

INDIA AND UNITED NATIONS SECURITY COUNCIL (UNSC) REFORMS



INTRODUCTION

As the world grapples with a pandemic and multilateralism is under stress, India's presence on the international stage got a boost with it winning a non-permanent seat to the United Nations Security Council (UNSC) for the 2021-22 biennium. This would be India's eighth term on the UN Security Council. India's overall objective during this tenure in the UN Security Council would be achievement of **N.O.R.M.S: a New Orientation for a Reformed Multilateral System**.

As UNSC reaches 75th year of its genesis in 2020, its reformation is considered inevitable for survival of multilateralism. India along with other countries has been fighting for reforms in the UNSC. However in order to understand the exact nature of these reform campaigns, we must look for answers to certain questions such as: What exactly is UNSC and what are its functions and powers and why is it so important? Why there seems to be an urgent need to reform it? Why India desires to attain a permanent seat in it? What are the suggested reforms in current discourse and what is India's stand on them? What has been India's strategy to achieve its goals and what are the challenges it faces? In this edition, we will attempt to answer these questions.

India's other priorities for this tenure:

- ◊ Promote multilateral solutions for COVID-19 crisis,
- ◊ Enhance global action against terrorism,
- ◊ Transparency in mandates for UN peacekeeping missions etc.



What is United Nations Security Council (UNSC) and what are its functions and powers?

- ◊ The United Nations Charter established UNSC as one of the six main organs of the United Nations. It gives primary responsibility for maintaining international peace and security to the Security Council, which may meet whenever peace in any part of the world is threatened.
- ◊ The presidency of the Council rotates on monthly basis by each of the 15 members, following the English alphabetical order of the Member States names. It is headquartered at the UN headquarters in New York City.
- ◊ The non-permanent members are elected by a two-thirds vote of the UN General Assembly. The main criterion for eligibility is contribution "to the maintenance of international peace and security," often defined by financial or troop contributions to peace keeping operations or leadership on matters of regional security likely to appear before the council.

- While other organs of the United Nations make recommendations to member states, **only the Security Council has the power to make decisions that member states are obligated to implement under the Charter.**

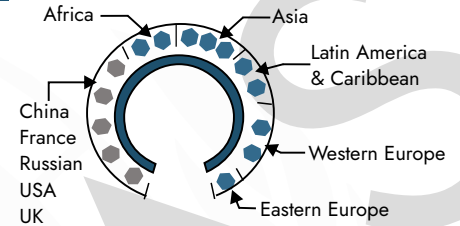
UN Security Council members

5 Permanent Members (having Veto Powers)



US CHINA UK RUSSIA FRANCE

10 Non-Permanent Members (no Veto Powers)



- Each year, the General Assembly elects five non-permanent members for a two year term by a two-thirds majority.
 - 5 from African and Asian States
 - 2 from Latin America States
 - 1 from Eastern Europe States
 - 2 from Western Europe and other States

Functions and Powers of UNSC

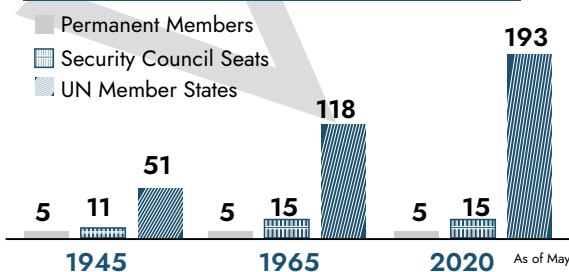
- Investigate any dispute or situation which might lead to international friction.
- Recommend methods of adjusting such disputes or the terms of settlement.
- Formulate plans for the establishment of a system to regulate armaments.
- Determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken.
- Call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression.
- Take military action against an aggressor.
- Recommend the admission of new Members.
- Recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.



WHY DOES THE SECURITY COUNCIL NEED TO BE REFORMED?

The rapidly changing world of the 21st century is characterised by structural changes like a threefold increase in world population, diffusion of power (away from states), a shift in relative material power and influence from the West to the East & an on going transition from uni polarity to multi polarity. In such a scenario, following reasons can be cited for reformation in UNSC-

Number of UN Member States



- The current composition of the Security Council reflects the geopolitical situation of 1945:** The Council's present composition is no longer representative of a world that has seen 142 new countries join the United Nations since 1945. In particular, Africa, Asia, Latin America, and the Caribbean do not have permanent representation on the Council.
- Encroaches on state sovereignty:** The UNSC is the international community's principal organ for peacekeeping and conflict management.



Unlike the decisions made by the General Assembly, its decisions (known as resolutions) are binding on all member states. That means it has wide-ranging powers and can, if necessary, take actions – e.g. the imposition of sanctions – that encroach on state sovereignty.




- **Under representation delegitimizes this encroachment:** If the resolutions of UNSC are to be respected and implemented by all countries, the Council needs to have the necessary authority and legitimacy over all its members. This legitimacy gets eroded in under represented countries.
- ◆ **Lack of recognition:** Alongside geographically balanced distribution of seats, the Charter of the United Nations also expressly states that countries that make considerable contributions to the UN should be members of the Security Council. This is why India, Germany and Japan are regarded as candidates for new permanent seats.
- ◆ **Limited attempts at UNSC reform:** The UNSC was last reformed in 1965 when it increased its non-permanent members from 11 to 15 and increased the necessary votes for the adoption of resolutions from 7 to 9. The UNSC reforms again became an international agenda only in 1992 with a UN resolution titled, "The Question of Equitable Representation on and Increase in the Membership of the Security Council."
- ◆ In the absence of Security Council reform, there is a danger that decision making processes could shift to other forums thereby discouraging multilateralism in the long term.

India's association with the UNSC

- ◆ India is a founding member of the UN, signing the UN Charter, along with 50 other countries in 1945.
- ◆ India has served as a non-permanent member of the UNSC for 7 terms, viz. in 1950 – 1951, 1967 – 1968, 1972 – 1973, 1977 – 1978, 1984 – 1985, 1991 – 1992, and 2011 – 2012. Except for the first time, when India held the seat earmarked for the Commonwealth group, every other time it has held the seat on behalf of the Asian group.

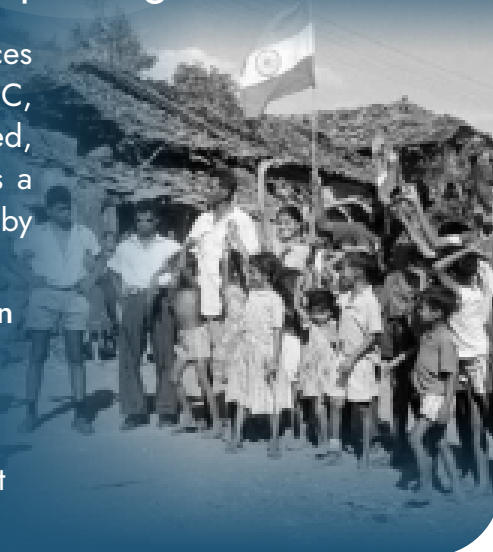


Tenure	Key Events
 First Term (1950-1951)	<ul style="list-style-type: none"> ● UNSC focussed mainly on the outbreak of the Korean War. India emphasised the need for the UN to bring about a peaceful, that is, non-military, resolution to the conflict. ● In subsequent years, India consolidated its reputation as a champion of peaceful conflict resolution in the UN, variously contributing troops, senior officials, military observers and humanitarian assistance to a diverse set of UN operations in west Asia and Africa.
 Second Term (1967-1968) & Third Term (1972-1973)	<ul style="list-style-type: none"> ● This period saw heightened tensions in west Asia, notably a military conflict between Israel and its Arab neighbours. In keeping with its Third World identity at the time, India criticised Israeli aggression, stressing the need to protect the sovereignty and rights of the Arab countries. ● Advent of the nuclear non-proliferation treaty (NPT) in 1968, which India strongly opposed on grounds of fairness and the sovereign equality of states. ● In 1974, India conducted the first public nuclear test by a non-P5 state. The international response centred on US-led efforts within the International Atomic Energy Agency (IAEA) to tighten proliferation controls, resulting in the formation of the Nuclear Suppliers Group (NSG).

 <p>Fourth Term (1977-1978) & Fifth Term (1984-1985)</p>	<ul style="list-style-type: none"> ● India co-sponsored <ul style="list-style-type: none"> ■ resolution on the withdrawal of Israeli forces from Lebanese territory. ■ resolutions strongly condemning the minority white regime in Zimbabwe. ● India joined in the unanimous condemnation of apartheid in South Africa and in the imposition of an arms embargo on the South African government.
 <p>Sixth Term (1991-1992)</p>	<ul style="list-style-type: none"> ● It was a time of geostrategic change spurred by the end of the cold war and an emergence of new unity among the P-5 (Permanent members of UNSC). ● India, internally driven by coalition politics and an economic crisis, struggled to keep a consistent policy on global matters. <ul style="list-style-type: none"> ■ For instance, Delhi's response to the Iraq-Kuwait dispute in particular appeared haphazard, first condemning the US invasion, then supporting it and allowing US air planes to refuel on Indian Territory and finally withdrawing use of this facility under domestic political pressure. ■ In the UNSC, India abstained on two crucial votes relating to Iraq in this period.
 <p>Seventh Term (2011-2012)</p>	<ul style="list-style-type: none"> ● India joined the UNSC in 2011 after a gap of 19 years. During this absence, India's relationship with the body had changed dramatically. The world in 2011 was further down the post- cold war path to multipolarity with the rise of new powers such as China and India, and with North Atlantic Treaty Organisation (NATO) countries humbled due to their misadventures in Afghanistan. ● Analysts and experts believe that five goals have dominated the Indian agenda. <ul style="list-style-type: none"> ■ making the UNSC more effective and legitimate ■ enhancing India's standing as a responsible world power ■ reforming the UNSC's working methods ■ expanding the UNSC's permanent membership ■ protecting the primacy of state sovereignty from UN-sanctioned military interventions

Other significant events at UN directly impacting India

- ◇ **Kashmir issue (1948):** Following an invasion of Kashmir by tribal forces backed by the Pakistani military, India referred the matter to the UNSC, hoping for a favourable outcome. India was rudely disappointed, particularly by the western powers, which treated the matter more as a dispute between two states rather than the invasion of one's territory by the other.
- ◇ India was the co-sponsor of the landmark **1960 Declaration on UN on Granting of Independence to Colonial Countries and Peoples** which proclaimed the need to unconditionally end colonialism in all its forms and manifestations. India was also elected the first chair of the Decolonization Committee (Committee of 24) where its ceaseless efforts to put an end to colonialism are well on record.



- ◊ **Freedom of Goa from Portugal:** In 1961, when India used military force to wrest Goa from Portugal, a draft resolution sponsored by the western powers against India was vetoed by the Soviet Union.
- ◊ **India Pakistan war (1965):** The UN – under pressure from the Soviet Union – intervened diplomatically in the India-Pakistan war of 1965, calling for a ceasefire and helping to bring the conflict to a close.
- ◊ **1971 intervention in the East Pakistan (eventually Bangladesh) conflict:** Delhi narrowly avoided diplomatic isolation through energetic diplomacy and a Soviet veto on three UNSC resolutions calling for a ceasefire in the immediate aftermath of India's entry into the conflict.



WHAT DRIVES THE INDIAN INTERESTS IN PURSUING THE PERMANENT SEAT IN THE COUNCIL?

The origins of the Indian interests in the Security Council can be traced back to the founding of the UN itself when Mahatma Gandhi felt that India, then including Pakistan and Bangladesh, should become a veto-wielding member of the Security Council. India's current calculus on permanent membership of Security Council flows broadly from a mix of three streams described below.

India in UN System:

- ◊ India has been an active participant in all initiatives undertaken by the UN and the various UN organs including the various discussions on the Agenda for Peace and the Agenda for Development, the Sustainable Development Goals, and various UN summits, including most importantly on climate change.
- ◊ India has been instrumental in establishing the **G77 of developing states** at the UN, other than supporting the establishment of various bodies like the UNICEF on a permanent basis, the UNDP, the UNEP etc.
- ◊ In the arena of peacekeeping, India has remained among the largest cumulative contributor of **UN peacekeeping troops** with more than 200,000 Indian troops having served in 49 of the 71 UN peace keeping operations (UN PKO) up till 2019. India has almost twice the number of peace-keepers deployed in the ground as do the P5 combined.
 - The first deployment of Indian Armed Forces was during the Korean War in the 1950s. Other operations include Indo-China, Congo, Somalia and Ethiopia among others.
- ◊ In terms of **financial contributions** to the UN, this year, India was the **4th country to make full contributions within the specified time frame this year**. Last year also, India was among the only 34 UN member states that had paid their regular budget dues in full and on time to the UN.

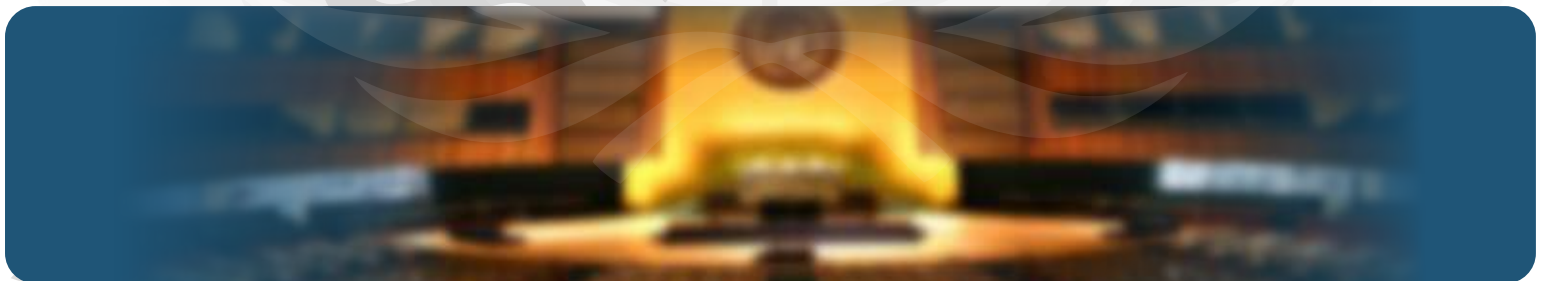


India's Intrinsic Value:

- 🏠 By any objective criteria, such as population, territorial size, GDP, economic potential, civilizational legacy, cultural diversity, political system, India is eminently qualified for permanent membership.
- 🏠 Demography and democracy: Being **second most populous country** remains the primary reason why India should be in the Council. For India, "population represents both an expression of the principle of democracy and an element of power. With increasing emphasis on the principle of democracy at the national level, there is a need for extending the principle to the international level also."
- 🏠 India's **rising economic stature** globally has added to Indian claims as well. India has been one of the fastest-growing major economies in the world, and currently **stands among the top 5 global economies (Asia's third largest)**.
- 🏠 India's status as a **Nuclear Weapons State (NWS)** (acquired in 1998) also makes India a natural claimant as a permanent member, similar to the existing permanent members who are all Nuclear Weapon States. **Despite non recognition by the NPT**, India now stands **recognized as a de facto NWS** due to the nuclear deal signed by India and the United States in 2005 and the NSG waiver in 2008.
 - India has also developed a **credible image as a responsible nuclear power** based on its **no first use policy**.

India's Great Power Ambitions:

- 🏠 Being a permanent member of the Security Council, India would assume the **mantle of international peace and security decision-making**. India sees itself carrying the necessary abilities, actual and potential, which entitles it to a permanent seat at the Council.
- 🏠 **Indian strategic interest in the Council seat** will ensure Indian interests are not sacrificed at the altar of great power politics. Further, the seat on the UNSC would provide it the much-needed leverage to expand its geo-political and geo-economic clout globally. It would serve as an equalizer to increasing Chinese influence - an ever increasing strategic and security concern in India's immediate neighbourhood and beyond. Also, with regard to geo-political leadership role in Asia, India has always considered itself as a democratic alternative to authoritarian China.
- 🏠 India's joining of various regimes like Missile Technology Control Regime (MTCR), Australia Group, Wassenaar Arrangement, and the **ongoing campaign to join the NSG** amply indicate India's desire to shape and align various international norms and rules to suit Indian ideas and interests.



WHAT ARE THE AREAS OF REFORM IDENTIFIED BY UN GENERAL ASSEMBLY (UNGA) & WHAT IS INDIA'S STAND ON THEM?

Broadly, **five sets of issues** have been identified by the General Assembly resolution on "question of equitable representation on and increase in the membership of the Security Council and related matters." India has articulated its positions on these aspects of UNSC reforms on two organising principles: **purposeful, result-oriented negotiations** and **parity for unrepresented and under-represented**. These principles have shaped following positions.

Categories of membership:

- ◆ India has called for **expansion in both permanent and non-permanent memberships and not only in non-permanent category**. Increase in non-permanent category only would not address the issue of accountability and lack of checks and balances in the council.
 - Supporting groups include the two largest groups- Africa with 54 members and L-69 with 42 members - and CARICOM (The Caribbean Community and Common Market), and G4 (India, Brazil, Japan, Germany).
 - India has highlighted the **need of Africa to be represented in both categories**. This directly challenges the proposed “so called” intermediate models wherein a longer term and immediate re-election are seen as compensations for a permanent membership.

Question of veto:

- ◆ India has called for the **abolition of veto** and till it exists, it needs to be provided to all members of the permanent category of the Security Council.
- ◆ India is **not in favour of quantitative reform** (of extending it immediately to new permanent members) **but of quality** - of introducing restrictions.

Regional representation:

- ◆ India has argued for an **equitable geographical representation** and urgent need for mitigating the non-representation and under-representation of some regions in both permanent and non-permanent categories.
- ◆ The **demand for regional representation has been made on multiple grounds** including historical injustice, entire regions not equitably represented or even unrepresented in a key category, and hope of moving beyond the nation state as the primary actor in international affairs.

Size of an enlarged council and working methods of the Council:

- ◆ Even though global population has trebled, and UN membership has grown by about 4 times since 1945, India, realising the need to be realistic, has not called for a three-fold expansion in the membership of the Council. Instead G4 suggests a total of 25 or 26 members.
- ◆ On the working methods, G4 would like 14/25 or 15/26 affirmative votes for a decision. G4 & L69 groups would like the non-permanent members to hold the presidency of the Council at least once in their tenure.

Relationship between the Security Council & the General Assembly:

- ◆ India opines that it should **not be competitive or adversarial**, but “one of synergy and complementarity” that benefits the UN objectives of the promotion of international peace and security. A relationship with the General Assembly based on **transparency, mutual trust and frequent interaction** with all Member States will increase the credibility of the Council, which includes increase in dialogue between the Council and the Assembly. India thus has called for a greater transparency and consistency to improve the relationship between the two.



WHAT STRATEGIES HAS INDIA ADOPTED TO PURSUE ITS OBJECTIVE OF A PERMANENT COUNCIL SEAT?

India has adopted a multi-layered strategy. It consists of **two components**: Maximising support in the UN General Assembly and Minimising resistance in the UN Security Council. It is reflected in **various steps** taken as described below-

- ◆ India hopes that its **continued leadership** of various **Global South** forums such as G 77 and NAM would garner much needed numbers in the UNGA. This is reflected in India's strong defence of the **principle of sovereignty** and the **constant criticism** of the "Responsibility to Protect" principle.
- ◆ India has also formed the **G4** along with Brazil, Germany, Japan, as "coalition of the willing", and a "collaborative strategy" to negotiate reforms of the Council.
 - **Joint Press Statement** issued by the Foreign Ministers of the G4 countries in September'2019 reiterated their strong commitment to an early and comprehensive reform of the Security Council, as envisaged by Heads of State and Government in the **2005 World Summit**.

What does the G4 proposal comprise?

In 2005, Germany co-drafted a resolution for Security Council reform with **India, Brazil, and Japan (the G4)**. The proposal included the following elements:

- ◇ Adding six new permanent members to the Security Council (two seats each for Asia and Africa and one seat for the Western European and Others Group and the Latin American and Caribbean Group respectively.)
- ◇ Adding four non-permanent members to the Security Council (one seat each for Africa, Asia, Latin America and the Caribbean, as well as Eastern Europe.)
- ◇ Reforms in working methods.
- ◇ Review of the reform 15 years after the amendment to the Charter has entered into force.



◆ **Engagements with P5:**

- **Explicit public declarations** supporting India's candidature as a permanent member in the Council are now embodied in bilateral Joint Statements/Declarations since last few years by most of the P5, including China (although ambivalently).
 - **US reiterated its support** for India's role in a reformed UN Security Council at 73rd session of UNGA in 2018.
 - **Russia expressed its "unwavering support"** to India for a permanent seat in an expanded UNSC in the joint statement issued after the 19th India-Russia summit in 2018.

WHAT ARE THE ROADBLOCKS FOR INDIA TOWARDS A PERMANENT COUNCIL SEAT?

- ⊞ **The status quo bias amongst the existing P5:** despite the General Assembly consensus, remains the overriding obstacle to adding permanent seats. Whilst all permanent members accept the reform in principle, they have often fought popular reform proposals.
 - For instance, UN General Assembly convened a plenary meeting at its **70th session (in 2015)** to act on the draft decision on the "Question of equitable representation on and increase in the membership of the Security Council and related matters". During the meeting, letters containing the positions of key countries were circulated. The letters highlighted that **Russia, US & China had refused to contribute to the negotiating text.**
- ⊞ **India as part of G4 seems to have limited its options to negotiate a seat solely for itself:** It is estimated that greater powers and regional politics would circumscribe the G4 attempts to win permanent seats for all as a group.
 - It is also understood that China is fundamentally opposed to Japan's candidature and as a result cannot support the G4 (India, Japan, Germany and Brazil).
- ⊞ **Regional rivals:** Regional rivals such as **Coffee Club** have opposed permanent membership of G4 with a veto power and have instead favoured the expansion of the non-permanent category of seats with members to be elected on a regional basis.
 - Italy, Pakistan, Mexico, and Egypt along with other like minded countries had formed an interest group, known as the "**Coffee Club.**"
- ⊞ **Intrinsic weaknesses in India's pursuit for a permanent seat:**
 - Lack of enough Indian government resources for multilateral diplomacy:

Text Based Negotiations (TBN)

- ⊞ UN General Assembly in its 70th session (2015-16) adopted the TBN format for effecting UNSC reforms.
- ⊞ Decision contains a negotiating text which has positions of UN member states on Security Council reforms and how the 15 - nation body should be expanded in its permanent and non-permanent categories.
- ⊞ Up till then, UNSC reforms were orally discussed as **Inter governmental Negotiations (IGN)** via groupings like G4, L69 and Coffee Club etc.
- ⊞ TBN ensures that positions of all groups are duly and comprehensively recorded. This has made nature of negotiations "irreversible" and more transparent.
- ⊞ TBN will also form the basis for future Inter- Governmental negotiations on the UNSC reforms.
- ⊞ In 2019, The General Assembly unanimously adopted an oral decision deciding to immediately continue informal intergovernmental negotiations on Security Council reform during its 74th session.

- **Lack of staff:** Within the UNSC, India had one of the smallest mission among all of the major powers in 2011 with 24 officials (compared to the 130 officials of US).
- **Finances:** According to the assessment made for the years 2019-21, India is only the 21st largest contributor to the UN regular budget behind Germany, Japan, Brazil and Italy.
- **An over-reliance on entitlement (intrinsic value) to permanent membership as opposed to strategy of multilateral diplomacy has led to lack of in-depth engagement on key international debates and trends.**

CONCLUSION

As a founder Member, India views the UN as a forum that could play a crucial role to guarantee and maintain international peace and security. Its quest for strengthening peace and security has not been an easy one with new and emerging challenges, some of which have been outlined above. India has worked with other partners to strengthen the UN system to combat new global challenges such as terrorism, piracy, disarmament, human rights, peace building and peace keeping. In this task, permanent membership of the Security Council flows as a natural concomitant of India's great power status and its legitimate rights and obligations to ensure international peace and security in an extended regional neighbourhood as well as in the Indian Ocean.

HISTORIC ASSOCIATION

- ▶ India is a founding member of the UN
- ▶ India has served as a non-permanent member of the UNSC for 7 terms, now elected for the 8th term (2021-2022)

INDIA AND UNSC

Indian interests in the permanent seat in the Council

India's Strategy for UNSC Permanent Seat

India in UN System

- 🏠 India an active participant in all UN initiatives e.g. MDG, SDG, UNFCCC
- 🏠 instrumental in establishing the G77 of developing states, UNICEF, UNEP etc
- 🏠 Largest UN peacekeeping troops provider

India's Intrinsic Value

- 🏠 By any objective criteria, such as population, territorial size, GDP, economic potential, civilizational legacy, cultural diversity, political system India is eminently qualified for permanent membership

India's Great Power Ambitions

- 🏠 India's joining of various regimes like MTCR, Australia Group, Wassenaar Arrangement, and the on going campaign to join the NSG amply indicate India's desire to shape and align various international norms and rules to suit Indian ideas and interests

Maximising support in the UN General Assembly Minimising resistance in the UN Security Council

- 🏠 Continued leadership of various Global South forums such as G 77 & NAM
- 🏠 India's growing strategic partnerships with the P5 (including the historic nuclear deal with the US in 2005, reiteration of historic ties with Russia, and most importantly, seeking a rapprochement with China)
- 🏠 India has also formed the G4 along with Brazil, Germany, Japan

What is UNSC

- 🏠 One of the 6 main organs of UN
- 🏠 Only the Security Council has the power to make decisions
- 🏠 5 permanent and 10 Non-permanent members

Proposed Reforms

- 🏠 Categories of membership- expansion in both permanent and non-permanent memberships
- 🏠 Question of veto
- 🏠 Regional representation
- 🏠 Size of an enlarged council and working methods of the Council
- 🏠 Relationship between the Security Council and the General Assembly

Challenges for India in UNSC reforms

- 🏠 Lack of resources for multilateral diplomacy- staff, Finances, intellectual and institutional infrastructure
- 🏠 Insufficient engagement with the normative aspects of UNSC issues
- 🏠 Regional rivals opposed to the G4
- 🏠 Status quo bias amongst the existing P5

Need for Reforms

- 🏠 Still an institution of 1945
- 🏠 Overriding powers encroaches upon state sovereignty
- 🏠 New candidates evolved for permanent seat
- 🏠 Under representation of Africa, Asia, Latin America, and the Caribbean