



Elect the Council



Summary

Towards a legitimate and effective UN Security Council

Elect the Council is a global civil society initiative to advocate for countries to be elected to the United Nations Security Council based on regional representation, and to do away with the system of permanent seats and veto rights. The initiative intends to support member states to work to an enabling resolution by the UN General Assembly that would expand the Council and, over a period of 15 years, normalise the power and influence of the Permanent Five.

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IN SHORT

There is near-unanimous consensus on the need to reform the United Nations Security Council (UNSC), but change through intergovernmental negotiations is rendered impossible by competition among members (and among different country groupings) and the ability of the Permanent Five (P5) to block progress.

The world is changing, but not the UNSC. Established by 51 countries 70 years ago, the UN now has 193 member states that coexist, compete and cooperate in a world that is very different from 1945. Beyond a threefold increase in the global population, the rapidly changing world of the 21st century is characterised by a diffusion of power (away from states); an accompanying shift in relative material power and influence from the West/North to the East/South; and an ongoing transition from a brief period of unipolarity to greater multipolarity.

The global village effect that results in an interconnected world and the marked increase in new forms of instability (terrorism, cybercrime, etc.) demand new approaches to resolve the impasse.

It is not possible to reform the UNSC without an amendment to the UN Charter – and while only member states can effect such an amendment, they have repeatedly proven themselves unable to grasp this nettle. In the meantime, the role and influence of civil society organisations in global governance have grown exponentially. Bringing these two propositions together, Elect the Council argues that civil society should bring its weight to bear on the task of major structural and procedural reform of the UNSC in order to retrieve its eroding legitimacy and fading relevance, make it more representative, and enhance its effectiveness and transparency.

In accordance with Article 108 of the UN Charter, we advocate for a resolution to amend the Charter, ‘adopted by a vote of two thirds of the members of the General Assembly [UNGA] and ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations, including all the permanent members of the Security Council’. The draft UNGA resolution will be attached as an annexure to a final version of this summary document.

Moving to a system of regionally elected countries to serve on the UNSC will enhance legitimacy and improve effectiveness. By restoring a sense of fairness and transparency to the UNSC, a new lease of life will be given to an institution that will be tested as globalisation and shifts in power take their toll. These changes at the pinnacle of the UN would, in time, unlock systemic reform across the entire complex and disparate UN system.

The background to and motivation for the proposals that are summarised below are set out in a longer, separate document also available at www.electthecouncil.org. There are many dimensions to UN reform, ranging from technical to systemic change. Elect the Council is focussed only on the reform of the UNSC and believes that it should be dealt with separately.

SUMMARY PROPOSALS

A reformed UNSC should consist of 24 seats of which eight countries would be elected for five years and 16 countries elected for three-year terms, with staggered elections to ensure overlap and continuity. During a 15-year transition period the current P5 members would occupy five of the five-year seats and have additional votes during the first 10 years.

Elections to seats on the UNSC should occur on the basis of the same (or largely similar) electoral regions that currently elect the non-permanent members to the UNSC. Elect the Council proposes five minimum criteria for candidates, to be included in the draft UNGA resolution, but the electoral regions should adopt their own modalities to identify candidates (rotation, competition, additional regional criteria, etc.) within their respective regions. Thus electoral regions would be responsible to ensure that candidate countries meet the following criteria:

- Experience (i.e. peacekeeping deployment, engagement in humanitarian support, conflict resolution and participation in peacebuilding) and capacity (i.e. resources such as diplomatic missions in New York, Geneva and Nairobi, globally and in conflict-affected regions)
- Financial good standing with the UN and its agencies
- Willingness to shoulder additional financial contributions to UN efforts on international peace and security, as determined by the UNGA
- Respect for open, inclusive and accountable governance, the rule of law and international human rights standards

Countries elected to the five-year seats would be eligible for immediate (and indefinite) re-election and the intention is that global powers and regional leaders be re-elected in this capacity.

Each electoral region would be entitled to one five-year and two three-year seats per 22 member countries, rounded off to the nearest full number. Based on the current regional groupings, Table 1 sets out the seats per region.

Table 1: Seats on a transformed UNSC per electoral region

Regional group	5-year members	3-year members	Total seats
African Group	2	4	6
Asia-Pacific Group	2	4	6
Eastern European Group	1	2	3

Latin American and Caribbean Group (GRULAC)	1	4	6
Western European and Others Group (WEOG)	1	2	3
TOTAL	8	16	24

Both substantive and procedural decisions within the UNSC would require a two-thirds majority of those present and voting.

Parties to a conflict would have the right to be heard but may not vote (if they are serving members of the Council).

The current P5 members would immediately lose their veto rights but remain members of the UNSC for 15 years without the need to contest elections within their respective regions. During this period they would occupy five of the five-year seats. For the first five-year period the vote of each the former P5 countries would count as three votes instead of one, while during the second five-year period their votes would each count as two votes instead of one. The maximum number of votes during a session of the Council would therefore be 34, 29 and 24 in each of the three successive five-year periods during which the P5 members are not elected to the UNSC. After 15 years the P5 members would need to contest for elections in their respective regions should they wish to remain on the UNSC.

While the current electoral groupings may change at any point, under the current groupings the P5 could occupy the following five five-year seats:

- Asia-Pacific Group – China. This group would still have to elect one additional five-year seat and four three-year seats.
- EEG – Russia. This group would still have to elect countries to fill two three-year seats.
- WEOG – The USA, UK or France. This group would still have to elect two countries to fill three-year seats.
- African Group – The USA, UK or France. This group would still have to elect four three-year seats.
- GRULAG – the USA, UK or France. This group would still have to elect one country to fill a five-year seat and four three-year seats.

An alternative arrangement could see the US fill one of the five-year seats in the GRULAC or Asia-Pacific grouping, or various options at rotation.

The UNSC would provisionally adopt and recommend (with a two-thirds majority of those present and voting) draft rules of procedure to the UNGA within one year of the enabling UNGA resolution. The UNGA would be required to approve these rules of procedure by means of a two-thirds majority vote of those states present and voting, within one year after receipt of the draft rules of procedure. Pending such approval, the UNSC should be allowed to operate based on the draft rules of procedure. Should the UNSC be unable to submit draft

rules of procedure to the UNGA, the latter would finalise and adopt, by a simple majority, its own version of the rules to which the UNSC will adhere. If no agreement can be reached within the UNGA, the issue will be referred to the International Court of Justice for a final and binding decision.

Member states would be required to pass national legislation giving effect to the UNGA resolution within one year.

ANNEX
DRAFT UNGA RESOLUTION ON AMENDMENT OF THE UN CHARTER

To be finalized.