

INDIA'S MEMBERSHIP OF UN SECURITY COUNCIL

Daily Excelsior Apr 05, 2004

Notwithstanding the statistics that are at times put forward in support of the role of the United Nations Organisation in maintaining world peace, over the years since its creation, the Organisation seems to have generally failed to live up to the expectations of its members. The generally accepted assessment, in fact, is that while the UN may have played a useful role in defusing certain disputes, which might have otherwise led to international conflicts, it has failed to settle definitely even a single dispute brought before it. The failure of the Organisation to fulfil its obligations has been virtually admitted by the United Nations Secretary General Kofi Annan in his address to the General Assembly in September 2003. Kofi Annan, however, seems to believe that the failings are a recent phenomenon attributable to the emergence of new and unforeseen threats and challenges to world peace. This is apparent from the high level panel that he created on "threats, challenges and change to generate new ideas about the kinds of policies and institutions required for the United Nations to be effective in the 21st Century".

While the Secretary General's expression of concern for world peace and the action taken by him in this regard are most laudable, he seems to have missed the trees for the bushes. The functioning of the UNO, it would appear, is affected not so much by the changed scenario and the new threats that have emerged in its wake, as it is by the contradictions and handicaps inherent in its existing constitution. The latest failure of the UN to restrain the United States from taking recourse to war against Iraq, (which seems to have prompted Kofi Annan to make this statement and look for remedial measures), may also be attributed to this original malaise.

The most pernicious type of contradiction that has affected the functioning of the UNO is that even as the Organisation itself is based on the principle of sovereign equality of all its members, the US, the USSR, UK, France and China have been made more equal than others. Besides being made permanent members of the Security Council, each of them has been granted veto power to over-rule majority decisions. The idea of granting special status to the five great powers originated at the San Francisco Conference in 1945, where delegates from 50 nations met to hammer out the charter of the United Nations. Here it was appreciated that five nations – USA, USSR, UK, France and China – who were instrumental in bringing about the defeat of the Axis powers, and whose war making capacity continued to be intact, carried special responsibility towards the maintenance of international peace in the post World War II era. Also appreciated was the need for forging unity of purpose among these Big Five, so that they may pull together and not allow the United Nations Organisation to go the way of the League of Nations. The danger of one or the other of the Big Five walking out of the United Nations Organisation over the issue of a perceived threat to its national interests on being out-voted was sought to be met by providing each with appropriate safe-guards within the Organisation. It was thus that notwithstanding the principle of "sovereign equality" laid down in the UN Charter, the Big Five were accorded a special status in the World Organisation. They were not only granted the privilege of being made the permanent members of the Security Council but were also conferred with the discretionary power of veto to over-rule any majority decision, as a defence against "involuntary servitude". The provision created a ridiculous situation nevertheless. Because of this veto power no action towards settlement of disputes or implementing enforcement measures could be taken against any defaulting member of the Big Five without its consent.

The worst was that the provision of the veto power - bad in law and against all canons of justice – was open to misuse and the Big Five seem to have exploited their advantage most unabashedly. During the period of the ‘cold war’ that followed World War II, the Big Five set themselves up in two power blocks each led by one of the two Super Powers – the USA and the Soviet Union. Both these power blocks are known to have exploited their power of the veto for the extension of their respective spheres of influence by alluring the less privileged nations into their fold with promises of exercising the veto for their benefit as and when required. The support so extended was not without a price though and the Super Power bestowing the favour invariably extracted its pound of flesh. Ultimately most of the smaller nations had gravitated towards one block or the other depending on their security concerns – the disclaimers put out by some who had professedly formed into a non-aligned group notwithstanding – till, practically, the entire polity of nations had got divided into two blocks. The proceedings of the UN Assembly, thereafter, became farcical with debates and voting influenced more by block affiliations than justice and fair-play. It is this absolute power of the Big Five, exercised by them with total lack of sense of responsibility and for promoting purely selfish interests that has pushed the Security Council to the present state of redundancy. Adoption of remedial measures that fail to take cognisance of this hard fact is bound to end up, ultimately, as an exercise in futility. The recommendations of the high level United Nations Panel, set up by the UN Secretary General, for the revival of the authority and utility of the Security Council must, therefore, be viewed in this light.

Most of the recommendations of the Panel – which incidentally included Lieutenant General Satish Nambiar (retd), as an unofficial Indian member – would remain to be of academic value only unless their implementation is vigorously backed by the two super powers with a spirit of self sacrifice for the common good. Only time can tell if the miracle would take place. There is, however, one concrete proposal that is likely to be implemented sooner than later. This relates to the reorganisation of the Security Council to make it more representative by increasing the number of its permanent members. While this step by itself may be considered as a positive one the attached proviso depriving the new entrants of veto power would appear to be retrogressive. It amounts to perpetuating the hegemony of the Big Five at the United Nations, which is responsible of the sorry state that the Security Council finds itself in today. The right thing would have been to withdraw the veto power from the Big Five also, but if that cannot be done then it should be conferred on all the permanent members. Proliferation of the veto power would, perhaps, create the necessary checks and balances for restraining its misuse.

India is a strong contender for a permanent seat at the council and if the official policy of the United States is to help India become a major world power in 21st Century, as recently revealed by the US Ambassador to India, its membership is more or less assured. The prospect of being bestowed with the privilege and honour of being considered a power to be reckoned with, has, in fact, already generated a certain amount of euphoria in the country. Our gaining entry into the august body may not, however, be worth anything more than just an honour if it is to be without the power of the veto. Some of our top experts on national security have rolled out statistics to suggest that as the rate of use of veto power has been successively diminishing over the years - particularly since the end of the Cold War - its utility may fall to zero level in few years hence. Where then, it is argued, is the need for India to lose sleep over the UNSC veto power. Statistics, however, could be misleading. What is important is the need for the use of the veto power and not the number of times that such a need may arise. The need for the use of the veto may arise just once in a country’s lifetime but that once may be for meeting a situation that

is of paramount importance for its survival. India itself has had to face the Anglo-American gang up over the Kashmir issue at the UN in the early fifties to fight which it was forced to requisition the Soviet veto power and pay heavily for it.

India, thereafter, was forced to give up its non-aligned policy – *de facto* if not *de jure* – and walk right into the Soviet camp even if discreetly. What, however, hurt Indian interests most was when the Soviet Union black-mailed India into accepting the Tashkent Agreement, with the threat of withdrawing its support over the Kashmir issue at the UN. The Soviet interests then lay in appeasing Pakistan if only to lure it away from the US camp. In the bargain India was made to lose at the conference table all that it had won on the battlefield. Subsequently, the Soviet Union insisted on India joining the Soviet Block more overtly by signing a twenty years' Treaty of Friendship in return for promise of its political support during the Bangladesh war. No doubt the situation has since changed and the Western Block is unlikely to use its brute majority in the UN to try and force a decision down our throat to help their protégé as happened in the past but it does not take time for the political equations to change and similar situations arising again when we may be required to by veto power from one Super Power or the other.

What use can this membership of the Security Council be for India if it is to be without veto power? It will neither help India in contributing towards world peace, nor free it from dependence on others for the protection of its bonafied national interests. So let India say no to permanent membership of the Security Council if it is to be without the veto power.