

**Voting for the Veto:
India in a Reformed UN**

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Executive Summary

India formally launched its bid for permanent membership on the United Nations Security Council in 1994. This followed a UN General Assembly resolution in 1992 asserting the need to expand the Council in order to reflect the 'changed international situation' and to achieve 'equitable representation'. India has argued as recently as mid-2005 that its permanent seat on the Council should bring with it the veto power currently possessed by the five current permanent members. Some in India have argued that it should refuse a permanent seat if it is not given veto power.

The case for India's permanent seat and veto power in the body responsible for maintaining international peace and security is as compelling as it is simple: the largest democracy, home to over 15 per cent of the world's people; possessing greater military power than almost all other states except for the USA, Russia, Japan and China; and a recognised global leader. India's GDP is the fourth biggest in the world (in terms of purchasing power parity).

Through 2005, India's views on Security Council reform – like most of the debate internationally on the subject – have been focused on the size and composition of the Council, rather than the veto power. In July 2005, as UN members prepared for the Millennium Review summit in September, India dropped its insistence on the veto power. This was a pragmatic move taken on the view that permanent membership without the veto was an important enough goal in itself to secure in the short term.

Yet the underlying purpose of reform of the UN Security Council is about much more than changing the membership of this or that 'club'. The purpose of Council reform agreed by the UN General Assembly in 1992 is to reflect changes in the membership of the UN and in the international situation since 1945 and to achieve an equitable representation.

By any sensible measure of 'equity', the reform of the Security Council in 2005 should result in India's elevation to the Security Council with the same powers as China and the USA. The Indian government may have suspended its interest in the veto power for now, but that is not sufficient reason for the rest of the world to ignore the question. The outcome of various package deals and votes in September 2005 will not alter the fundamentals of India's 'claim' to veto power.

The exercise of the veto power has been seen by influential quarters of world opinion, including by leading commentators in India, as one of the main reasons for Security Council reform and something to be eliminated. Many countries see the veto as entrenching the global military pre-eminence of the USA or other great powers and allowing them to trample on the rights of small countries, through invasion or other military pressure. Even the High Level Panel agreed that the 'institution of the veto has an anachronistic character that is unsuitable for the institution in an increasingly democratic age'.

But if abolition of the veto power is impossible at present, then UN members will need to ensure that the continuing existence of a veto power, and its use, reflect the evolving character of international order. This is essential in respect of recognising and exploiting the power relativities (economic wealth and military might) that are most influential in shaping international peace and security. As long as the veto exists, the veto power must be available to those great powers capable of destabilising global order.

Even if India succeeds at the Millennium Review summit in its bid to be elevated to permanent membership of the Security Council, the case for it having a veto power will still be alive and will need to be revisited in the short to medium term.

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Introduction

In 1992 the UN General Assembly adopted Resolution 47/62 entitled *The Question of Equitable Representation on and Increase in the Membership of the UN Security Council*.¹ The resolution reflected three main complaints – one, the Council no longer represented modern political realities; two, its decisions were made by a small percentage of the UN membership reflecting only Western values and interests; and three, that it lacked ‘equitable’ representation. Since the UN Charter came into force in 1945, there have only been five permanent members (P-5) in the Council and each had the power to veto decisions of a majority of other members. Three of the five are European, representing about ten per cent of humanity, while only one is Asian, representing more than 30 per cent of humanity. There are no African states in the permanent membership.

Even the political complexion of the P-5 has changed dramatically since 1945. The Republic of China is no longer a member of the UN system, the USSR has ceased to exist, and the empires of the UK and France have vanished. Moreover, the Security Council’s permanent members have consistently put their national interests ahead of any collective security interests, going against the implicit provision in the UN Charter which conferred responsibility on them for the maintenance of ‘international peace and security’. The Security Council, therefore, has been widely viewed as unrepresentative and lacking in credibility.

From its inception, all power in the UN came to be concentrated in the Security Council, specifically with the P-5 who were given the power to veto. After the increase in size to 15 in 1963, the Security Council was seen increasingly as a ‘body of five plus ten members’.²

¹ A/RES/47/62, 84th plenary meeting, 11 December 1992, ‘Question of equitable representation on and increase in the membership of the Security Council’, <http://www.un.org/documents/ga/res/47/a47r062.htm>.

² Kishore Mahubani, ‘The Permanent Members and Elected Council Members’, in Ed. Malone (2004) pp. 253-265

While the P-5 were given power without responsibility, the Elected Ten (E-10) were given responsibility without power, as much of the agenda procedures and policies of the Council were settled by the time a new member joined the Council. This brought the legitimacy and transparency of the Security Council into question.

Despite the Charter provision that the veto should not be used for procedural issues, the P-5 are allowed to use their veto implicitly in many closed-door consultations.³ This largely unaccountable nature of the Security Council came under attack by the General Assembly, which has increased in size from 51 in 1945 to 191 today. The limited membership of the P-5, with its unprecedented powers and right to veto, has been a major source of tension between the GA and P-5, leading the former to press for Security Council reform.

Through the 1990s, the pressure for reform achieved little in concrete terms except an improvement in the transparency of the Council's work.⁴ And the most recent reform proposals have focussed on the size and composition of the UNSC. Most UNGA members seem to support an enlargement of the Council in the non-permanent category.⁵ Support for permanent membership is harder to gauge, particularly on the issue of which new countries should get a permanent seat on the Council. India, Germany, Brazil and Japan are the frontrunners in pressing for permanent candidacy.

The purpose of this paper is to highlight India's perspective in this Security Council reform debate, including reference to the veto power. The first section addresses India's relations with the Security Council since 1945 and examines whether India's claim might be 'legitimate'. The second section examines India's active role in rallying support for its candidature for a permanent seat, especially through the mechanism of the G-4 (allying with Japan, Germany and Brazil). This section also illustrates India's likely long term plans as a permanent member. The final section reviews international reaction

³ Ibid.

⁴ David Malone (ed), *The UN Security Council: From the Cold War to the 21st Century*, (Boulder CO, 2004) p. 12.

⁵ Bardo Fassbender, 'Pressure for Security Council Reform', in Malone (ed), *The UN Security Council*, pp. 341-353.

to India's bid. The conclusion looks at the way ahead, paying special attention to India's claim — only recently suspended — to hold the veto power if it takes a permanent seat in the Council. There is room for considerable concern about the expansion of the Security Council without it being reformed.⁶

India and the Security Council

When the United Nations was formed in 1945, Mahatma Gandhi felt that India, which then included Pakistan and Bangladesh, should become a veto-wielding member of the Security Council. However, British India was moving towards partition at the time and Indian leaders were focused on gaining independence, passing up the opportunity India had of gaining a permanent seat.⁷ Like most newly independent nations, India joined as a member of the UN General Assembly, submitting resolutions to the Security Council in this capacity.

As a member of the GA since 1947, India has been actively engaging with the Security Council. Even under different governments and despite falling out of favour with the Council over Kashmir and the issue of disarmament, India's foreign policy has, by and large, followed a realistic and pragmatic approach. Indeed, India's contribution to the working of the UN has been substantial.

India first went to the Security Council on 1 January 1948 to submit a complaint against Pakistan. During 1950-51, India was an elected non-permanent member of the Security Council. During this tenure, the Council adopted three resolutions on the India-Pakistan question and took three other decisions; on all of which India abstained. The subsequent souring of relations between the UNSC and India has led many in India to feel that India is still paying the price of going to the UN over Kashmir.⁸ However, the Kashmir debates of 1957 were instrumental in strengthening the Security Council's authority under Chapter VI and Chapter VII of the UN Charter. The Indian Defence

⁶ Praful Bidwai, 'Sparring Over A Seat', *The News International*, 23 September 2004.

⁷ S. Cohen, 'India: Emerging Power', (Brookings: 2001), p. 33.

⁸ C. Rajamohan, 'Is the United Nations relevant?', *The Hindu*, 24 October 2002.

Minister, Krishna Menon, insisted that the Security Council must make a determination under Article 39 in Chapter VII if it wished to enforce its decisions.⁹

The 1960s and 1970s seemed to be even worse decades for India's relations with the Council. Following China's first nuclear test in 1964, India rushed to the UN seeking a disarmament treaty. Instead, New Delhi was targeted with the Nuclear Non-Proliferation treaty. India intervened in the crisis of East Pakistan in 1971, claiming that it was trying to end one of the world's biggest genocides.¹⁰ India got little support from the UN. Only a Soviet veto prevented the UN imposing sanctions on India for its intervention.

At the very first session of the UN, India had raised its voice against colonialism and apartheid and as decolonisation began to change the face of the world, India positioned itself as the Third World or Non-Aligned voice on the Council. India hoped that the UN system would be democratised by the 'trade union of decolonised nations'.¹¹ However, despite drafting numerous resolutions on transforming the world in the 1970s and 1980s, India's early vision was far from being realised. India has been criticised for possessing such a naïve opinion of the UN Security Council, which a leading Indian sociologist has termed as a 'bazaar for the trading of interests between major powers'.¹²

Still, India proved that it was at the forefront of the international scene and did provide an alternative voice to the Cold war rival blocks by leading the Non-Aligned Movement of decolonised nations. India was an early champion of the concept of peaceful co-existence between the communist bloc and the free world. That alternate voice is now being heard and several of the current reform proposals insist on the inclusion of countries from the developing world so that the Global South is represented on the Council.

⁹ S. Bailey and Sam Daws, 'The Procedure of the UN Security Council', (Oxford: 1998), p. 253-254.

¹⁰ Virendra Dayal, former UN diplomat, interview, 23 May 2005.

¹¹ C. Rajamohan, 'Is the United Nations relevant?' *The Hindu*, 24 October 2002

¹² *Ibid.*

Indian foreign policy is said to combine 'Gandhian non-violence with a touch of Kissinger-like pragmatism'.¹³ India is traditionally seen as a peace-loving country with non-aggression and non-interference as the cornerstone of its *Panchsheel* policy.¹⁴ India's commitment to the UN Charter and maintenance of peace and security – a guiding factor in the selection of additional Council members – is evidenced by the fact that India has been an energetic and influential participant in the UN debates on peacekeeping, and has contributed more than 67,000 personnel to 37 out of the 56 UN Peacekeeping missions established till 2003.¹⁵

Although the P-5 are all nuclear powers, the fact that India is a nuclear power is a double-edged sword. On the one hand, being a nuclear power seems to add to India's legitimacy of gaining a permanent seat. On the other hand, India's policies on nuclear power in the past have come under severe criticism from the UN. In 1996, India rejected the Comprehensive Test Ban Treaty (CTBT) and found itself in virtual isolation. Two years later, when India tested its nuclear weapons and declared itself a nuclear power, New Delhi was subjected to unanimous Resolution 1172 (June 1998) that called on it to abandon its nuclear and missiles programme. Statements made in the UN clearly state India's position: there should be a common recognition that all measures that are discussed are global and non-discriminatory and will therefore enhance the security of all.¹⁶ However, some feel that India's position is hypocritical - while it supports a stronger UN role in Iraq, it will not touch Resolution 1172 with a barge pole.¹⁷

¹³ 'Why India?' *The Hindustan Times*, 10 November 2003.

¹⁴ Joint statement signed in June 1954 between Indian Prime Minister Jawaharlal Nehru and his Chinese counterpart Zhou En Lai elaborating their vision of Panchsheel (5 principles) of mutual respect for each other's territorial integrity and sovereignty, mutual non-aggression, mutual non-interference, equality and mutual benefit and peaceful co-existence.

¹⁵ Centre for United Nations Peacekeeping, New Delhi: Keynote address by Foreign Secretary, 21 August 2003, <http://meaindia.nic.in>.

¹⁶ Statement by H.E. Ms. Savitri Kunadi, Permanent Representative of India to the United Nations in Geneva at the General Debate in the First Committee, New York, 15 October 1999. <http://www.un.int/india/ind56.htm>

¹⁷ C. Rajamohan, 'Is the United Nations relevant?', *The Hindu*, 24 October 2002.

Perhaps the easiest argument in favour of India becoming a member of the Security Council is demography. India is the second most populous country in the world comprising almost 1/5 of humanity; this fact in itself merits representation. Moreover, India is also the largest functional democracy: this fits into the urgent need for democratising the Council. India has also participated in all initiatives of the UN and UN organs, as well as on discussions on the Agenda for Peace and the Agenda for Development. India supported the establishment of UNICEF on a permanent basis, the creation of UNDP, the establishment of UNEP, the restructuring of the UN in economic and social fields and is currently supporting the UN Development Fund.¹⁸

India's economic emergence on the world stage is the final contributing factor legitimising India's claim to a permanent seat in the Security Council. India's software and IT-enabled service sector have raised India's economic profile. India is also one of the top ten economies in the world with the potential of becoming the third largest in the next thirty years.¹⁹ India has also made regular financial contributions to the UN and never faltered on its payments. India led the G-22 at the WTO ministerial meet at Cancun; India was invited to participate at the G-7 meeting in February 2005 for the first time and India also attended the G-8 summit hosted by Britain.

India's Reaction to Proposed Reforms

For more than a decade, various suggestions have been put forward for reforming the UN Security Council. While most of them focus on the enlargement of the Council, some of them call for change within the P-5 itself and of veto reform. This chapter will first recount some of the most vociferous proposals, especially the most recent High Level Panel Report, and will then analyse India's response.

¹⁸ UN Reform Process, <http://www.un.int/india>.

¹⁹ 'Why India?' *The Hindustan Times*, 10 November 2003.

The Question of Seats

Since the passing of UNGA Resolution 47/62 agreeing the need for reform of the Council, the criteria that a state might meet in order to gain permanent membership have been widely debated. Putative criteria for the selection of new members (and the retention of existing ones) have been inferred from the nature of the Council itself, and the implication that its permanent members need to possess the attributes of a great power. If one criterion for permanent membership was being a major economic player, both Germany and Japan would satisfy that. If a second criterion were military capability, this might imply that France should retain its seat because of its contribution to UN peacekeeping operations. The contribution of states to the UN budget might be third criterion. On this count, Japan and Germany – as second and third highest contributors respectively – would have a strong case for a permanent seat. A fourth criterion might be population size: this would support India's case without any doubt, but would bring into contention states like Indonesia, with 230 million, while Germany, France and Britain, with populations smaller than 100 million, might seem less qualified on that count. A fifth criterion might be possession of nuclear weapons, which club now includes Israel, Pakistan and possibly North Korea.

The original aim of the UNGA resolution – equitable representation – has been interpreted in some quarters to mean equitable geographical representation, imagined to be one seat each for Asia, Africa, and Latin America and the Caribbean.²⁰ Another interpretation sees it as a balance between the developed world and developing countries. In 1997 the United States endorsed a proposal of giving three new permanent seats to developing countries.²¹

Suggestions for change in status of the current P-5 or extension of the veto power would be the most difficult to implement. The proposal that Britain and France should give up their seats for a joint

²⁰ Emma Mantanle, 'Reform of the UN Security Council: Changing the seats at the top table', RIIA Briefing paper no. 15, December 1994.

²¹ Fassbender, 'Pressure for Security Council Reform', pp. 341-353.

EU seat has not been a popular one.²² Another proposal has suggested the conversion of permanent seats into six-year mandates on the model of many domestic institutions like the US Congress. These it calls *senatorial seats* which should be accompanied with the enlargement of the Council; and substitution of the veto by a qualified majority to make the Security Council more accountable.²³ Yet another proposal has suggested a three tier membership – first tier: P-5 using veto restrictively; second tier: five new permanent members without veto; and third tier: rotating non-permanent members as in the present system. This would bring the total membership to twenty-one.²⁴

The push for representation of the Global South on the Council comes from members of the Non-Aligned Movement. They are not likely to support Japan and Germany if new permanent members are not appointed from among the developing countries. The Arab or Islamic block and East European nations have also staked their claim for representation on the Security Council.²⁵ There are some signs that Africa and more recently Latin America and the Caribbean are considering sharing a regional permanent seat. Sam Daws, Executive Director of the UN Association of the UK, believes that Asia will follow if these countries adopted the idea.²⁶ Indeed, a major problem among the three regions has been the inability to agree on states that would represent them. Brazil is opposed by Latin American Spanish-speaking states, particularly Argentina and Mexico; India is opposed by Pakistan; and in Africa, South Africa and Egypt have emerged as strong competitors of Nigeria.

In view of the need to meet the challenges of the broader security agenda, Sam Daws and Frances Stewart suggested the setting up of an Economic and Social Security Council (ESSC) to cover

²² Mats Berdal, 'The UN Security Council: Ineffective but Indispensable', *Survival*, Vol. 45, No. 2, Summer 2003, pp. 7-30.

²³ Mantanle, 'Reform of the UN Security Council'.

²⁴ *Ibid.*

²⁵ N.K. Pant, 'Will it remain a big boys club?', *The Hindustan Times*, 18 November 2003.

²⁶ Sam Daws, 'Seeking seats, votes and vetoes', *The World Today*, October 1997, pp.256-259.

economic, social and environmental arenas, with a role similar to that of the Security Council in security matters.²⁷ Members on this Council would be representative of the existing realities of power as well as of those in different stages of development. A body of 20 members was proposed with the ten countries with the greatest economic power having semi-permanent membership and decision-making requiring a two-thirds majority. The suggestion for another form of 'security council' begs the question: Has the existing Security Council then degenerated to such a degree that reform from within seems impossible?

The most recent proposal for reform has come from the United Nations Secretary General, Kofi Annan. After the Iraq war, Annan decided to establish a High Level Panel of eminent personalities to which he assigned four tasks: first, to examine the current challenges to peace and security; second, to consider the contribution which collective action can make in addressing these challenges; third, to review the functioning of the major organs of the United Nations and the relationship between them; and fourth, to recommend ways of strengthening the United Nations through reform of its institutions and processes.²⁸ Speaking in New Delhi, Annan argued:

India has made an enormous contribution to the United Nations, through the efforts of its Government, and the work of Indian scholars, soldiers and international civil servants....So it was natural when eighteen months ago I asked a group of international experts to make recommendations for strengthening our system of collective security and adapting it to the threats and challenges of the 21st century, that I asked one of your citizens, the former commander of one of those peacekeeping operations, to

²⁷ Frances Stewart and Sam Daws, 'An Economic and Social Security Council at the United Nations', *Working Paper Number 68*, March 2001.

²⁸ The Secretary General's Address to the General Assembly, New York, 23 September 2003 (full address at www.un.org/apps/sg/sgstats.asp)

play a part in the panel – your very distinguished general, Satish Nambiar, whom I turned to to assist us.²⁹

The panel report highlighted the challenge for Security Council reform: to make the Council more representative by broadening membership, especially from the developing world; to increase the effectiveness of the Council, by enhancing its capacity and willingness to act in the face of threats.³⁰ The panel proposed two options for reform, both involving distribution of seats between four major regional areas – Africa, Asia and Pacific, Europe and the Americas. Model A suggested adding six new permanent members and three non-permanent members; Model B suggested no new permanent seats but the creation of a new tier of eight renewable-term seats, two each from Asia and Pacific, Africa, Europe and the Americas, who would serve for four years. Model B also included one new non-renewable seat. The panel also suggested that there should be a review of the composition of the Security Council in 2020 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.³¹

Yet another model looks for a solution that recognises the political realities of regional representation more specifically than the high level panel's models did. Ben Freeman, the Executive Director of *People for a Democratic and Effective UN* suggests that India deserves a shared seat in an expansion package consisting of ten nations in paired sets who share five seats: Nigeria and Egypt, India and Pakistan, Japan and Indonesia, Brazil and Mexico, Germany and Turkey sharing five seats. The leading country in each pair in terms of GDP would be represented on the Council 60 per cent of the time. The leading country in each pair would also have to provide more troops and make higher contributions for UN operations. Freeman's reform proposal most significantly includes four Islamic countries since he believes that the need of the hour is to bring the

²⁹ 'In Larger Freedom – the changing role of the United Nations', Secretary General's public lecture, New Delhi, 28 April 2005.

³⁰ 'A More Secure World: Our Shared Responsibility', Report of the High-level Panel on Threats, Challenges and Change', (UN: 2004) p. 80.

³¹ *Ibid.*, p. 82.

Muslim world into the forefront to help fight terrorism and Islamic fundamentalism.³²

The Question of the Veto

Suggestions for Security Council reform more often than not include suggestions for veto reform. The veto system has been roundly criticised on many grounds. The veto is seen by many states as inconsistent with the concept of democracy and sovereign equality in the UN. Though as Bardo Fassbender points out, there is no mention in the Charter of democratic principle applying to the Council.³³ It is likely that at the time the Charter was drafted, the veto was seen as a good idea since it was better to have the Security Council stalemated rather than have that body used by the majority to take action so strongly opposed by a dissident great power that a world war was likely to ensue. This was, to many observers, exactly what happened between Germany and the League of Nations.

Nearly all UN members outside the P-5 feel very strongly about the veto. Many have advocated the limitation of veto use as a step towards a long process for veto abolition.³⁴ This is rather a utopian view since there is no indication that the P-5 will even consider giving up this privilege. Until very recently, aspirants for new permanent members (including India) were in fact demanding the extension of the veto. Dayal termed this demand as quixotic, since the General Assembly would never agree to possibly six more vetoes on the Council as this would most certainly damage the Council.³⁵ Though the High Level Panel report states that as a whole the veto has an anachronistic character in an increasingly democratic age, it also states that under any reform proposal there should be no expansion of the veto.³⁶ Annan backed this

³² Ben Freeman, Executive Director, People for a Democratic and Effective UN, interview, 19 May 2005.

³³ Fassbender, 'Pressure for Security Council Reform'.

³⁴ N.K. Pant, 'Will it remain a big boys club?' *The Hindustan Times*, 18 November 2003.

³⁵ Virendra Dayal, interview.

³⁶ 'A More Secure World: Our Shared Responsibility: Report of the High-level Panel on Threats, Challenges and Change', p. 82.

recommendation of the Panel and in his speech in New Delhi said that the representation of new members from the developing world on the Council was in itself a major step forward, with or without a veto.³⁷

One of the most plausible solutions for veto reform came from the NAM countries that called for restricting the use of the veto to Chapter VII and requiring at least two vetoes to be cast for a resolution to be defeated.³⁸ A similar proposal was made by a Ford Foundation-Yale University Working Group that comprised members from the North and South which called for the enlargement of non-veto permanent members while restricting the use of the veto by the P-5 only to peacekeeping and enforcing measures which could be achieved without Charter amendment. The main merit of this transitional proposal is that it reduces the danger that the North will altogether derail reform.³⁹ Another suggestion for veto modification is a *weighted voting* system based on the EU modified veto system in Brussels. Here, a voting system was created which gave Germany, France and the UK more votes than the smaller members. By the same rule, the US should be given the most votes in the UN along with the creation of a joint British-French-EU seat within this weighted voting system.⁴⁰

Where does India stand?

Almost until the drafting of the G-4 resolution, India has been very adamant about demanding a permanent seat with the power of veto. India's External Affairs Minister Natwar Singh has been quoted several times in the media saying that India wants a veto-wielding power as a permanent member.⁴¹ Commodore Uday Bhaskar, Officiating Director of the Institute of Defence and Strategic Analyses

³⁷ 'In Larger Freedom – the changing role of the United Nations', Q&A, Secretary General's speech, New Delhi, 28 April 2005.

³⁸ Bailey and Daws (1998) p. 386.

³⁹ Praful Bidwai, 'Sparring Over A Seat', *The News International*, 23 September 2004.

⁴⁰ Ben Freeman, 'Preventing Future Iraqs' (draft).

⁴¹ 'Panel on UN reforms has called veto "anachronistic"', *The Hindu*, 5 December 2004; 'Natwar for expansion of UNSC to make it more representative', <http://www.expressindia.com>, 26 April 2005.

(IDSA) in New Delhi, is of the view that India should have been invited by the United Nations to join as a permanent member, and India's claim to a veto is wholly justified. In fact he argues that India should refuse (along with Germany, Japan and Brazil) a seat if it is not given veto power.⁴² The Indian Ambassador to the UN, Nirupam Sen said at an informal debate in the General Assembly on the High Level Panel Report: 'A new category of permanent members without veto would not balance the weight of existing permanent members. That is precisely why new permanent members should have the veto under guidelines that would act as an example to other permanent members'.⁴³ At the same time, Sen also said that India would have no objection if the veto were abolished seeing as then there would not be any discrimination.⁴⁴

While India still feels strongly about veto power, it has realised that in order to get wider support at the current time, it would have to forego its claim to veto power. The G-4 draft resolution therefore calls for a decision now on new permanent seats without veto power, and proposes a revisiting of the veto question in 15 years. The next section discusses this resolution in greater detail.

In addition to a permanent seat for itself, India feels strongly about the inclusion of major developing nations as permanent members; considering this as vital for the UN to take control of the international economic agenda, promote reform in world economic institutions and protect weak states.⁴⁵ In particular, India and the other members of the G-4 believe that Model B of the High Level Panel report would not correct the democratic deficit of the UN as there is a need for permanent membership of the three regions to remedy this shortcoming. A Council that consists of all major regions and major contributors to international peace and security will be more able to enforce and implement decisions and therefore command greater political authority and effectiveness. Model B in fact is seen as highly

⁴² Uday Bhaskar, interview, 23 May 2005.

⁴³ 'India rejects increase in non-perm members of UNSC', <http://www.expressindia.com>, 26 April 2005.

⁴⁴ 'India rejects UNSC seat sans veto', <http://www.expressindia.com>, 26 April 2005.

⁴⁵ 'India rejects increase in non-perm members of UNSC', <http://www.expressindia.com>, 26 April 2005.

divisive since creation of the third category would create a more hierarchical Security Council.⁴⁶

India's Goals

In 1993 the General Assembly established an Open-Ended (open to all Member States) Working Group with a mandate to consider the question of an increase in the membership of the Security Council and all other matters related to the body.⁴⁷ Though the Working Group operates on consensus, agreement on a widely accepted formula regarding the Council's enlargement has not yet been achieved. While for the expansion of the Security Council, a consensus among all 191 UN members would obviously be desirable, Annan is keen to see a framework resolution in place before world leaders meet at the Millennium Review summit in New York in September. Annan has said that if after healthy discussion a consensus cannot be reached, a vote should be called.⁴⁸ India shared the view that consensus should not become an excuse for inaction.⁴⁹ If the issue is put to a vote, a resolution would have to gain a two-thirds majority vote in the General Assembly and then have agreed upon by the P-5. None of the G-4 members can be complacent about the P-5, especially since previously as many as 59 vetoes have been cast within the P-5 to block the admission of newer member states to the General Assembly.

To gain the necessary votes, India has had to rally support for itself. India has been active in sending emissaries to different countries, particularly the P-5 and the African Union. By joining Germany, Brazil and Japan, India has strengthened its position internationally as a global player.

⁴⁶ Reforming the UN Security Council: Aide Memoire (draft).

⁴⁷ General Assembly Resolution on the Question of Equitable Representation On And Increase Of The Security Council, A/RES/48/26, December 1993

⁴⁸ 'India hopes for resolution on UNSC expansion soon', <http://news.indiainfo.com>, 22 March 2005.

⁴⁹ 'India pushes for reform at UN', <http://www.expressindia.com>, 27 April 2005.

India has been active in trying to rally the support of the P-5. Through forming strategic partnerships with these countries, India has tried to build goodwill for itself. The Indian Prime Minister Manmohan Singh met Tony Blair in September 2004 when they adopted a declaration on *India-UK: Towards a new and dynamic partnership*, and Blair reiterated UK's support of India's claim.⁵⁰ In early 2005, Condoleeza Rice visited New Delhi to strengthen Indo-US ties; and in July 2005, Singh met George Bush to discuss strategic relations particularly on sharing of nuclear technology. Though the US government was non-committal on India's claim to a permanent seat, there seemed to be definite improvement in bilateral relations between the two. China and India established a strategic dialogue stressing the importance of reforming international institutions including the UN Security Council. On his visit to India, the Chinese Premier Wen Jiabao conveyed to Manmohan Singh that China supports a bigger role for India in the UN and the UN Security Council, but did not comment directly on India's bid.⁵¹

India has also sought to establish good bilateral relations with the other members of the G-4. Ties between India and the EU became stronger in June 2000 when the first EU-India summit was held. The German Foreign Minister Joschka Fischer met the Indian External Affairs Minister Natwar Singh to affirm their claim to become permanent members of the Security Council and work together for an early revamping of the UN system.⁵² The Japanese Foreign Minister Yoriko Kawaguchi gave similar assurances to India.⁵³ The G-4 countries have also been working jointly to strengthen their claim to permanent membership. In a meeting on UN reforms, India, Brazil, Japan and Germany issued a joint press statement:

The Security Council must reflect the realities of the international community in the 21st century. It must be representative, legitimate and effective. It is essential that the Security Council include, on a permanent basis, countries that have the will and capacity to take on

⁵⁰ Prime Minister's statement in Parliament on Foreign Policy.

⁵¹ 'India already a big country: China; but elusive on UNSC', *The Hindu*, 1 April 2005.

⁵² C. Rajamohan, 'India, Germany to work for UN reforms', *The Hindu*, 19 May 2000.

⁵³ Q. 125-Japan's support to Get Permanent Seat in Security Council, 2 December 2004, <http://meaindian.nic.in>.

major responsibilities with regards to the maintenance of international peace and security. There also has been a nearly four-fold increase in the membership of the United Nations since its inception in 1945, including a sharp increase in the number of developing countries. The Security Council, therefore, must be expanded in both the permanent and non-permanent categories, including developing and developed countries as new permanent members.⁵⁴

The G-4 call themselves 'self-appointed promoters' for Security Council reform. Together they have made several efforts to rally the support of the UNGA, and noted in March 2005 that a clear majority of states – about 120 – were in favour of their pursuit of Council reform.⁵⁵

On 1 April 2005, over 150 member states of the UN met in New York at a meeting convened by the G-4 to discuss the reform and expansion of the UN Security Council. At this meeting, India made a pitch for its inclusion in the expanded Council as a permanent member with veto power.⁵⁶ However, barely two months later, the G-4 members tabled a resolution that included foregoing the right to veto decisions for 15 years. International opposition to the extension of the veto (discussed in the last section) is likely to have been a significant factor in reversing the G-4 claim to the veto. This resolution proposed the expansion of the Security Council from 15 to 25 members by adding six new permanent – two Asian, one Western European and one from Latin America and the Caribbean (comprising the G-4 themselves); plus two African members – and four non-permanent members. For a two-thirds majority, the support of the 53-member African Union is essential for the G-4; their resolution, therefore, included two permanent and one non-permanent seat for the AU.

The G-4 is also trying to pressure the UN in many ways. For example, Japan, the second largest financial contributor to the UN,

⁵⁴ Joint Press Statement-India, Brazil, Japan and Germany Meeting on UN Reforms, New York, 21 September 2004.

⁵⁵ 'India hopes for resolution on UNSC expansion soon', <http://news.indiainfo.com>, 22 March 2005.

⁵⁶ Suman Guha Mazumdar, 'India shows there is support for UN reform', <http://www.rediff.com/news>, 1 April 2005.

has warned that it would face intense domestic pressure to cut its grant if it fails to secure a permanent seat in the Security Council.⁵⁷

The question of India's influence in the Security Council addresses the issue at the core of Security Council effectiveness, namely its influence in the international arena especially in maintaining international peace and security. Freeman is of the view that India still would have immense influence on a veto-less Council. According to him, having had consistently good relations with Russia, India will have considerable influence over Russian positions. The need to include India now is also intensified by the fact that China is soon likely to be the second new superpower in the world. Therefore, India would act as a counterweight to China that would give it significant influence with the US, EU and China's neighbours, including Japan. Finally, India would still be the most influential Third World state.⁵⁸

Some Indian critics of the Security Council feel that a Council seat is not the best indicator of international standing and that soft power probably matters more than hard power.⁵⁹ Bhaskar feels that influence in international affairs lies really outside the UN. Just as all nuclear challenges are being dealt with outside the UN, militarily; it is the United States, Russia, China and India that are decisive and comprise what he calls the M-4. Economically, as the G-7 has evolved to the G-8 to include Russia, a natural progression to include China and India in a new G-10, together with the M-4, would be more representative of the global reality than the current P-5.⁶⁰

India believes its permanent membership of the Council would moderate the arbitrariness of the present permanent members in decision-making matters, particularly to do with international peace and security. Indeed, India wants to be involved in the steering and

⁵⁷ 'Japan says aid to UN could be affected if denied UNSC seat', *The Hindu*, 28 July 2005.

⁵⁸ Ben Freeman, interview.

⁵⁹ Praful Bidwai, 'Sparring Over A Seat', *The News International*, 23 September 2004.

⁶⁰ C. Uday Bhaskar, 'UN Reforms and India: Need for Calibrated Prudence', www.idsa.com, 22 May 2005.

have a say in these matters.⁶¹ India is keen to see an empowered UN that can take on the world policeman role, which some feel seems to have been usurped by US unilateralism at the present time.⁶² Moreover, India sees itself as the champion of the developing world and is keen to establish development as central to the UN's agenda.⁶³ Annan has been quoted as saying that India's has been one of the most eloquent voices helping shape the UN agenda on behalf of the developing world.⁶⁴ At his speech in New Delhi, Annan said,

“Indians have better understood than many other peoples that the goals of the ‘larger freedom’ that which include development, security and human rights are not alternatives. They have been single-mindedly pursuing larger freedom through pluralist democracy”.⁶⁵

While India is likely to continue contributing more troops to peacekeeping operations particularly in Africa, India also realises the need for mainstreaming other aspects of security. These include India's efforts in tackling HIV/AIDs internally as well as in Africa by producing generic drugs and prioritising water disputes. Annan is also keen to adopt the Indian sponsored Comprehensive Convention Against Terrorism. Again, India believes that the current imbalance between the Security Council and the General Assembly needs to be rectified. At the moment, the Security Council is encroaching on areas that rightfully belong to the General Assembly; there is an urgent need, therefore, to restructure decision-making to include security issues, for a reinvigorated General Assembly. India would also like to see an empowered Economic and Social Council to oversee the working of the World Bank, the IMF and the WTO.⁶⁶

⁶¹ Virendra Dayal, interview.

⁶² Ben Freeman, 'Preventing Future Iraqs' (draft).

⁶³ UN Reform Process, http://www.un.int/india/india_and_the_un_unreform.html

⁶⁴ 'Annan's praise boosts India's UN ambition', *The Hindustan Times*, 29 April 2005.

⁶⁵ 'In Larger Freedom – the changing role of the United Nations', Secretary General's speech, New Delhi, 28 April 2005.

⁶⁶ Indian Permanent Representative to the UN (draft document).

International Reaction to India

International reaction to India and the G-4 has been a major factor in shaping the tone of the G-4 resolution. While the P-5 members are not unanimous in their reactions to India, the group of countries led by Pakistan, known as the 'Coffee Club' is firmly opposed to the addition of new members in the permanent category. In order to oppose the G-4 resolution, the Coffee Club has tabled its own resolution called 'Uniting for Consensus'. Unexpectedly and to the dismay of the G-4, the African Union in the last month has tabled its own resolution that has differences with the one tabled by the G-4. Approaching September, the G-4 are insecure about gaining their majority vote.

P-5 reaction to India has been inconsistent, particularly after India dropped its demand for veto power. It seems that each member of the P-5 is against the extension of the veto. Britain and France have been the only two P-5 members that have been supportive of India's claim to a permanent seat, albeit without veto power. France is one of the 23 countries co-sponsoring the G-4 proposal. Traditionally Indo-Russian ties have been very firm; in fact the Russian veto saved India's position on several occasions. The Russian President Vladimir Putin was quoted in the Indian media as saying, 'India should have the veto power as a potential permanent member',⁶⁷ however others believe that he was compelled to say this.⁶⁸ Russian policy on India's claim is described as wait-and-see, and even with the dropping of the veto demand Russia's position seems to be unclear.⁶⁹

The US position on India has been the hardest among the P-5. There has been no history of Indo-US strategic collaboration. Some Americans in fact regard a UN seat for India as a 'reward' for India's nuclear programme and the fear that this would further accelerate

⁶⁷ 'India to coordinate with 'other three' on Council seat', *The Hindu*, 18 December 2004.

⁶⁸ C. Rajamohan, 'India and the irrelevance of the UN', <http://www.expressindia.com>, 26 April 2005.

⁶⁹ 'UN 'on track' for Council reform', BBC news, 11 June 2005.

the trend towards nuclear weapons among India's allies including Japan, making India less sensitive to American interests.⁷⁰ Following the G-4 resolution however, the US tabled its own resolution that backed limited expansion of the Security Council, allowing two new nations – one of them Japan – to take up permanent seats.⁷¹

China's response has perhaps been the most damaging, not just for India but for the G-4 in general. China is insisting on a decision by consensus as opposed to a vote, which many see as an attempt by China to 'scuttle the process'.⁷² Both the US and China have been active in lobbying support against the G-4 position, including with African nations at the AU summit in Libya.⁷³ Though China is firmly opposed to the candidacy of Japan which the US supports, their primary aim is to oppose the G-4 and make sure that they do not have enough votes to take the risk to divide the house.⁷⁴

The Coffee Club members are opposed to Model A of the High Level Panel report and in favour of Model B. Led by Pakistan, this group comprises of 12 member states including Italy, Canada, Colombia and South Korea. According to Pakistan's Foreign Minister Dr. Rifaat Hussain, Pakistan's long-standing position has been opposition to the *principle* of adding new permanent members.⁷⁵ The Indian press has recorded Pakistan as having said 'If we want to choose, we will support Germany and Japan against India'.⁷⁶ However, Pakistan strongly feels that the emphasis on UN Security Council expansion is 'hijacking the entire UN reform agenda'.⁷⁷ Critics of the G-4 plan see it as a bid for power.

The opposition of the Coffee Club has been quite significant and on 23 May 2005 Kofi Annan called a meeting of the G-4 and members

⁷⁰ Cohen, 'India: Emerging Power', p. 296.

⁷¹ 'US supports UN council expansion', BBC news, 17 June 2005.

⁷² 'China move may scuttle India's hopes on UNSC', *The Hindu*, 5 April 2005.

⁷³ Amit Baruah, 'G-4 proposals: chances for compromise', *The Hindu*, 17 July 2005.

⁷⁴ 'China and US 'unite' over UN bid', BBC news, 4 August 2005.

⁷⁵ Talk by Dr. Rifaat Hussain, International Institute of Strategic Studies, 14 April 2005.

⁷⁶ Bidwai, 'Sparring Over A Seat'.

⁷⁷ 'Pakistan's UNSC stance not India-specific: Kasuri', *Press Trust of India*, 10 June 2005.

of the Coffee Club at the UN Headquarters to try and iron out differences. This group's plan, 'Uniting for Consensus,' proposes adding ten new non-permanent members serving for two-year renewable terms. This would bring the number of non-permanent members to 20 which would include representation from all major geographical regions according to the plan: six from African states, five from Asian States, four from Latin American and Caribbean States, three from Western Europe and Other States, and two from Eastern European States. This plan was seen by the drafters as the 'fairest and most democratic approach to the complex and controversial question of Security Council enlargement, while seeking the broadest possible consensus on how to proceed'.⁷⁸

Support to the G-4 from the 15 member Caribbean community (CARICOM) is far from unconditional. The CARICOM members met from July 3-6 and issued a communiqué making their support contingent on strong support for their development agenda as small, vulnerable states; inclusion of the proposals of the AU in relation to the expansion of the Security Council; and acceptance of the principle of rotation of membership on the Security Council.⁷⁹

In face of the Coffee Club opposition and lack of unanimity among the P-5, the support of the 53-member AU is particularly important for the G-4. The AU tabled their resolution in the General Assembly on 13 July 2005, two days after the G-4 resolution. The AU system working on consensus drafted a proposal calling for two permanent seats for Africa (in addition to those of the G-4) with veto power and five non-permanent seats including one from Africa, bringing the total number of members in the Security Council to 26. The three regional powerhouses with Africa – Nigeria in the west, South Africa in the south and Egypt in the north each want a permanent seat. This has been a source of conflict between these countries. The G-4 have been putting pressure on the AU to back down from its demands for veto power and an additional non-permanent seat, and have met to sort out these differences. At the AU summit in Addis

⁷⁸ 'Uniting for Consensus' Group of States introduces text on Security Council reform to General Assembly, Press Release GA/10371.

⁷⁹ Amit Baruah, 'G-4 proposals: chances for compromise', *The Hindu*, 17 July 2005.

Ababa on 4 August 2005, the AU members rejected the plea to drop their veto request, a big blow to the G-4 plan.

Conclusion

This paper has situated India's position within the debate of UN Security Council reform by putting forward perspectives from the Indian media, diplomatic circles and Indian scholars. Both the debate at the current time, and India's views, are focused on the size and composition of the Council. This reform is an essential first step of the larger reform process; indeed it is hoped that bringing these new countries on the high table will change the nature of the debate. Already, positive sounds in this direction are being made by the Secretary General who has said: 'The UN must undertake the most sweeping overhaul to date to strengthen collective security, lay down a truly global strategy for development and promote human rights and democracy to meet the emerging challenges'.⁸⁰

The case for India's permanent seat and veto power in the body responsible for maintaining international peace and security is as compelling as it is simple. India is the world's largest democracy, soon to be the world's most populous country, and home to over 15 per cent of the world's population; it possesses nuclear weapons and strategic missiles; it has at various times taken a global leadership role, not least in its co-founding of the Non-Aligned Movement in 1955; and as an early champion of the concept of 'peaceful co-existence' between the communist bloc and the free world, India has been a leading advocate of 'peaceful' foreign policies and non-aggression. In 2005, the World Bank ranked India as having the fourth biggest GDP in the world (in terms of purchasing power parity), and tenth biggest (in terms of the conventional GDP measure). India has taken part in more than 30 UN peacekeeping operations, including some of the most difficult.

Even if India succeeds at the Millennium summit in 2005 in its bid to be elevated to permanent membership of the Security Council, the

⁸⁰ 'Annan calls for reforms to meet challenges', *The Hindustan Times*, 26 April 2005.

case for it having a veto power will still be alive. Even the High Level Panel agreed, while advocating no expansion of the veto power, that the 'institution of the veto has an anachronistic character that is unsuitable for the institution in an increasingly democratic age'. But if abolition is impossible because the UN Charter provisions for amendment are themselves subject to veto, then the UN members will need to ensure that the continuing existence of a veto power and its use reflect the evolving character of international order. This is essential in respect of recognising and exploiting the power relativities (economic wealth and military might) that are most influential in shaping peace and security.

India occupies a unique position in the emerging international order. To maximise the chances for peace in increasingly volatile global circumstances, all the member states of the UN should work toward India's early entry into the Security Council as a permanent member with veto power. The outcome of various package deals and votes in September 2005 will not alter the fundamentals of India's 'claim' to veto power.

The power of Security Council members can never be permanent, a proposition demonstrated by the revolutionary domestic changes in Russia and China and the decolonisation of the British and French empires after 1945. With a politically and economically emerging India matched with a prominent geo-strategic position; it can only be in the interests of all current P-5 members to admit democratic and 'peaceable' India to their ranks with veto power. Likewise, to maximise the chances for peace and restrain extravagant abuse in the Security Council in increasingly volatile global circumstances, the smaller member states of the UN should work toward India's early entry into the Security Council as a permanent member with veto power.

Appendix 1: History of Non-Permanent Representation on the UN Security Council

| Years | Countries |
|-------|---|
| 18 | Brazil |
| 16 | Japan |
| 14 | Argentina |
| 12 | Canada, India, Pakistan, Colombia |
| 10 | Italy |
| 9 | Poland |
| 8 | Australia, Belgium, Chile, Germany, Netherlands, Norway, Panama, Spain, Venezuela |
| 7 | Egypt, Yugoslavia |
| 6 | Bulgaria, Cuba, Denmark, Ecuador, Malaysia, Nigeria, Peru, Romania, Sweden, Syria, Tunisia, Ukraine, Zambia |
| 5 | Algeria, Ireland, Mexico, New Zealand, Philippines, Turkey |
| 4 | Austria, Bangladesh, Bolivia, Cameroon, Costa Rica, Cote d'Ivoire, Ethiopia, Finland, Gabon, Ghana, Guinea, Guyana, Hungary, Indonesia, Iraq, Jamaica, Jordan, Kenya, Mali, Mauritania, Morocco, Nepal, Nicaragua, Portugal, Senegal |
| 3 | Benin, Czechoslovakia, Slovenia, Uganda, |
| 2 | Angola, Bahrain, Belarus, Botswana, Burkina Faso, Burundi, Cape Verde, Sri Lanka, Czech Republic/Czechoslovakia, Kongo (Zaire), Djibouti, Gambia, East Germany, Greece, Guinea-Bissau, Honduras, Iran, Kuwait, Lebanon, Libya, Madagascar, Malta, Mauritius, Namibia, Niger, Oman, Paraguay, Republic of Korea, Congo (Brazzaville), Sierra Leone, Singapore, Somalia, Sudan, Tanzania, Thailand, Togo, Trinidad and Tobago, United Arab Emirates, United Arab Republic (Syria and Egypt), Uruguay, Yemen, Zimbabwe |
| 1 | Liberia |

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The veto right, or the UN Charter's requirement for the SC Permanent Members' unanimity, remains the cornerstone of the UN system, which was created to guard peace and security after the Second World War. It would be easy to destroy it, but there is no workable alternative at the moment. This is not a privilege, but a reflection of the high responsibility of the P5 for maintaining peace and security, which reflects both the historic contribution that the Permanent Members made to establishing the UN and their continued practical role in the world. At the same time it reflects the wisdom of the India has recently dropped its insistence on acquiring veto power as part of its bid for a permanent seat on the Council. Yet the role of the veto is central to the founding purposes of the Security Council. The outcome of various package deals and votes in September 2005 will not alter the fundamentals of India's claim to veto power. Therefore, and notwithstanding the "anachronistic character" of the veto, this pamphlet argues that it is in the best interests of all UN member states to ensure that a peaceable, politically developed and economically strong India has not only a permanent seat on the Security Council but also veto power. Because key UN reforms were blocked by three permanent members of the UN Security Council recently (China, US and Russia blocked the reforms, UK and France supported them). From my answer to Does the blow to India's chances of getting a permanent UNSC seat depict India's failed foreign policy? There are five permanent members of the SC, which reflect the power balance of the world at the time the institution was created.) This veto power has been used in a manner that is totally illustrative of each country's changing status in the world. Number of resolutions vetoed by permanent members, divided by 20-year periods. (Image Source: Wikimedia Commons United Nations Security Council. "Reform of the Council is a key pillar for overall organizational reform," he said, adding that the objective must be to position the Council to meet emerging challenges. Noting several relevant initiatives, he called for compromised solutions that enjoy broad support from Member States. Intergovernmental negotiations within the General Assembly "are the only avenue to achieve Council reform," he said, underscoring a need for consistency regarding reform discussions. Stating that paralysis due to political divisions or veto prevents the Council from acting in an efficient, effective and timely manner, he also called for more accountability and transparency, particularly in the sanctions committees. The "subterranean world" of sanctions is an area requiring greater clarity.