitimacy and implementation of its decisions”.

In 2008 the General Assembly adopted resolution 62/557 “to commence intergovernmental negotiations (IGN) in informal plenary of the General Assembly”. Five key issues were identified for discussion:

- categories of membership to the Council (i.e. permanent, non-permanent, or a third option),
- the question of the veto,
- regional representation,
- size of an enlarged Council and working methods, and
- the relationship between the Council and the General Assembly

The IGN negotiations were chaired by the Permanent Representative (PR) of Afghanistan from 2009 to mid-2014, followed by the PR of Jamaica in 2015 and PR of Luxembourg in 2016. In 2017 it moved to a system of co-chairs. Most recently, the United Arab Emirates and Poland served as co-chairs.

In December 2009, 129 member states signed a letter requesting the IGN chair to present a text with options to serve as a basis for negotiations. On 31 July 2015, the President of the UNGA circulated to all member states of the UNGA a ‘text’ for negotiations on UNSC reform that was

prepared and forwarded to him by the PR of Jamaica. On 14 September 2015, as the 69th UNGA session ended, it extended the mandate of the IGN, without a vote, i.e. unanimously, into the next UNGA session and included in the decision (69/560, Draft: A/69/L.92) the ‘text, a positive movement as far as demanders of reform were concerned. In 2019 a revised paper, listing areas of convergence and disagreement was prepared and circulated but adds little to the 2015 document.

In practical terms, the 2015 text needs to be streamlined into a ‘negotiating text’. This would need making choices and putting down options in each of the different identified aspects of UNSC reform. It is gratifying that the demanders of reform, in particular the G4, are now pushing this process forward forcefully.

#### POSITIONS OF MAJOR STAKEHOLDERS

Expanding the Security Council in both its permanent and non-permanent membership have been championed for years by a group of four countries - India, along with Germany, Japan, and Brazil – known as the G4. For most observers, these four countries, by themselves, carry all qualifications, including those set by Mr. Annan to be permanent members of the UNSC. Japan and Germany have been among the highest contributors to the UN’s budget for years, India is the world’s largest democracy and largest contributor, in aggregate, to UN peacekeeping while Brazil is the standout country of Latin America. Indeed, for many, if the UN was to be set up today, these four would automatically qualify for permanent membership of the UNSC and two of the present P5, the European former colonial powers, France and UK, would not. Some years back, with a view to move things, there were suggestions in the G-4 to abjure use of veto for around 15 years for new permanent members.

Broadly, the G4 ideas are supported by a group of some 40 developing countries from all over

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The charter amendment (s) of such a framework would attract provisions of article 108. These, onerously, demand adoption of the relevant resolution in the UNGA by two thirds of the members of the General Assembly and ratification by two thirds of the Members of the United Nations, including all the permanent members of the Security Council, i.e. the process would only be complete if all the current P5 come on board.

the world, including Brazil and India, known as the L-69, that seeks six new permanent seats and six new non-permanent seats balanced across UN regions, including one for Small Island Developing States (SIDS). The coming together of this group [something that was much encouraged by India and now has the Permanent Mission of India serving as its Secretariat] in 2007 was an eye-opener for many at the UN and reflected a broad, cross regional support for expansion in both the permanent and non-permanent categories of UNSC membership. The SIDS, by themselves, are a large constituency at the UN and their support is an important plus for the G4.

On the issue of expansion in permanent seats, the African conundrum has to be resolved with no clear claimant and at-least three/four contenders. The formal African position is enunciated in a document of the African Union from 2005 known as the Ezulweni Consensus. It demands two permanent seats for the continent with the Africans to decide by themselves who these two would be. The 22 member Arab group also demands one permanent seat for itself.

On the other hand, really the nay-sayers, are a group of middling countries led by Pakistan, Italy, Mexico, Turkey, South Korea etc. have formed a group that was formerly known as the Coffee Club but is not called “Uniting for Consensus”. They only propose expansion in the non-permanent membership to 20. The main, though unsaid, push for most members of this group is regional rivalry with one or another member of the G4, e.g. Pakistan with India, Mexico with Brazil, Italy with Germany, South Korea with Japan etc.

The benefits and inevitability of expansion in the permanent membership are there for all to see, especially with the example of the G-20 in the sphere of the economy. But shaking the status-quo is not easy with the P-5 loath to share

the de-jure high table of global governance and others, in particular the middling countries, wary of letting a select few ‘graduate’.

Among the P5, the Chinese and the Russians have been vocal about their unwillingness to support expansion in the permanent category while the British and the French have been the most positive. This, of course, reflects the fact that much of the power of these two European nations stems from their being in the P5. The US, whose view without doubt is most critical, has been ambivalent on both the basic idea of expansion and the additional new permanent members.

## THE WAY FORWARD

The route presently being followed for UNSC reform is a bottom-up one. The expectation is for the IGN to come out with a negotiating text so that conclusions can be hammered out and then formally put to the General Assembly for adoption. The idea is for a framework resolution which would list the number of additional seats along with their regional breakdown along with other points for action on UNSC reform. Of course, the framework may also include newer categories such as long-term renewable seats and other aspects that have the general concurrence of the UN membership. While the usual aim of such processes is to hammer out a consensus, in the case of UNSC reform, especially one that requires a charter amendment.

The charter amendment (s) of such a framework would attract provisions of article 108. These, onerously, demand adoption of the relevant resolution in the UNGA by two thirds of the members of the General Assembly and ratification by two thirds of the Members of the United Nations, including all the permanent members of the Security Council, i.e. the process would only be complete if all the current P5 come on board.

In so far as increases in non-permanent members, including, if any, long term/renewable seats, the way forward would follow the 1963 template, post ratification, and the additional vacancies will be filled just as is currently done for non-permanent members.

As regards additional permanent members, if agreed, the general thinking among the proponents of this reform is election of the new members in the UNGA. This is important to legitimize their position and not be a repeat of 1945, when permanent membership was thrust on the general membership of the UN. This election ought to be done soon after the adoption of the framework resolution in the UNGA so that country ratification process includes both additional numbers and country names. While many are of the belief that stage 1 of the process, i.e. the framework resolution, is the big diplomatic test, in reality stage 2 could be the much more complex and hard fought one for the claimants no matter the feeling among some that they qualify naturally.

The UN is a political creation reflecting the political will of the countries of the world and, in particular, the most important and powerful. Therefore, even a bottom-up process as the IGN is, would, in the end, involve off-line negotiations and agreement of the P5 and the regional groups so that the critical issues are resolved.

It goes without saying that such off-line negotiations can result in outcomes that are not even part of the starting document and one must be prepared for that. Also, it is critical to remember that UNSC reform are being done under a process of negotiations. It is rare that in such negotiations all that is demanded is obtained. The usual way forward is compromise and one should not only be prepared for that but also be ready to accept some middle-paths in the overall interest of forward movement on the

issue, itself, and your country. Not doing so can only mean, no forward movement at all and that could hardly be service to the country-objective.

On the other hand, in so far as the UN processes are concerned, the major demanders of reform could consider tabling a framework resolution prepared by themselves and forcing a vote in the UNGA. This is certainly risky but, even if not successful, it would make clear the positions of the various countries as the votes for UNGA resolutions are open ones and not in secret ballots as is the case for elections. Such an effort was being pushed by some in the G4 in 2005 but many others did not think that the time was opportune.

Of course, pure top-down action is also possible with the most important global stakeholders agreeing on the terms of the framework resolution and then present it to the general membership after duly canvassing the same but in reality as a no options situation. Such an approach could even go a step forward and name the new permanent members, if that's the global agreement.

The P5 helped steer a certain course in 1945 and must realize that their own position at the helm lies at risk if the organization that they created ceases to be of importance to the globe. Change, therefore, is in their interest; while maintaining their helmsmanship, they would be benefitted in their burden sharing by the presence of additional countries with the most capabilities today. The UN was constructed combining pure multilateralism of one country one vote with the pragmatism of multipolarity. This must be strengthened reflecting contemporary reality.

The G4 is the major demander for change and it wouldn't be out of place to say that Mr. Annan's articulations on UNSC reform in 2005 were a result of recognizing the intrinsic merit in what the G4 was proposing. Moreover, the G4's push on UNSC reform brought out the African Union to take a formal position supporting

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expansion in permanent membership while demanding two permanent seats for Africa.

The G4's strong assertion of the need for meaningful reform in the UNSC ensured that the World Summit Outcome Document (2005) had positive language on UNSC reform, including making it representative. The first several years thereafter saw the G4 pushing actively and action was clearly visible. This appears to have taken a back seat the past few years and the UN's 75th anniversary commemorative outcome declaration only 'commit(s) to install new life in the discussions on the reform of the Security Council'.

The G-4 has recently written to the President of the UNGA calling for negotiations and India has started strongly pushing for meaningful negotiations to bring about reform of the UNSC at an early date. Ultimately, the G4's leadership and pro-activeness is imperative for meaningful UNSC reform and India has a special role to play in this.

In the past months, Prime Minister Modi spoke at twice at the UN. One was at a commemorative meeting on the 75th anniversary of its founding. The other was the annual address to the UN General Assembly (UNGA). On both occasions, he strongly underlined the need for the UN

to reform or things would just move past it making clear that *"without comprehensive reforms, the UN faces a crisis of confidence. For today's inter-connected world, we need a reformed multilateralism that reflects today's realities"*

Later, speaking at the BRICS Summit, he noted *"today the multilateral system is facing a crisis. Both credibility and effectiveness of global governance institutions are being questioned. The main reason for this is that these did not change with time. These are still rooted in the thinking and reality of a world which was seen 75 years ago. India believes that reforms are a must in the UN Security Council"*

India joins the UNSC for a two-year term starting January 2021 and will host the BRICS Summit in 2021 and the G-20 Summit in 2023. In all manner this constellation of being with the most important global players appears to well position India to undertake the required diplomatic heavy lifting to push UNSC reforms and its own case for permanent membership. This is a matter requiring gritty determination and diligent pursuance. It is said that the horseshoe table that houses the UNSC will only open if there is a cataclysmic event in the world. Hopefully, COVID-19 it is. ■



# About the Contributors

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## Asoke Kumar Mukerji

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Ambassador Asoke Mukerji served for over 37 years in the Indian Foreign Service, retiring as India's Ambassador and Permanent Representative to the United Nations in New York in December 2015. His earlier diplomatic assignments include Washington DC, London, Moscow, Geneva, Dubai, Almaty, Tashkent and Belgrade. During his assignment at the United Nations, he led India's negotiation of Agenda 2030 on Sustainable Development adopted in September 2015 by world leaders at the UN Special Summit. He spearheaded the successful implementation of Prime Minister Shri Narendra Modi's proposal for the UN to declare 21 June every year as the International Yoga Day, with 177 co-sponsoring countries in a record time of 75 days. In 2017-18 the Ambassador chaired a multi-stakeholder Study Group in India's National Security Council Secretariat to recommend cyber norms for India.

Currently, Ambassador Mukerji is a Distinguished Fellow of the Vivekananda International Foundation, New Delhi and a Distinguished Fellow and a member of the Board of Management of the Centre for Armed Forces Historical Research of the United Services Institution of India. He is a member of the International Institute of Strategic Studies (IISS), London. He writes regularly for Indian and foreign publications on India's strategic policies. Among his 7 published books are "*India and the United Nations 1945-2015: a Photo Journey*", the first copy of which was presented by Prime Minister Shri Narendra Modi to UN Secretary General Ban Ki-Moon in September 2015.

In July 2018, the Ambassador was awarded a Doctor of Civil Laws (*honoris causa*) degree by the University of East Anglia (UK) for his contributions to diplomacy. Since 2019, he is on the faculty of the Diplo Foundation, established by the governments of Malta and Switzerland.



## Manjeev Singh Puri

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Manjeev Singh Puri joined the Indian Foreign Service in 1982 and has served as Ambassador of India to the European Union, Belgium, Luxembourg, Nepal. Earlier he had served as Ambassador/Deputy Permanent Representative of India to the UN during the time that India was on the Security Council. He retired on 31 December 2019 in the rank of Secretary, Government of India.

Puri has also headed the division in the Ministry of External Affairs dealing with UN issues on the social and economic side and been involved as a lead member of the Indian delegation at numerous global negotiations on climate change, sustainable development, migration, human rights and UN reforms. In addition, he has served twice in Germany (in Bonn and Berlin), in Cape Town, Muscat, Bangkok and Caracas.

Major areas of his focus and expertise are multilateralism, climate change & sustainable development, Europe & EU issues and Nepal. He has also worked on the Sikh-Heritage of Nepal and been instrumental in bringing out a publication on the subject and adding to the story of the Sikh diaspora and its forgotten elements. Puri has also been extensively interested in the history of India's diplomatic ties with other countries and has had these documented in the case of Nepal, European Union, Belgium and Oman.

Puri has a Master's degree in Management and did his BA (Honours) in Economics from St. Stephen's College, Delhi. He is a Distinguished Fellow of India's prestigious energy and environment organization, TERI.

# About ICWA

The Indian Council of World Affairs (ICWA) was established in 1943 by a group of eminent intellectuals led by Sir Tej Bahadur Sapru and Dr. H.N. Kunzru. Its principal objective was to create an Indian perspective on international relations and act as a repository of knowledge and thinking on foreign policy issues. The Council today conducts policy research through an in-house faculty as well as through external experts. It regularly organizes an array of intellectual activities including conferences, seminars, roundtable discussions, lectures and brings out a range of publications. It has a well stocked library, an active website, and publishes the journal 'India Quarterly'. ICWA has over 50 MoUs with international think tanks and research institutions to promote better understanding on international issues and develop areas of mutual cooperation. The Council also has partnerships with leading research institutions, think tanks and universities in India.





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