

Elect the Council – an initiative to move towards a realistic, effective, legitimate and representative UN Security Council over a 20 year transition period after an enabling UNGA resolution



www.electthecouncil.org

There have been innumerable efforts at reform of the UN Security Council (UNSC) and over successive decades. With the exception of the enlargement of the non-permanent category of members in 1965, no effort has borne fruit and there is little prospect for success through the ongoing intergovernmental negotiations process under the auspices of the UN General Assembly in New York, which is stuck between irreconcilable national positions. The lack of legitimacy of the Council translates into an inability to reform the rest of the system and the steady attrition in the effectiveness of the UN system in general.

Instead of seeking to find a middle ground where the national interests of key states converge, Elect the Council (EtC) steps outside of the intergovernmental negotiation processes. Since early 2015 we have consulted widely with states, amongst thinktanks and civil society groups globally to hone a set of proposals that also draws upon the long-term forecasting work done within the African Futures & Innovation program at the Institute for Security Studies (ISS).

Based on recent consultations, this summary reflects an updated version of the EtC proposals (now at version 5) and continues to argue for the removal of the permanent category of seats and the veto and phasing in a replacement system over twenty years eventually consisting of 24 elected states and those global powers that meet specific criteria.

Viewed over a long time horizon the world suffers less casualties from armed conflict per million people than ever before – but the steady increase in the size of the global population means an absolute increase in the number of fatalities. The world is also experiencing changes in the distribution of power between states as well as the empowerment of civil society actors and business - yet the current composition of the UNSC is incapable of accommodating these emerging realities. Global governance systems are evolving everywhere, but the UNSC remains ossified despite threats such as nuclear terrorism, pandemics and organized crime that are increasingly multidimensional, transnational and threaten all of humanity.

An effective system requires an approach that allows for the composition of a reformed UNSC to reflect and to adjust to shifts in global geopolitical power. While not all states are equal in their ability to practically contribute to global peace and security this recognition needs to be balanced by the need for greater and more equitable global representation.

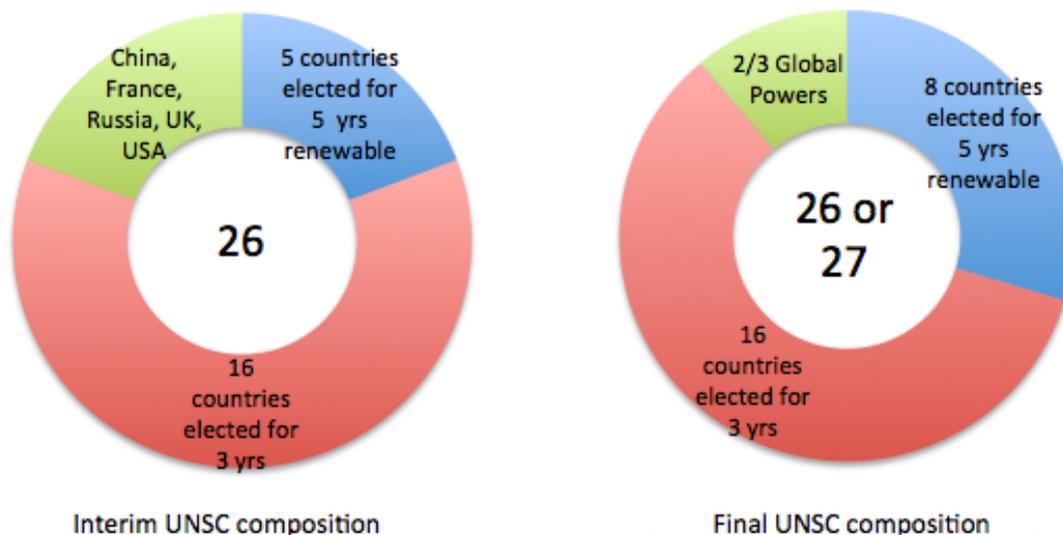
At the heart of our approach is the need to move from a competitive, national-interest based approach to the management of global insecurity to a collaborative model appropriate for an interdependent and more crowded world. This is a world where the UNSC should continue to manage global peace and security issues in coordination with regional organizations where appropriate, but also be able to take concerted preventive and remedial action derived from its greater legitimacy and authority. In its current form the current system cannot do so and is losing legitimacy and authority with each passing year.

The proposal, summarized below, is detailed and specific since this is an issue where 'in principal' support for reform flounders on disagreement on detail. Many states hide behind this impasse, being quite comfortable with a status quo. Building on future consultations the intention is to finalize these proposals during 2016 and mobilize for global support amongst business, civil society, academics and governments.

The principles that inform Elect the Council and a summary of the associated proposals are as follows:

- 1 Not all states can shoulder the same responsibilities in relation to global peace and security. A future UNSC needs to reflect the emerging distribution of power. Long-term forecasts of power, using a combination of alternative metrics all indicate a three-tiered global structure consisting of two (eventually three) global powers (USA, China and eventually India) with a very large gap between them and other states including Brazil, Indonesia, Korea, Japan, Turkey, Russia, Germany, United Kingdom, France, etc. The majority of states are much lower down in the power stakes, constituting a third cluster. Given this huge disparity EtC takes the view that the **top tier of global powers** must be included in a reformed Council. A Council without these global powers could be ignored or bypassed. The proposal therefore provides for a category of states (or coalitions of states) that each have 6% of global GDP, 6% of global defence expenditure and 3% of global population that automatically qualify to serve on the Council while each meets all three criteria. These states/groups also have enhanced voting powers in that each of their votes will count for 3 votes.
- 2 In a complex world the UN is increasingly working with and through regional organisations and necessarily aligning its interests with **regional powers** that inevitably play an important role in their respective geographical space. The proposal therefore provides for a category of regional powers, consisting of states that are elected to serve on the UNSC for an immediately renewable term of five years. Each of the electoral regions that currently nominate the non-permanent members of the UNSC would nominate one regional state for every 22 of its members (rounded). Actual elections will occur, as normal, within the General Assembly.
- 3 A third category of 16 **rotational seats** completes the composition of the Council. Each region would be entitled to elect two states to the UNSC for every 22 of its members (rounded). These seats are not immediately renewable and states serve for a three-year term. In this manner the Council would ensure proportional

representation of all regions on an equitable basis. Together with the other two categories of seats a reformed UNSC will therefore consist of 24 elected countries plus two or three global powers.



- Interim UNSC composition**
- Final UNSC composition**
- 4 In terms of this proposal, no state is to have a permanent seat on the UNSC and the move from the current composition of the UNSC to its new configuration is to occur over **a phased twenty-year period**. In this manner the composition and working of the UNSC would follow the larger global shifts in power distribution currently unfolding. During the twenty-year interim period the current P5 would remain members of the Council with enhanced voting rights, but no veto, and the Council would additionally consist of 16 states elected for three years at a time (as set out earlier) and five five-year elected seats (instead of the eight five-year elected seats in the final, reformed Council). This is because three of the P5 (China, the UK/France and Russia) already serve within three respective electoral regions. After the 20 year interim period the number of states elected for five years would increase from five to eight.
 - 5 The UNSC is the only executive and legislative body entrusted with ensuring international peace and security. States that serve on the Council should therefore have the resources, experience and global representation to make a meaningful contribution to peace and security. To this end we propose four **baseline or minimum requirements**. We believe that these criteria best be left to the geographical regions to apply as they see fit in determining nominations for elections within the UNGA. These criteria are: (a) experience and capacity; (b) in financial good standing with the UN and its agencies; (c) willingness to shoulder additional financial contributions to UN efforts on international peace and security, as determined by the UNGA; and (d) respect for open, inclusive and accountable governance, the rule of law, international law and international human rights standards.
 - 6 Similar to current arrangements, regions would nominate states for the 24 elected seats but actual **voting would occur within the General Assembly**. This

- arrangement would allow each region to manage its electoral processes according to its own preferences – these could be competitive, rotational or elective.
- 7 By adopting a system of **proportional representation** an expanded Council would more equitably represent the various regions and restore the legitimacy of the UN and the Council. In addition, the category of elected regional powers for renewable five-year terms should help change the dynamic between regional powers and other states within that region. The proposals would not be affected by changes to the composition of the current geographical regions, nor by the establishment of cross-regional groups to accommodate the interests of **groups** such as the Arab group and Small Island and Development States (SIDS).
- 8 It is important to create incentives within the P5 to change. In a reformed Council **the vote of all elected states would count for one while the vote of global powers/groups will count for three votes**. During the 20-year transition period the votes of the P5 would initially each count for five (years 1 to 5); then four (years 5 to 10); then three (years 11 to 15); and eventually two (years 16 to 20) – but with the understanding that the votes of those states who meet the global powers criteria (population, GDP and military expenditure) would never count for less than three.
- 9 There are many **obstacles that could impede progress**. We propose that the current UNSC define up to five specific issues that would not attract additional Chapter VII resolutions for a period of 20 years after the adoption of the enabling UNGA resolution to amend the UN Charter, beyond the maintenance or termination of existing decisions (an example could be US concerns relating to matters affecting Israel/Palestine).
- 10 The establishment of a **regular review process** of the UNSC would allow the opportunity for future improvements as may be appropriate and avoid a recurrence of the current impasse. A mandatory periodic review of the UNSC would therefore be included in the amendment to the UN Charter, occurring every 30 years.
- 11 In all of the above, the UN Charter would include provisions to ensure that the Council is not held hostage by a handful of its members to procedure. In this manner outstanding issues such as the finalization of the rules of procedure (which are still provisional) should be able to proceed apace. **The UN General Assembly and the International Court of Justice would serve to break procedural deadlocks as appropriate**. Details are set out in the full version available at www.electthecouncil.org.
- 12 **These proposals would be contained in a single amendment to the UN Charter.**

The proposals set out here differ fundamentally from the efforts to find an approach that could appease the P5, aspirants to additional permanent or semi-permanent seats (such as the G4 group consisting of Germany, India, Brazil and Japan) and groupings such as Uniting for Consensus that are opposed to any enlargement of the permanent category of seats. Efforts to accommodate representation by groups such as the Arab group and SIDS should either be addressed by cross-regional arrangements, by changes in the composition of the current electoral regions or by a combination of these two measures.

Version 5

In conclusion it is important to try and address the incentives to change. What possible motivations would lead to the P5 or others, to move from their current positions? Beyond the impact of developments such as the potential dissolution of the United Kingdom on its continued membership of the P5, we offer four compelling reasons. The first, and most obvious, relates to the need for a legitimate, effective global security management system for a hot, crowded and interdependent world. The second is the need to unlock UN reform, across the entire system. The role of the P5 within the UNSC serves as an important blockage on an unwieldy and large UN structure that has become ineffectual and costly. A third motivation is the extent of frustration with the lack of progress. A large number of countries are increasingly convinced that only a step-change in the approach to reform could unlock the current impasse. EtC offers such an opportunity. Finally, in the case of the USA, China and eventually India, these proposals provide a legitimate and fair recognition of their inordinate global influence without repeating the challenges of permanency. Europe, which has benefitted from over representation for many decades inevitably needs to accept a proportional global role, but can retain influence by opting for a collective Great Powers seat. All regions will benefit by the move towards a proportional system.

By mid 2016 EtC had presented and discussed various versions of this proposal in meetings with civil society, think tanks and governments in Berlin, Brussels, London, Pretoria, Johannesburg, Oslo, Stockholm, Nairobi, Abuja, Seoul, New Delhi, Nairobi, Addis Ababa, Ankara, New York, Denver, Beijing, etc. In addition a large group of diplomats have attended many of the briefings on this proposal, particularly in South Africa. Through a concerted outreach program, different versions of the concept have been distributed to key missions in New York and to more than a hundred global thinktanks.

The detailed proposal and background to EtC is available at www.electthecouncil.org.

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7 November 2016