

United Nation: Which Reform for the Security Council

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It would be a mistake to look at United Nations reform under one single dimension such as the composition of the Security Council (SC). The United Nations is composed of multiple agencies, which undertake an immense and complex variety of tasks. Concentrating exclusively on the SC would ignore the role of its other specialised agencies in various fundamental activities such as humanitarian aid, development of health protection etc. - Therefore, one must consider a wider reform, which involves both the structures and the modus operandi.

We cannot ignore the inefficiencies of some of the UN programs and their agencies or the overlapping of competences that complicate the allocation of responsibilities. A great part of the electorate is aware of these problems, although they might not have an idea about the causes. Besides the review of the constitution, it is necessary to perform an inner reform that tackles these problems. Under the guide of Kofi Annan, there have been considerable steps towards a more effective use of the poor resources available. In light of what has already been done, the process of inner reform should focus on three aspects: (i) the fixation of clearer and coherent political priorities so as to give a unique direction to the system; (ii) the strengthening of the mechanisms of coordination between the several agencies and programs; and here we could suggest a reinforcing of the Economic and Social Council role which has coordination tasks; (iii) the strengthening of the instruments of control on the use of the resources (in order to avoid scandals such the one of the *oil for food* program).

Moreover, it is necessary that the UN leads a more coherent and decisive action in the human rights field. Human rights monitoring needs more systematic and rigorous attention. We do not propose a "UN of the democracies" that evidently would exclude a great part of the underdeveloped nations, but we suggest the introduction of mechanisms that put under pressure the states that seriously violates human rights. The European Union has placed the promotion of human rights at the centre of its external action. A greater degree of initiative on this issue at the UN would be coherent with this choice.

It is demonstrated that the UN can carry out an important role in the fight on terrorism. The sanctions imposed by the Security Council in the nineties against some states recognised as responsible for supporting terrorist groups have had some effects. They might have not stopped the terrorist activities, but they have made it difficult politically and economically for the states to support those activities and, in some cases (such as Libya), they have contributed to changing the attitude towards terrorist groups. Furthermore, the initiatives undertaken after September the 11th have had a positive impact. This demonstrates that also multilateral instruments are useful to face the new security threats. Therefore, it is necessary to increase the UN's means and resources for the fight against terrorism, which are still insufficient. The international terrorist needs to be stopped and the UN can constitute an important vehicle in order to involve the widest number of states to engage in this effort.

As far as concerns the operations for the restoration and maintenance of peace there is the need to strengthen cooperation firstly with the regional organizations, the NATO and the EU, and secondly with smaller organizations such as the Union African or the Organization of the American states. The idea of the constitution of a UN force attivabile "on call", that has enjoyed a lot of popularity

at the beginning of the nineties, appears now of difficult realization. The experiences of the last decade suggest that the most feasible way is to allocate regional organizations with increasing responsibilities regarding the missions of peace. This, naturally, demands an increased cooperation between the UN and regional organizations. In particular, it is necessary to remark on the potential of cooperative agreements that the European Union is reaching with the UN for the post-conflict stabilization and reconstruction missions.

It is in this context that we also have to conceive a reform of the Security Council.

A greater transparency and permeability of the activities and deliberations of the Security Council is required. It is necessary to implement mechanisms that favour a greater interaction between member States of the SC and those that are not represented. In recent years there have been important progresses in this direction that need to be consolidated.

The most fundamental issue is the review of the Security Council composition. The reform should aim to increase the level of SC accountability for three main reasons: (i) Number of SC member States has grown enormously since its first expansion in 1965; (ii) World-wide equilibriums have clearly changed; in particular, the relative influence of parts of the Southern hemisphere – have increased both demographically and economically; (iii) SC decisions are becoming increasingly incisive and therefore member states want to take part in the decisional process.

The reform proposals that suggest an increased number of permanent members have at least five weak points:

- A new hierarchy between States – e.g. between Brasil and the other South American States or between Nigeria and the other Africans states - which would easily become obsolete;
- There would be no guarantee of an effective re-balance between areas, because two of the five new permanent seats will be assigned to Northern hemisphere countries - Japan and Germany – which are already widely represented in the SC;
- for these reasons it is difficult - indeed improbable - that they obtain the necessary consent - 2/3 of the member States;
- even if the principle of increasing the number of permanent seats would come to an agreement, there is the risk of increasing competition for regional representation;
- at least two reasons would significantly complicate the long term attainment of a sole European seat, namely: (i) the increase of permanent members would produce a very rigid system; (ii) with the concession to Germany of a permanent seat, another big European State would loose interest to the perspective of the European seat.

A first step should be the adoption of measures that increase the flexibility of the system or that at least does not reduce it completely as would be the case if the permanent seats were increased. In particular, it is in the interest of the European seat supporter that the system is flexible enough to anticipate any further modification in the next 15-20 years.

It has to be recognized that: (i) Italian diplomatic action has always opposed an increase of permanent seats; (ii) the high level group of Kofi Annan is in agreement with the Italian opposition. They propose a more flexible system, that excludes the increase of permanent seats and suggests instead a new category of long term as opposed to permanent members.

In coherence with its pro-Europe formulation, the reform should insist on the last one of the above mentioned five reasons against the increase of the permanent seats, namely the risk to loose the opportunity for the institution of a European seat. Indeed, the EU constitution foresees the strengthening of the system of common external representation; to accept a reform that allocates greater powers to a single union member is in contrast with this formulation.

Among the new dispositions of the constitutional treaty that strengthen the instruments of common external representation, three points are particularly important: the attribution to the Union of legal personality; the increased possibility to constitute representations inside the international organizations; the allocation to the Foreign Affairs minister of the task to represent the common positions of the Union within the Security Council. The latter is the most important issue for the mentioned argument. However, there are three main obstacles to the proposal of a European seat. The first is a political issue: the opposition of the European nations that hold permanent seats - France and Great Britain – which do not want to lose their privileged position. The second is of legal nature: the UN Constitution does not foresee that regional organizations, like the EU, can become members. The third point is that the Union has difficulties to define a common position on matters of foreign policy. A major example is that a representative of the EU in the Security Council would not have been in a position to represent a European common position on the participation against Iraq. Indeed, in order to pursue the proposal of the European seat, the EU needs to change the way in which decisions on foreign policy are taken.

Therefore, a longer term perspective should be based on the following recommendations: (i) Reforms of the UN constitution must foresee mechanisms that include a unitary representation of the regional organizations in the Security Council; (ii) for this to happen it is necessary, in the case of the EU, to introduce the majority vote in foreign policy and the allocation of more powers to the minister of Foreign Affairs.

What can we do in the meantime? It is essential that the composition of the Security Council be changed in order to favour in the near future the institution of a European seat. However, we need to answer to the increasing demand for greater accountability of the SC. In order to satisfy these demands the reform needs to widen the Security Council's flexibility. This could be obtained by introducing a number of non permanent seats of longer duration - 4 or 5 years – assigned on a rota base or through election. Assuming a duration of five years, it could be proposed that this system should work for at least four cycles – i.e. for a total of 20 years. At the end of this period, the composition of the SC would be reviewed with the eventual introduction of seats for the members of the regional organizations able to represent common positions.

Furthermore we should consider reviewing the veto power. It would be a mistake to abolish it completely, but it may be necessary to confine it to the issues listed under Chapter VII of the Constitution.

Contrary to common belief, Italy has room to manoeuvre in the diplomatic area. The idea of an increase in permanent seats does not appeal to the majority of the underdeveloped nations, to the majority of the European countries and to other countries such as Canada and Australia. Italy should not only play a role of opposition to others' proposals but should promote a debate within the European Union on the reform of the Security Council in line with the above suggestions, favouring the institution of a European seat.

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