



## **The UN At Sixty Three: Problems And Prospects of Reforming A Veteran**

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### **ABSTRACT**

The United Nations Organization has completed more than sixty three years of existence. In these six decades, the world has moved far ahead, and power calculations have changed. The days of bi-polarity ended with the demise of the Cold War. International politics, though unipolar in nature at present, is showing tendencies of multipolarity. Globalization has introduced a new economy of free trade in the world. In this altered international political and economic milieu, demands for restructuring the United Nations, which is guided by an old, mostly outdated charter, have been gaining ground, particularly after the end of the Cold War. But reforming the United Nations would not be very easy, because amending the Charter is extremely difficult, and requires political consensus among members, which is not easily achievable. However, minor reforms that do not require the amendment of the Charter may be introduced to make the United Nations more adept to face today's challenges. The present paper analyzes the problems and prospects of the reform proposals, and shows that there is a gap between the hope and the reality.

**Keywords :** United Nations, Peace, Security, General Assembly, Security Council, ECOSOC, Reforms.

### **1. INTRODUCTION : NEED FOR REFORMS**

The United Nations (UN) completed 63 years of existence in 2008. In these 63 years since the formation of the UN in 1945, the world order has changed dramatically. Some of the countries regarded as major powers after the Second World War, have fallen out while some other countries have grown in strength. The Cold War came to an end. This resulted in the eclipse of the bipolar system, and encouraged the debate regarding the present nature of the existing world order. Scholars and experts in International Relations are struggling to find out whether the existing world order is a unipolar or a multipolar one. The UN is also trying to keep pace with the changes that have taken place in world politics. The UN is contemplating sweeping internal reforms, both at the structural and functional levels, to adapt itself to the changing needs of time. Major UN reforms will call for an amendment of the Charter. But amending the UN Charter is an extremely difficult process. And the dilemma starts here. The UN as an important world body requires adequate reforms to make it suitable to the altered international order, but internal (Charter) provisions provide obstacles to such reforms. This paper proposes to analyze the wide gap between the aspirations for UN reforms and the constraints to achieve them. Minor reforms that do not

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require an amendment of the Charter, are however possible, if there is political will. This paper therefore looks at UN reforms from three angles: Minor Reforms (that do not require amendment of the Charter), Major Reforms (that require amendment of the Charter), and, Pragmatic-Idealistic Reforms (that are necessary to make the UN relevant in the 21st century). I start with the first category.

## **2. MINOR REFORMS**

These reforms can be initiated quickly if the member-states show political will to achieve them. Financial reforms constitute the most important area under this category. Therefore, financial reforms are taken up for analysis at the outset.

**2.1 Financial Reforms --** About two-thirds of the UN's membership at any one time are in arrears. As a result, the UN has a severe financial crisis. But then, such a crisis suits its members. The UN cannot go very far because it does not have the finances. It is up to the member states to give it money, -- and the rich countries, the United States (US) in particular, uses its contribution for leverage. In fact the US has abetted the financial crisis of the UN. The Reagan administration (1981-89) was the most anti-UN administration in the US history. It withdrew from the UNESCO, slashed its contributions to other specialized agencies, and was lethargic in paying its dues to the central UN budget (Suter, 1998). Soviet Union during the Gorbachev era paid back its accumulated arrears but at present, Russia is in arrears once again due to its own financial problems. The US and former Soviet Union, the giants of the Cold War period, have set a very poor example of not clearing UN contributions on time. If they could get away with paying their subscriptions late, others thought that they too had the same option. And as a consequence, during 1995 (the 50th anniversary year of the UN), the world body was at a particularly low, with only seven countries up-to-date with their subscriptions (Suter, 1998). And the UN entered the new millennium with its perennial financial crisis.

This financial crisis of the UN can be averted if there is political will. Members must be compelled to pay their dues on time. For late payment, appropriate interests could be levied. Member-states in arrears, should face unequivocal condemnation in the General Assembly, the largest UN body. An alternative proposal could be that all aspiring members of the Security Council must clear their contributions to the UN, otherwise their claims would not be recognized. All members must press, and be ready to accept, internal financial reforms with regard to budget ceilings, voting, allocation to programs, costs of administration and staffing. Unorthodox means of raising finance must be explored. These may include consultancy and service charges to be levied by ECOSOC and its specialized agencies for any help to the Non Government Organizations (NGOs) and Multi National Corporations (MNCs). Costs might also be shared with regional Associations (NATO, AU, ASEAN) benefiting from UN peace-keeping operations. But all these financial reform proposals could be implemented if there is genuine political will. If the politics of keeping the UN low continues, the financial crisis can never be tackled by any reform. Are the member-states listening, and willing to show the will?

**2.2 Peace Keeping Operations -** It is generally believed that the ghost of Hitler, who died two months before the San Francisco conference that finalized the UN charter, had indeed helped to evolve an elaborate security arrangement for the UN, to be placed under the guidance of the Security Council. The Military Staff Committee (MSC) system provided by the Charter could never be used because of the Cold War. The ideal of Collective Security also failed to take off. Instead, there evolved an ad hoc system of peacekeeping, -- for intervention in disputes where the two super powers agreed not to dabble. Instead of all permanent members (P-5) controlling the UN military operations (the ideal of Collective Security through great power unity), peacekeeping almost always avoided any involvement of the P-5. The non-permanent members also financed almost all peacekeeping operations until recently. The end of the Cold War has witnessed an increase in the UN

peacekeeping operations. But the elaborate MSC system still remains non-operative. The former UN Secretary General Boutros Boutros Ghali made some suggestions for improving the UN's role in the maintenance of international peace and security (Ghali, 1992). He proposed the creation of a standing force to be drawn from the defence forces of nations around the world, to be ready for instant deployment. However the creation of a standing force would require amendments of the Charter and would be a complicated affair. An alternative, dependent upon the political will of the member-states, would be the creation of a rapid action force of nearly one lakh soldiers on, say, a five-year term. The problem of financing peace keeping operations could be solved if the governments paid for UN operations from their heavy defence budget rather than the more skimpy foreign affairs one. Ghali also proposed a tax on arms sales, a levy on international air travel (which is dependent on the maintenance of world peace) and tax exemptions for private donations to the UN for peace-keeping operations. The peacekeeping cost needs to be compared with the much greater expense of not undertaking peacekeeping.

**2.3 The Secretariat** - Some rejuvenation of the Secretariat could be done without amending the Charter. One tenable proposal is to appoint the Secretary-General for only one, seven-year term (Urquhart and Childers, 1990). The present arrangement is for two five-year terms. It encourages the temptation to use the end of the first term as an election campaign to get reappointed. One single term in office would remove that temptation and make the office-holder more independent and responsive. The staff of the Secretariat should be minimized, and the Secretariat must be made a truly international civil service. Recruitment should be on merit, and not on the whims of the national governments who use the UN as a charitable ground to distribute favours to retired politicians or relatives of the ruling elite. Recruitment should be preferably made at the lower levels. More women should be inducted in to the UN Secretariat. The Staff must be made faithful to the promise they make at the time of joining the Secretariat, -- to avoid taking instructions from their national governments. The neutrality of the UN bureaucracy is absolutely necessary to make it a truly responsive international civil service.

**2.4 Jurisdiction of the International Court of Justice (ICJ)** - The ICJ is the main legal body of the world. But attendance at the ICJ is not mandatory for the member-states of the UN. Moreover, only about one-third of the UN's members accept its jurisdiction. The obvious reforms would be that attendance at the ICJ must be made compulsory, all members must accept its jurisdiction, and make greater use of it in the settlement of their disputes.

### **3. MAJOR REFORMS**

Major reforms of the UN call for the reorganization of the principal organs, and require amendment of the Charter. These reforms, though not easy to achieve, have generated a lot of debate and curiosity. I begin the discussion of Major reforms with

**3.1 The General Assembly** - which is the world's main political forum, the 'talking shop' of the UN. But it often talks without a purpose. It adopts non-binding resolutions which mainly reflect how the world's governments think on particular issues. Currently, this body is unnecessarily big and a cumbersome one with five representatives per nation. An important reform proposal of the General Assembly is that representation should be based on national population, instead of the current five per nation. An alternative proposal is to make representation to the General Assembly at a uniform two per nation. I view this proposal as more tenable, because representation on the basis of population might foster a sense of inequality in the General Assembly leading to its further ineffectiveness. Two representatives per nation would reduce the size of the Assembly and make it more effective. The Assembly would be devoid of either some garrulous or some sleeping members. Another significant reform proposal is to make the resolutions of the Assembly binding. This would give teeth to this largest UN body, enabling it to share some power with the Security Council. For a resolution to be binding, I would go for a simple majority (more

than 50 per cent) of the nations present and voting instead of any other cumbersome procedure. The assembly must sit frequently, preferably once in two months. It would be easier for a smaller General Assembly to sit frequently.

**3.2 The Economic and Social Council (ECOSOC)** - This body is also unnecessarily large and complex. Currently, it has 54 members elected for a three-year term. The ECOSOC has six functional commissions, five regional commissions, and 600 affiliated NGOs. There are sixteen autonomous specialized agencies, such as the UNDP and WHO. There are also financial giants like the World Bank and the IMF. Additionally, there are subsidiary bodies such as the UNICEF and the UNEP. Due to this complex organizational structure, the ECOSOC suffers from lack of coordination between headquarters and field teams leading to imprecise mandates and uneven results. As one leading UN expert observed, the "ECOSOC is nothing but an organizational accumulation of institutional bodies which do not and cannot comply with a minimum of political rationality, organizational efficiency and implementation strength" (Hufner, 1992). There is a larger problem of how the functional commissions and specialized agencies can be more effectively controlled by the ECOSOC. Specialized agencies have their own agenda, and every agency has its own governing board. Each has its own method of operation and its own objectives. This creates the problem of overlapping with resulting confusion. One obvious choice for reform would be to go for some kind of centralization, with a streamlined 'authority', -- Commissioner or Administrator (to be appointed by the Secretary General), -- to guarantee accountability. But given the decentralized organizational pattern of the UN, this kind of reform would be almost impossible to achieve. A more feasible proposal is that the specialized agencies should concentrate on their fundamental responsibility of information gathering, feasibility studies, program design and specialist publication leaving the fieldwork to the UNDP. This would help to rationalize and focus the talents and initiatives of 36 development agencies prone to duplicating efforts (Whittaker, 1997). A slimmer ECOSOC is the need of the hour. I would prefer a 30-member body with three-year terms. This would enable every ten members to retire after three years. The ECOSOC can take nominal charges from NGOs and MNCs for its services in the social, economic, and cultural areas. This may help to solve some of the financial problems of this body. ECOSOC must also prepare effective guidelines for sustainable development, critical for any development policy.

**3.3 The Security Council** - The issue of restructuring the Security Council has attracted enormous attention all over the world. How many members will a reorganized Council have? Of them, how many permanent, and how many non-permanent? Who will be the new permanent members, and on what grounds? Who among the existing five permanent members (P-5) are no longer regarded as great powers? Will the new permanent members enjoy veto power? If yes, what would be the consequences? All these intriguing questions are doing the rounds in world politics at this juncture. It is obvious that the P-5 are no longer the globe's main countries like 1945 when the UN system was launched. Britain and France are regarded by many scholars as the countries needed to be excluded from the P-5 (Suter, 1998). But who would dare to exclude these veto-armed nations? A preferred choice for reform of the Council would be to retain the P-5 and include some more permanent members. Germany and Japan are tipped to be the favourites because of their emergence as major industrial nations after the Second World War. They have also increased their financial contribution to the UN significantly. But if these two 'developed' countries are included, what about representation from the vast 'developing' world? And the dilemma starts here because the aspirants from developing countries are many. The politics of reforms (about which I will discuss separately) also revolves round this issue of inclusion of new permanent members from the developing world. Who among Brazil, India, Argentina, Nigeria, Mexico, Egypt, Indonesia, Pakistan, and probably others, from this vast terrain called developing world? And do not forget some of the 'developed' aspirants, like Italy, Canada and the European Union.

This brings us to the question of the composition of a revamped Security Council. I would go for a 24-member Council without permanent membership. This would enable each

country to chair the council for one month during the Two-year cycle of the Council membership (I favor retaining this practice). The idea of permanent membership in the Security Council was mooted to achieve great power unity that was thought necessary to preserve peace and security in the post-Second World War period. But that vision could not be materialized due to super power rivalry witnessed during the Cold War years. As a result, the concept of Collective Security failed miserably. As we know today, (the vision of) Collective Security failed because it contradicted the all-important aspect of national interest. The importance of national interest in world politics has not dwindled after the Cold War. This compels me to discard the ideal of any great power bonhomie. This is the reason for me to disfavor permanent membership in a revamped Security Council. The end of permanent membership will also solve the problem of veto-power, the most widely condemned item in the UN system. There will be no veto-power for the 24 non-permanent members of the reorganized Council. The proposals for inclusion of new permanent members with or without veto are loaded with possible dangers. More veto-wielding permanent members will only exacerbate confusion and inefficiency in the Council. Permanent members without veto will become second-class citizens, and lack power to serve the Council with confidence. Therefore, my recommendations for a revamped Security Council are : (i) it would be a 24-member body without permanent membership ; (ii) the term of each member will be two years giving a chance to each member to chair the Council for one month ; (iii) there will be no special power (veto) for any member ; (iv) decisions will be taken by a majority vote of members present and voting, and the resolutions of the Council shall be binding upon all the members of the UN ; (v) the Council and the General Assembly must work in tandem through regular consultations and working parties. But a final comment. Any reform of the Council would be difficult, because any one from the P-5 can flex its muscle, if the proposed reform goes against its interests.

#### **4. IDEALIST-PRAGMATIC REFORMS**

The proposals for minor and major reforms are both based on retaining the UN's fundamental structure, i.e. an organization of nation-states. A third part of the UN reform spectrum consists of ideas based on recognizing the role of non-state actors within the UN system. I call these reforms idealistic-pragmatic, -- idealistic, because these are aimed at altering the basic structure of the UN (as an organization of nation-states); and pragmatic, because these changes are necessary to make the UN relevant in the 21st century. The UN system must recognize the significance of the multi-national corporations (MNC) and the non-government organizations (NGO) and allow them a greater role within the organization. The present world order began in 1648 with the Treaty of Westphalia, and subsequent emergence of the nation-states. But this system of nation-states as the principal actors in world politics cannot cope with many of today's problems. National governments are too small for some problems and too large for others. Pollution, health hazards are now global problems beyond the control of any single nation-state. A new world order is evolving in which national governments have to share their responsibility with international organizations like the MNCs and the NGOs.

The MNCs are the major global economic actors. They have greater liquid assets than all the major central reserve banks combined. With the introduction of free market economy almost everywhere in the world, they can move money around the globe even more easily. According to a survey conducted by the United Nations Conference on Trade and Development (UNCTAD) a few years back, MNCs control a stock of foreign direct investment (FDI) to the amount of two trillion US dollars. All MNCs account for foreign sales worth U.S. \$ 5.5 trillion. In comparison, the total value of world exports in goods and services amounts to U.S. \$ 4 trillion (UNCTAD, July, 1993). The number of MNCs have grown more than five times since the early 1970s (UNCTAD, July, 1993). MNCs have themselves become global entities. The UN can take the help of the MNCs in solving some of its financial problems. The MNCs benefit from the services rendered by the UN (especially through ECOSOC). Why not charge the MNCs for providing these services?



At present, the UN appears to be confused in handling the MNCs (Cronin, 2000). More effective ways to cooperate with the MNCs would be to include them in some committees of the General Assembly, or as specialized agencies of the ECOSOC, allow them to work in specific fields, take money from them for such works in addition to regular subscriptions.

NGOs have been involved in the UN work from the very beginning. They were present at the 1945 San Francisco Conference which finalized the UN charter. They got official recognition in the charter in Article 71 which said that the ECOSOC could consult the NGOs. This 'consultation' with the NGOs takes various forms at the UN. NGOs can attend meetings of bodies attached to the ECOSOC, such as the Commission on Human Rights, Commission on the Status of Women, and the specialized agencies. Their papers are circulated at such meetings. They can request permission to speak. This permission may be granted if there is time. The NGOs therefore have found a place among nation-states in the UN. The need of the hour is to strengthen their presence at the UN. NGOs have several advantages. As one author points out, "NGOs not only provide information and ideas to UN bodies, they also help keep governments honest. In this era of greater complexity, NGOs monitor government behavior. They can report to their members back home how their governments are speaking and voting at UN bodies and look for inconsistencies and errors" (Suter, 1998). NGOs can also act as vehicles for transmitting UN material to nation states in more attractive ways replacing the existing dull, bureaucratic monologues.

At present, the MNCs have no formal status at the UN, while the NGOs have only 'consultative' status. The new global order calls for more important roles for them in global decision-making and international law through participation in the UN system. A possible way to induct them into the UN system is to create two committees of the General Assembly in which representatives of MNCs and NGOs could provide their views on proposed resolutions. This would enable them to share the same platform with national governments and open dialogue and areas of cooperation with these governments. The national governments would also learn to share their power with the MNCs and NGOs. In an era of globalization, the state and various non-state actors must learn to cooperate with one another. While such cooperation is taking place outside the UN, the largest world body of nation-states must also create opportunities for important non-state actors to air their voices and share their expertise within the UN system. In the new world order, MNCs and NGOs can never be left behind in any effort for peace and security and development of the globe.

While there is general agreement that the UN must be restructured, widespread disagreements persist regarding the nature of reforms (Luck, 2005). And the hotspot in this context remains the Security Council. The issue of how this primary organ of the UN would be restructured has generated a lot of controversy and politics. Therefore, no analysis of UN restructure would be complete without reference to this controversy.

## **5. POLITICS OF REFORM**

Differences over the proposed reforms of the Security Council has generated a few pressure groups, intense lobbying by them to get a permanent seat, and bitter rivalries. Pressure groups like the G-4 (Brazil, Germany, India and Japan) or the 'Uniting for Consensus' (Canada, Italy, Pakistan and others) are lobbying hard in the UN either for a permanent membership or for abolishing the present P-5 system. On May 17, 2005, the G-4 countries circulated a draft resolution at a UN meeting, calling for an expansion of the Council from 15 to 25 members. The draft favored 11 permanent and 14 non-permanent members (i.e. 6 new permanent and 4 new non-permanent members). Of the six new permanent members, the draft proposed two each from Africa and Asia, and one each from the Latin American and Caribbean states, and Western Europe and other states. Of the four new non-permanent members, the draft favored one each from the Asian, African, East European, and Latin American and Caribbean countries. The draft proposed that the six new permanent members

should have veto powers (The Statesman, Kolkata, May 18, 2005).

The G-4 draft elicited immediate controversy. China criticized the G-4 nations for circulating the draft. The Chinese foreign ministry spokesman Kong Quan observed, "So far we have found that there is a great gap between the core aspects of this draft and the positions of various countries, including China" (The Statesman, May 18, 2005). Quan called this draft unnecessary and hasty, and observed that "so long as various parties have differences over the concrete reform plan, bringing about a draft hastily will only fuel conflict and undermine the reform program of the UN" (The Statesman, May 18, 2005). The politics of reform turned ugly when Italy, a member of the so-called 'Uniting for Consensus' fired blackmail charges at G-4 nations. In an unprecedented charge of international blackmail, the Italian Ambassador to the UN, Marcello Spatafora alleged that one of the G-4 countries had threatened to halt a \$460,000 project in an unnamed country to get its support for the G-4 resolution (The Times of India, New Delhi, July 13, 2005). The Italian Ambassador was vociferous in his criticism of the G-4 countries. Referring to the incident of blackmail, Spatafora said, "It is a shame. It is a question of ethics and moral values. It is a question of blackmailing some sectors of the membership, taking undue advantages from their vital needs ... We have the moral obligation not to allow a reform of the Security Council to be decided in this unhealthy and poisoned environment" (The Times of India, July 13, 2005). Though Spatafora did not name the country he accused of blackmailing, it was widely believed to be Japan, which provided maximum foreign assistance among G-4 countries (The Times of India, July 13, 2005). The Italian Ambassador requested the UN Secretary General to set up an investigation into the issue and commented that the 'scandal' would be much more serious and destabilizing than the one surrounding the UN oil-for-food program in Iraq (The Times of India, July 13, 2005). The 'Uniting for Consensus' movement placed its own resolution regarding the expansion of the UN Security Council. This resolution opposed the earlier G-4 resolution, and called for a restructuring of the Council by abolishing permanent membership. Instead an expanded Council with only non-permanent members elected periodically was recommended.

The intense rivalry and bickering among member-states over the reform of the Security Council reflect a new power struggle in international politics. They also bring out the fact that reform of the Council would not be an easy affair. Besides the P-5, the new aspirants for permanent membership at the Security Council are trying to use all their diplomatic skills, financial powers, and lobbying to influence the reform process. The situation may be compared to an imaginary rugby game without team sentiments, where each player (read nation) is trying to grab the (reform) ball and pass it to a direction that he only wants. The result is total chaos and lack of understanding and planning. The UN reform process is currently passing through this kind of stalemate (Morphet, 2007).

## **6. CONCLUSION**

Every person associated with the study of international relations would agree that after sixty three years of troubled existence, the UN system requires changes, in fact radical changes. But any radical change of this organization is impossible due to factors analyzed earlier. Instead, step-by-step reforms in some of the areas discussed above are more probable. In the post Cold War world, it is not impossible for the P-5 of the Security Council to agree on a wide range of issues within and outside the UN system. That brings rays of hope because without consensus in the P-5, any change would be difficult to implement. Some kind of internal reforms of the UN will undoubtedly be made in the future. But the question is, when and in what form? We have to wait for long, or may be, not too long, for an answer.

## **END NOTES**

1. Like a complex three-tier voting system proposed by Richard Hudson (For Hudson's

views, see, Global Report, 1998, p.11).

2. These reform proposals are coming from various NGOs like Campaign for More Democratic United Nations (CAMDUN), The New York-based "Centre for War/Peace Studies", the Stockholm-based "Concern for Global Governance, and individuals like Richard Hudson, Boutros Boutros Ghali, Frank Barnaby and several others.

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