

Reform

Many organizations tend to resist change. Those that operate in a competitive environment, with economic imperatives and the threat of failure, are often forced to change, and may have oversight structures designed to encourage change. Others, such as the United Nations, are set up in a manner that reinforces the resistance to change.

This is not merely institutional. Nearly every part of the United Nations Organization has one or more member states that care deeply about that part—or claim to do so. These vested interests make change difficult, even in efforts to retire agenda items that have long lost their relevance. The path of least resistance is to allow established structures, methods of work, and patterns of staffing to carry on, with new priorities grafted on to old ones. "Creative destruction" has never been the United Nations' mantra.

The result has been the accumulation of structures and overlap of mandates, leading to duplication and unproductive competition. Against this, there have been growing calls for reform—or at least a halt to expansion. Member states have insisted that core budgets cannot be further increased, or in some agencies must be cut back significantly (notably UNDP and UNESCO).

This is not limited to the United Nations. When Jim Yong Kim took over as President of the World Bank in 2013, he initiated plans to reduce the Bank's operational budget by US\$400 million (approximately 8 percent of the Bank's annual expenses),¹ inaugurating an era of unprecedented staff protest that, unsurprisingly, did not elicit much sympathy elsewhere.

At the United Nations, budget rigor has generated considerable ill humor among the member states and, if anything, even greater resistance to meaningful reform than was the case earlier. Virtually all of Secretary-General Ban Ki-moon's ambitious reform agenda that envisaged, for example, a degree of consolidation of the UN system, greater mobility of staff, and an enhanced role for partnerships between the United Nations and others, was eviscerated by the UN General Assembly. The mood has remained sour among member states deeply suspicious of whose interests are served by reform initiatives.

¹ Anna Yukhananov, "Exclusive: World Bank to Cut \$400 Million from Budget Reorganization," *Reuters*, 7 October 2013, available at: <http://www.reuters.com/article/2013/10/08/us-worldbank-cuts-idUSBRE99700320131008>.

Budgetary pressures are only one reason for reform, of course. And even they can produce perverse results. The budget of the World Health Organization (WHO) was reduced by approximately 20 percent between 2009–2010 and 2014–2015, with funding for its outbreak and emergency response team reduced by 35 percent over the same period.² The emergence of new global funding arrangements over the last decade has shifted money away from WHO into separately governed, so-called “vertical” funds,³ leaving a major gap in the organization’s capacity to respond to emergencies, as evidenced by its inadequate response to the Ebola crisis of 2014.

This chapter considers efforts to reform different aspects of the United Nations, ranging from the way member states conceive of its role in the international order to efforts to reform the Security Council and the right to veto. First, it examines efforts to articulate new visions of international order by UN officials and representatives of member states, dating back over a decade. It then considers efforts to give equality of the rights of UN staff members, followed by an examination of proposed reforms of the United Nations’ approach to conflict.

17.1 Visions of Order

The United States is still the most powerful of the member states of the United Nations. In September 2002 US president George W. Bush used his address to the General Assembly to call on the United Nations to help confront what he described as the threat then posed by Iraq.

US PRESIDENT GEORGE W. BUSH’S ADDRESS TO THE UNITED NATIONS GENERAL ASSEMBLY, 12 SEPTEMBER 2002

Mr. Secretary-General, Mr. President, distinguished delegates, and ladies and gentlemen: We meet one year and one day after a terrorist attack brought grief to my country, and brought grief to many citizens of our world.

² For 2009–2010 the total WHO budget was almost US\$5 billion, down to US\$3.98 billion for the 2014–2015 budget: CFR Backgrounders, Council of Foreign Relations, available at: <http://www.cfr.org/public-health-threats-and-pandemics/world-health-organization-/p20003>.

³ *Ibid.* Global health funding has grown from US\$5.6 billion in the 1990s to more than US\$31 billion in funding in 2013. See also CFR Global Governance Monitor, Issue Brief, available at: <http://www.cfr.org/global-governance/global-governance-monitor/p18985>.

Yesterday, we remembered the innocent lives taken that terrible morning. Today, we turn to the urgent duty of protecting other lives, without illusion and without fear.

The United Nations was born in the hope that survived a world war—the hope of a world moving toward justice, escaping old patterns of conflict and fear. The founding members resolved that the peace of the world must never again be destroyed by the will and wickedness of any man. We created the United Nations Security Council, so that, unlike the League of Nations, our deliberations would be more than talk, our resolutions would be more than wishes. After generations of deceitful dictators and broken treaties and squandered lives, we dedicated ourselves to standards of human dignity shared by all, and to a system of security defended by all.

Today, these standards, and this security, are challenged. Our commitment to human dignity is challenged by persistent poverty and raging disease. The suffering is great, and our responsibilities are clear. The United States is joining with the world to supply aid where it reaches people and lifts up lives, to extend trade and the prosperity it brings, and to bring medical care where it is desperately needed. . . .

Above all, our principles and our security are challenged today by outlaw groups and regimes that accept no law of morality and have no limit to their violent ambitions. In the attacks on America a year ago, we saw the destructive intentions of our enemies. This threat hides within many nations, including my own. In cells and camps, terrorists are plotting further destruction, and building new bases for their war against civilization. And our greatest fear is that terrorists will find a shortcut to their mad ambitions when an outlaw regime supplies them with the technologies to kill on a massive scale.

In one place—in one regime—we find all these dangers, in their most lethal and aggressive forms, exactly the kind of aggressive threat the United Nations was born to confront.

Twelve years ago, Iraq invaded Kuwait without provocation. And the regime's forces were poised to continue their march to seize other countries and their resources. Had Saddam Hussein been appeased instead of stopped, he would have endangered the peace and stability of the world. Yet this aggression was stopped—by the might of coalition forces and the will of the United Nations.

To suspend hostilities, to spare himself, Iraq's dictator accepted a series of commitments. The terms were clear, to him and to all. And he agreed to prove he is complying with every one of those obligations. . . .

Delegates to the General Assembly, we have been more than patient. We've tried sanctions. We've tried the carrot of oil for food, and the stick of coalition military strikes. But Saddam Hussein has defied all these efforts and continues to develop weapons of mass destruction. The first time we may be completely certain he has nuclear weapons is when, God forbid, he

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uses one. We owe it to all our citizens to do everything in our power to prevent that day from coming.

The conduct of the Iraqi regime is a threat to the authority of the United Nations, and a threat to peace. Iraq has answered a decade of UN demands with a decade of defiance. All the world now faces a test, and the United Nations a difficult and defining moment. Are Security Council resolutions to be honored and enforced, or cast aside without consequence? Will the United Nations serve the purpose of its founding, or will it be irrelevant?

The United States helped found the United Nations. We want the United Nations to be effective, and respectful, and successful. We want the resolutions of the world's most important multilateral body to be enforced. And right now those resolutions are being unilaterally subverted by the Iraqi regime. Our partnership of nations can meet the test before us, by making clear what we now expect of the Iraqi regime. . . .

My nation will work with the UN Security Council to meet our common challenge. If Iraq's regime defies us again, the world must move deliberately, decisively to hold Iraq to account. We will work with the UN Security Council for the necessary resolutions. But the purposes of the United States should not be doubted. The Security Council resolutions will be enforced—the just demands of peace and security will be met—or action will be unavoidable. And a regime that has lost its legitimacy will also lose its power.

The failure to agree on a strategy with respect to Iraq has been discussed in Chapter 2. The High-Level Panel on Threats, Challenges, and Change was set up in response to the political crisis that followed the March 2003 invasion of Iraq. Speaking to the General Assembly a year after President Bush's address quoted above, Secretary-General Annan was blunt about the challenges confronting the United Nations.

SECRETARY-GENERAL'S ADDRESS TO THE UNITED NATIONS GENERAL ASSEMBLY, 23 SEPTEMBER 2003⁴

Excellencies, we have come to a fork in the road. This may be a moment no less decisive than 1945 itself, when the United Nations was founded. At that time, a group of far-sighted leaders, led and inspired by President Franklin

⁴ Reprinted with permission of the United Nations.

Dr. Roosevelt, were determined to make the second half of the 20th century different from the first half. They saw that the human race had only one world to live in, and that unless it managed its affairs prudently, all human beings may perish. So they drew up rules to govern international behaviour, and founded a network of institutions, with the United Nations at its centre, in which the peoples of the world could work together for the common good. Now we must decide whether it is possible to continue on the basis agreed then, or whether radical changes are needed. And we must not shy away from questions about the adequacy, and effectiveness, of the rules and instruments at our disposal.

In 2006, Mark Malloch Brown, following a crisis of confidence in the United Nations in the wake of the "oil for food" scandal which had been given great play in Washington, gave a speech that he later said had been intended to encourage greater involvement by the United States in the United Nations.

SPEECH BY DEPUTY SECRETARY-GENERAL MARK MALLOCH BROWN AT THE CENTURY FOUNDATION, 6 JUNE 2006

My underlying message, which is a warning about the serious consequences of a decades-long tendency by US Administrations of both parties to engage only fitfully with the UN, is not one a sitting United Nations official would normally make to an audience like this.

But I feel it is a message that urgently needs to be aired. And as someone who has spent most of his adult life in this country, only a part of it at the UN, I hope you will take it in the spirit in which it is meant: as a sincere and constructive critique of US policy towards the UN by a friend and admirer. Because the fact is that the prevailing practice of seeking to use the UN almost by stealth as a diplomatic tool while failing to stand up for it against its domestic critics is simply not sustainable. You will lose the UN one way or another. . . .

Americans complain about the UN's bureaucracy, weak decision-making, the lack of accountable modern management structures and the political divisions of the General Assembly here in New York. And my response is, "guilty on all counts."

But why?

In significant part because the US has not stuck with its project—its professed wish to have a strong, effective United Nations—in a systematic way.

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Defeat in this initiative can hardly have taken the Permanent Mission of the Russian Federation by surprise. The mood favoring equal treatment for those of varying sexual preferences had changed decisively in many countries of the world over the preceding decade. But the fact that the Permanent Mission was so dogged in pressing its text to a vote suggests that Moscow attached importance to the initiative (perhaps at the level of the president himself), possibly ignoring the tactical advice of its team on the ground, as it reportedly did in the case of its disastrous Security Council draft resolution of 26 March 1999 seeking to condemn NATO's military intervention in Kosovo.⁹ Nevertheless, the surprisingly lopsided outcome and the number of abstentions (and absent delegations) suggests poor "floor management" by the normally very accomplished Russian delegation. Or perhaps their heart simply was not in the initiative.

QUESTIONS

6. In what ways does the apparently innocuous administrative decision under Secretary-General Kofi Annan provided above differ from that on the same issue taken by Ban Ki-moon in 2014? Might this decision have wider resonance within the organization and beyond?
7. Piecing together this particular saga on employee status for purposes of staff benefits, what is the significance of the UN Appeals Tribunal decision dealing with divorce (rather than civil partnerships and same-sex marriage)?
8. What were the most salient points raised by member states in the debate on the Russian Federation's draft resolution? And did the outcome of the vote reflect them? Might you speculate why?
9. Is it appropriate for the UN Secretary-General to introduce administratively into the UN recognition and acceptance of practices that many member states would regard as abhorrent? Or might it simply be necessary rather than provocative? What do the facts of the case suggest to you?

17.3 How the United Nations Approaches Conflict

In addition to the perennial problems of complex institutions, including often inadequate resources and ephemeral political will, the United Nations has always faced crises of expectations. At the beginning of the 1990s the United States, while proclaiming itself the victor of the Cold War,

⁹ See Chapter 2, section 2.2.

¹⁰ George H.W. Bush, "The Report of the Gulf Crisis and the High-Level Panel of Inquiry," 1991.

asserted that this provided an opportunity for the United Nations to fulfill its long-promised role as the guardian of international peace and security. The Security Council saw new possibilities for action without the paralyzing veto, and Secretary-General Boutros Boutros-Ghali laid out grand plans with *An Agenda for Peace*. In the words of US president George H.W. Bush the rule of law would supplant "the rule of the jungle."¹⁰

The rhetoric was euphoric, utopian, and short-lived. International security issues continued to be resolved by reference to Great Power interests; economic development attracted more speeches than resources. (Indeed, global development assistance levels dropped sharply in the 1990s.) Rhetoric has its own significance, however, and the language of human rights and the rule of law became more accepted through this period, as was the principle of greater international engagement in areas previously considered to lie solely within the domestic jurisdiction of member states. Whether such principles should be supported by action remained a bone of some contention.

In this context, discussion of reform has always begged the question of whether that reform must take place primarily in the structures, procedures, and personnel that make up the United Nations, or in the willingness of member states to use them. Past efforts at creating and reshaping the international institutions to promote peace and security have tended to be driven by political will, which is most plentiful in a time of crisis. The First World War was the backdrop for establishment of the League of Nations; the League's failure to prevent the Second World War led to its replacement by the United Nations. Importantly, US president Franklin Roosevelt pushed for the negotiation of the UN Charter to be held in San Francisco while the bombs of the Second World War were still falling. Unlike the Covenant of the League of Nations, which was negotiated as one agreement among many at Versailles in 1919, debate on and adoption of the UN Charter was the main event in San Francisco, and its references to "the scourge of war" were reinforced by daily reports of final battles in the worldwide conflict.

For some, the US-led invasion of Iraq in March 2003 represented a similar challenge not merely to the institutions but to the very idea of international order. The war split the Security Council, divided NATO and the European Union, and prompted the creation of a high-level panel to rethink the very idea of collective security in a world dominated by US military power.¹¹ In the wake of the Iraq war, anxiety concerning the role and relevance of the United Nations was widespread. But leadership on the reform agenda came, unusually, from the Secretary-General. It was Kofi Annan who appointed the High-Level Panel on Threats, Challenges, and Change, which attempted to grapple with legitimate US security concerns while broadening discussion

¹⁰ George H.W. Bush, "Address Before a Joint Session of the Congress on the Persian Gulf Crisis and the Federal Budget Deficit," 11 September 1990.

¹¹ The Report of the High-Level Panel is also discussed in Chapters 1, 4, 9, and 13.

of international threats beyond its counterterrorism and nonproliferation agenda. He had already commissioned Jeffrey Sachs's UN Millennium Project to propose strategies for achieving the Millennium Development Goals.¹² And in March 2005 these security and development agendas were joined by a third, human rights, in a Secretary-General's report unusual for its ambition.

That report, *In Larger Freedom*, was intended to set both the tone and the substantive agenda for the sixtieth General Assembly, which included a Summit of Heads of State on 14–16 September 2005. The report was broad in scope, seeking to define a new security consensus based on the interdependence of threats and responses, and narrow in detail, setting specific targets for official development assistance, calling for the creation of a Peacebuilding Commission, and outlining a long-awaited definition of terrorism. However, on the most contested political question, on Security Council expansion, the report endorsed the fence-sitting position of the High-Level Panel, laying out options but not choosing among them, while urging member states to take a decision on Council expansion even if consensus was not possible.¹³ Such discretion did not detract from larger anomalies in this approach: that the Secretary-General was trying to use reform to generate political will rather than reflect it, and that he was taking a lead role just when his political and moral credibility was being called into question by allegations of corruption and mismanagement in the Oil-for-Food Programme.

This chapter now moves on to examine the context within which reform of the United Nations takes place, examining first the Charter and two commonly bemoaned constraints: the membership of the Security Council and the veto power of its permanent members. It then turns to the larger question of political will, looking at efforts to articulate new visions of international cooperation.

17.4 The Charter

As suggested in the Introduction, the Charter bears many similarities to a constitution. And, like most constitutions, it is designed to be difficult to amend.¹⁴

¹² Investing in Development: A Practical Plan to Achieve the Millennium Development Goals (Report of the UN Millennium Project to the Secretary-General) (17 January 2005), available at: <http://www.unmillenniumproject.org/reports>.

¹³ In Larger Freedom: Towards Development, Security, and Human Rights for All, UN Doc. A/59/2005 (21 March 2005), available at <http://www.un.org/largerfreedom>.

¹⁴ See the discussion of whether the Charter might be considered a constitution in the Introduction to this volume.

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QUESTIONS

10. Do the permanent members of the Security Council have a veto over amending the Charter?
11. It is sometimes said that debate over UN reform is intractable because, as with academic politics, the stakes are so small. Does UN reform matter?
12. ECOSOC's expansion did not lead to greater effectiveness of the body—quite to the contrary. Might a similar fate attend the Security Council were its membership to be significantly expanded?

17.5 Institutions: The Security Council

As the Security Council is widely seen as the most influential part of the UN system, much discussion of reform focuses on its membership. In 1993, the General Assembly established an open-ended working group (that is, open to all members of the United Nations) to consider, among other things, the question of increasing Council membership.¹⁵ More than two decades into its deliberations there is still no agreement on an appropriate formula for Security Council representation, and the body is jokingly referred to as the “never-ending working group.” Issues of general consensus are that the Council should be expanded and probably include new permanent members—but probably without granting newcomers the coveted veto, currently held by only the P-5.

In March 1997, Razali Ismail, chairman of the working group, presented a paper synthesizing the majority view on expansion of the Security Council. Now known as the “Razali Plan,” it proposed increasing Council membership from fifteen to twenty-four by adding five permanent members (one each from the developing continents of Africa, Asia, and Latin America and the Caribbean, and two from the industrialized states—generally seen as Germany and Japan) and four nonpermanent members (one each from Africa, Asia, Eastern Europe, and Latin America and the Caribbean). Though unable to generate much enthusiasm, the Razali Plan became the benchmark for other reform proposals.¹⁶

¹⁵ GA Res. 48/26 (1993).

¹⁶ Paper by the Chairman of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, 20 March 1997.

REPORT OF THE HIGH-LEVEL PANEL ON THREATS, CHALLENGES, AND CHANGE: A MORE SECURE WORLD: OUR SHARED RESPONSIBILITY, 1 DECEMBER 2004¹⁷

244. The founders of the United Nations conferred primary responsibility on the Security Council for the maintenance of international peace and security. The Security Council was designed to enable the world body to act decisively to prevent and remove threats. It was created to be not just a representative but a responsible body, one that had the capacity for decisive action. The five permanent members were given veto rights but were also expected to shoulder an extra burden in promoting global security. Article 23 of the Charter of the United Nations established that membership in the Council as a whole was explicitly linked not just to geographical balance but also to contributions to maintaining peace and security.

245. Since the Council was formed the threats and challenges to international peace and security have changed, as has the distribution of power among members. But the Security Council has been slow to change. Decisions cannot be implemented just by members of the Security Council but require extensive military, financial and political involvement by other States. Decisions taken and mandates given have often lacked the essential components of realism, adequate resources and the political determination to see them through. The Secretary-General is frequently holding out a begging bowl to implement Security Council decisions. Moreover, the paucity of representation from the broad membership diminishes support for Security Council decisions.

246. Since the end of the Cold War, the effectiveness of the Council has improved, as has its willingness to act; but it has not always been equitable in its actions, nor has it acted consistently or effectively in the face of genocide or other atrocities. This has gravely damaged its credibility. The financial and military contributions to the United Nations of some of the five permanent members are modest compared to their special status, and often the Council's non-permanent members have been unable to make the necessary contribution to the work of the Organization envisaged by the Charter. Even outside the use of a formal veto, the ability of the five permanent members to keep critical issues of peace and security off the Security Council's agenda has further undermined confidence in the body's work.

247. Yet recent experience has also shown that the Security Council is the body in the United Nations most capable of organizing action and responding rapidly to new threats.

248. Thus, the challenge for any reform is to increase both the effectiveness and the credibility of the Security Council and, most importantly,

¹⁷ UN Doc. A/59/565 (2004).

to enhance its capacity and willingness to act in the face of threats. This requires greater involvement in Security Council decision-making by those who contribute most; greater contributions from those with special decision-making authority; and greater consultation with those who must implement its decisions. It also requires a firm consensus on the nature of today's threats, on the obligations of broadened collective security, on the necessity of prevention, and on when and why the Council should authorize the use of force.

249. We believe that reforms of the Security Council should meet the following principles:

(a) They should, in honouring Article 23 of the Charter of the United Nations, increase the involvement in decision-making of those who contribute most to the United Nations financially, militarily and diplomatically—specifically in terms of contributions to United Nations assessed budgets, participation in mandated peace operations, contributions to voluntary activities of the United Nations in the areas of security and development, and diplomatic activities in support of United Nations objectives and mandates. Among developed countries, achieving or making substantial progress towards the internationally agreed level of 0.7 per cent of GNP for ODA should be considered an important criterion of contribution;

(b) They should bring into the decision-making process countries more representative of the broader membership, especially of the developing world;

(c) They should not impair the effectiveness of the Security Council;

(d) They should increase the democratic and accountable nature of the body.

250. The Panel believes that a decision on the enlargement of the Council, satisfying these criteria, is now a necessity. The presentation of two clearly defined alternatives, of the kind described below as models A and B, should help to clarify—and perhaps bring to resolution—a debate which has made little progress in the last 12 years.

251. Models A and B both involve a distribution of seats as between four major regional areas, which we identify respectively as "Africa," "Asia and Pacific," "Europe" and "Americas." We see these descriptions as helpful in making and implementing judgements about the composition of the Security Council, but make no recommendation about changing the composition of the current regional groups for general electoral and other United Nations purposes. Some members of the Panel, in particular our Latin American colleagues, expressed a preference for basing any distribution of seats on the current regional groups.

252. Model A provides for six new permanent seats, with no veto being created, and three new two-year term non-permanent seats, divided among the major regional areas as follows:

Model A

Regional area	No. of States	Permanent seats (continuing)	Proposed new permanent seats	Proposed two-year seats (non-renewable)	Total
Africa	53	0	2	4	6
Asia and Pacific	56	1	2	3	6
Europe	47	3	1	2	6
Americas	35	1	1	4	6
Totals model A	191	5	6	13	24

253. Model B provides for no new permanent seats but creates a new category of eight four-year renewable-term seats and one new two-year non-permanent (and non-renewable) seat, divided among the major regional areas as follows:

Model B

Regional area	No. of States	Permanent seats (continuing)	Proposed four-year renewable seats	Proposed two-year seats (non-renewable)	Total
Africa	53	0	2	4	6
Asia and Pacific	56	1	2	3	6
Europe	47	3	2	1	6
Americas	35	1	2	3	6
Totals model B	191	5	8	11	24

254. In both models, having regard to Article 23 of the Charter of the United Nations, a method of encouraging Member States to contribute more to international peace and security would be for the General Assembly, taking into account established practices of regional consultation, to elect Security Council members by giving preference for permanent or longer-term seats to those States that are among the top three financial contributors in their relevant regional area to the regular budget, or the top three voluntary contributors from their regional area, or the top three troop contributors from their regional area to United Nations peacekeeping missions.

255. The Panel was strongly of the view that no change to the composition of the Security Council should itself be regarded as permanent or unchallengeable in the future. Therefore, there should be a review of the composition of the Security Council in 2020, including, in this context, a review of the contribution (as defined in para. 249 above) of permanent and non-permanent members from the point of view of the Council's effectiveness in taking collective action to prevent and remove new and old threats to international peace and security.

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Germany, Japan, India, and Brazil swiftly constituted themselves as a candidate group (known as the G-4) for permanent seats, initially with South Africa, but Pretoria withdrew when it became clear there was no consensus on its candidacy within the African Union. Indeed, both Nigeria and Egypt are also "aspirants" for permanent seats, with Ethiopia not far behind. Combined with resistance from other members—both permanent members wary of diluting their powers, and other members suspicious of the value to them of neighbors receiving permanent seats—this meant that agreement was impossible and has remained beyond reach.

The case for each of India and Brazil has strengthened in recent years with their status as "emerging" powers widely recognized. Germany, despite being part of the European Union—represented already by Britain and France—has emerged as a key player economically but also politically, including the novel P5+1 formula that included Germany in negotiations with Iran. Japan, although still boasting the world's third largest economy, remains beset by economic difficulties; its candidacy is also complicated by a tense relationship with China.

Kishore Mahbubani, the Singaporean scholar-diplomat and twice former ambassador to the United Nations (representing it during its only term on the Security Council to date in 2001–2002), attempted to cut this Gordian knot in his 2013 book *The Great Convergence*. He proposed a "7-7-7" scheme that would see an increase to seven permanent seats for the United States, the European Union, China, Russia, India, Brazil, and Nigeria. There would also be seven semipermanent seats of eight years in duration for twenty-eight "middle power" countries (such as Japan, Indonesia, Pakistan, South Africa, Egypt, Turkey, Mexico, Argentina, South Africa and Ethiopia). Finally, there would be seven elected seats along the model of the existing ones, for two-year terms, available to the rest of the membership.¹⁸

As pointed out by India's experienced Chinmaya Gharekhan, the proposal, although creative, would run into stiff headwinds if debated officially at the United Nations.¹⁹ Why would either France or the United Kingdom agree to give up their seat and how credible would a common European seat be at a time of considerable disunity within the European Union, even on foreign policy questions? Why would the majority of member states be prepared to see their theoretical access to the Council reduced from ten to seven regular elected seats (even if these are, in practice, often occupied currently by those countries that Mahbubani sees as the constituency for semipermanent

¹⁸ Kishore Mahbubani, *The Great Convergence: Asia, the West, and the Logic of One World* (New York: Public Affairs, 2013), "Keeping the Ship on Course", *The World Today*, December 2012–January 2013, p. 7. See also Kishore Mahbubani, "To the New Order, Strategically", *The Indian Express*, 2 April 2015.

¹⁹ Chinmaya Gharekhan, "Why Security Council Reform Is an Uphill Task", *The Indian Express*, 11 April 2015.

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seats). Would Japan, still a major funder of the United Nations, including its agencies, funds, and programs, gracefully accept being relegated to a secondary category, or might it retaliate by cutting back on its funding for the Organization?

Meanwhile, a group of highly regarded small member states—Costa Rica, Jordan, Liechtenstein, Singapore, and Switzerland—in 2011 advanced their own proposals for reform of the Council's working methods. The proposals centered on its relationship with the General Assembly and other principal organs, the effectiveness of its decisions, its subsidiary bodies, operations mandated and missions carried out by the Council, its governance and accountability, the process for appointing the UN Secretary-General, and the use of the veto. Virtually all of their ideas were useful, but would have constrained the power of the Council, and at its heart, the P-5. The proposals had considerable resonance among the United Nations' membership, but the "S5" effort ended in a rout, as a result of P-5 maneuvers among the membership and an opinion from the UN's Legal Counsel, Patricia O'Brien, that the proposals would require a two-thirds majority to pass in a vote in the UN General Assembly—a very high hurdle.²⁰

The United Nations therefore faces a quandary. Reform is difficult but vital. Resistance is strong from the P-5, though often not made public. And there is no generally acceptable scheme around which the wider UN membership can currently rally within the General Assembly. The cost of continuing with the current system could be greater marginalization of the body as international security migrates to other institutions or flexible coalitions. The perverse consequence could be that P-5 intransigence will bring about what they fear most: dilution of their own authority. Nevertheless, in the short- to medium-term they have little incentive to compromise.

QUESTIONS

13. Should the Council be more representative of the membership of the United Nations? Why, or why not—and what reform might best achieve this goal?
14. Would making the Council more representative make it more effective? Should a trade-off be considered? Can it be avoided?

²⁰ See an entertaining chapter on the epic defeat of the S5 mainly due to P-5 machinations in 2012 by Liechtenstein's Permanent Representative to the United Nations, Christian Wenaweser, in "Working Methods: The Ugly Duckling of Security Council Reform", in Sebastian von Einsiedel, David M. Malone and Bruno Stagno Ugarte (eds), *The UN Security Council in the Twenty First Century* (Boulder, CO and London: Lynne Rienner 2015).