

# India and United Nations Security Council (UNSC)

*Showkat Ahmad Bhat*

Research scholar, Department of Political science, University of Kashmir

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## ABSTRACT

India aspires and wants to be permanent member of United Nations Security Council (UNSC) because India has all the qualities that requires for the permanent berth in the United Nations Security Council like India is nuclear weapon state, member of Nuclear Supplier Group (NSG), member of Missile Technology Control Regime (MTCR) and so on. But the reform of the United Security Council is problematic because enlarging the permanent membership could impair decision-making. None of the existing permanent members-USA, Russia, the UK, China and France are keen to give up their seats. USA supports for India's permanent berth in the United Nations Security Council. But this is difficult to make an uncontroversial case for any of the potential new permanent members. The reform of the Security Council is impossible to achieve because of veto powers of its permanent members. The Security Council is responsible for maintaining international peace and security and for restoring peace when it breaks down. Its decisions are binding on all UN member states. The Security Council has tremendous power to define the existence and nature of a security threat, to structure the response to such a threat and to enforce its decisions through compulsory directives to UN members such as to halt trade with an aggressor. The five permanent members of the UNSC are the most important. The UNSC also has ten non-permanent members who rotate on the UNSC for two year terms. Non-permanent members are elected five each year by General Assembly from a list made by informal regional group. Usually there is a mix of regions and country sizes though not by any strict formula. The UNSC's chairperson rotates among the Council members monthly. Substantive Security Council resolutions require 9 votes from among the 15 members. But a "no" vote by any permanent member defeats the resolution-the veto power.

**Key words:** India, UNSC, NSG, MTCR, USA, Russia, the UK, China and France.

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## Background

The First World War fought between the years 1914-1918 which caused death and destruction. This situation made people realize that it is important to keep peace. As a result of this realization a peace-keeping body was thought and created in the shape of League of Nations on 10<sup>th</sup> January 1920. The original members of League were Argentina, Australia, Bolivia, Brazil, Belgium, China, Cuba, India, Italy, Japan, France, Greece etc. The League of Nations was the immediate outcome of the First World War. The First World War convinced the people that war was not an effective method of settling disputes because it helped neither the conqueror nor the conquered. A need of was felt in all quarters of the world for an international organization<sup>1</sup>, strong enough to ward off the recurrence of war, capable of ensuring peace and security in the war-weary world. In fact, the World War First necessitated the establishment of League of Nations to ensure peace and stability in future. Nevertheless, the League of Nations failed to work and the Second World War broke out in 1939. The Second World War continued till 1945. This caused even greater destruction and suffering. This was the most expensive war ever fought in terms of human lives and property because the atom bomb was used in the war. People were mercilessly killed, deformed and disabled. It is difficult to estimate the immense loss suffered by the nations in this war. The leaders of the world were worried that in the event of another war, the entire world would be wiped out. It was realized by all that no such war should occur in future. Therefore, they began to think in terms of establishing an organization which might save the world from the destruction and horrors of war and promote international peace.

The United Nations was founded shortly after the end of the Second World War in 1945 as a replacement for the defunct League of Nations. The League of Nations had been set up in 1919 by the allied victors of the First World War-the UK, The USA, France, Italy and Japan but it was never a successful venture. Although the idea for the League came from US President Woodrow Wilson, in 1920 the USA voted not to be a member and the former Soviet Union (now Russia) did not join until 1934 so for a long time the organization was practically powerless. Japan, Germany and Italy all withdrew in the 1930's to form an anti-Soviet alliance and the Soviet Union was expelled in 1939. Thus in 1945 the League of Nations was disbanded and on 24<sup>th</sup> October, the United Nations was established in its place. Fifty One nation-states originally came together to form the membership of the UN. Its initial charter included commitment to tackle poverty, war and unemployment world as well as social development and world economic policy. In practice, as the organization has evolved, these responsibilities have been passed down to specialist agencies. For example, economic responsibilities

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<sup>1</sup> The term „international organization“ has been defined as any cooperative arrangement instituted among states to perm some mutually advantageous functions implemented through periodic meetings and staff activities.

have been taken over by such bodies as the IMF, WB and WTO which many critics believe are primarily geared towards serving the interests of the developed world.<sup>2</sup>

It was during the Second World War that President Roosevelt of USA and Prime Minister Churchill of Great Britain suggested the creation of international organizations to ensure peace in the world. In November 1943, the delegates of USA, former USSR, Great Britain and China met in Moscow and emphasized the need for a world organization to maintain peace and security in the world. Later in October 1944 at Dumbarton Oaks near Washington DC, these four countries drew up a draft proposal to form such an organization. Finally, a Conference of 50 nations called on 25 April 1945 at San Francisco in the USA. San Francisco Conference officially known as the United Nations Conference on International Organization (UNCIO) having delegates of 50 nations<sup>3</sup> met on April 25 1945 to discuss the proposals made by the States on the Dumbarton Oaks Conference, the Yalta Conference and the amendments proposed by various governments. The delegates at San Francisco met for two months in full session and in small committees drew up the 111 Articles of the Charter.<sup>4</sup> Thus UN was founded in 1945 in San Francisco by 51 states. It was the successor to the League of Nations which had failed to effectively counter aggression in the 1930's-Japan simply quit when the League condemned Japanese aggression against China. Like the League of Nations, the UN was founded to increase international order and the rule of law to prevent another world war. There has long been a certain tension between the UN and the USA as the world's most powerful state. The USA had not joined the League of Nations and it was partly to assure USA interest that the UN headquarters was placed in New York. The UN in some ways constrains the USA by creating the one coalition that can rival USA's power that all the states. A certain isolationist line in US foreign policy runs counter to the UN concept. However, the UN amplifies US power because USA leads the global UN coalition. The USA is not rich or strong enough to keep order in the world by itself. As a great trading nation, the USA benefits from the stability and order that the UN helps to create.<sup>5</sup> Apart from it, in the San Francisco conference the charter<sup>6</sup> of UNO was prepared. The UN charter is based on the principles that states are equal under international that states have full sovereignty over their own affairs that states should have full independence and territorial integrity and that states should carry out their international obligations like respecting diplomatic privileges, refraining from committing aggression and observing the terms of treaties they sign. The Charter also lays out the structure of the UN and the methods by which it operates.<sup>7</sup> Fifty One nations including India ratified the charter. This came into effect on October 24, 1945. Since then this day is observed every year as the United Nations Day. The UNO has its Headquarters at New York (USA) at present it has 193 countries its members. This includes almost all the independent countries of the world. The first meeting of the General Assembly of the UN was held in London on June 10, 1946 where only three months later there took place the last session of the League of Nations Assembly for winding up the League as an outgoing concern. The official languages of the UNO are Arabic, Chinese, English, French, Russian and Spanish. The principal objectives of the UN as spelled out by its founding Charter are as follows:

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### Objective s of the UN

1. To save the succeeding generation from scourge of war.
2. To maintain faith in fundamental human rights, in the work and dignity of human person and equal rights of men, women and nations, large and small.
3. To establish conditions under which justice and respect for the obligations arising from treaties can be maintained.
4. To promote social progress and better standard of life.

### Purpose of the UN

Article I of the UN Charter lays down as follows:

1. 1.To maintain international peace and security and to achieve this end to take effective collective measures for the prevention and removal of threat to peace.
2. To achieve international cooperation in solving international problems of economic, social, cultural and humanitarian character.
3. To develop friendly relations among nations based on respect for the principle of equal rights.
4. 4.To be a center for harmonizing the actions to achieve the above ends.

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<sup>2</sup> Darren J. O'Byrne "Human Rights: An Introduction" Pearson Education Limited, Delhi, India, 2004, p.80.

<sup>3</sup> Out of 50 original members 17 were from Europe, North America and Oceania, 20 were from Latin American countries, 9 from Asia and 4 from Africa. India was a founding member of the UN. India participated in the UNCIO but its views were not the views of the India.

<sup>4</sup>Dr.H.O.Agarwal "International Law & Human Rights" 14<sup>th</sup> ed. Central law publications, Allahabad, India,2007, p.346.

<sup>5</sup> Joshua S. Goldstein "International Relations" sixth edition, Pearson education,2005,p.289.

<sup>6</sup> The charter of the UNO is like its constitution. This states the aims and the principles of the UNO.The opening words of the UNO Charter, signed in June 1945, set out the main purpose of the UNO: " We are determined to save the succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind".

<sup>7</sup> Joshua S. Goldstein "International Relations" sixth edition, Pearson education,2005, p. 286.

### ***Principles of the UN***

1. The organization is based on the principle of the sovereign equality of all its members.
2. The members will fulfill in good faith the obligations in accordance with the Charter.
3. The UN shall ensure that the states which are not the members of the UN will act according to the principle of the UNO.
4. All the members of the UNO will settle their disputes peacefully.
5. The members shall refrain in their international relations from the threat or use of force against territorial integrity.
6. All the members shall give the UNO assistance in any actions; it takes in accordance with the Charter.
7. The UNO will not interfere in the domestic matters of the states.<sup>8</sup>

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### **The UNO has six main organs**

#### ***1. The General Assembly,***

This is the main deliberative organ of the UN sometimes considered as the parliament of nations. This assembly has all members of the UN, each of which has a single vote. The assembly can debate and pass resolutions on any matter covered by the Charter and has specific responsibility to examine and approve the UN's budget, determine the members contributions and elect in conjunctions with the security Council, The UN Secretary General and the judges of the International Court of Justice .Important decisions in the assembly must be carried by a two-third majority but crucially these decisions are recommendations rather than enforceable international law.

#### ***2. The Security Council,***

The Security Council is an executive organ of the UN which is entrusted with a primary responsibility for the maintenance of international peace and security.<sup>9</sup> The final responsibility for the success or failure of the UN rests on the Security Council as it deal with the implementation of the decisions of General Assembly and charter of the UN. If General Assembly is the deliberative organ, the Security Council is the enforcement organ of the UN. Originally the Security Council had 11 members of the UN-The USA, the former USSR (now Russia) England, China and France as five permanent members and six non-permanent members elected by the General Assembly for a term of two years. But on first January 1966, the membership of Security Council was increased to 15 including 5 permanent and 10 non-permanent members elected for two years. The non-permanent members are not eligible for immediate re-election. While electing the members of Security Council, the General Assembly has to keep in view the geographical consideration. It ensures that global representation is given to all areas in the Security Council. General Assembly also considers the contribution of the states towards international peace and security for granting membership of the Council. In fact, in October 1995, the UN celebrated its 50<sup>th</sup> anniversary. On this occasion a special commemorative meeting of the General Assembly was held. The meeting gave a call for reformation and modernization of the UN for firmly dealing with terrorism and other transnational organized crimes including drug trafficking and for ensuring a nuclear free peaceful world. It also gave a call for removing economic and trade imbalances and for preventing the growing economic bankruptcy. The need for securing adequate presence of developing countries on the basis of objective criteria was emphasized by India and several other countries. The UN reform plan was five crucial endorsements by the government of 16 countries. The group of 16 includes Australia, Brazil, Canada, the Czech Republic, Egypt, India, Indonesia, Ireland, Ivory Coast, Jamaica, Japan, Mexico, the Netherlands, South America, South Korea and Sweden. This group was created in 1995 at the time of the 50<sup>th</sup> anniversary of the UN; particularly the issue of expansion of the UN Security Council is still pending. There is every need to democratize and really globalize the UN Security Council by admitting some states like India as permanent members.<sup>10</sup> Accordingly the Security Council is charged with the maintenance of international peace and security and so is responsible of the UN's role as

1. **Negotiator**-The UN can send negotiators to help resolve differences.
2. **Observer**-the UN can send unarmed representatives to visit a troubled area following a ceasefire.
3. **Sanctions**-the UN can advise its member states to cease trading with one or both of the warring parties.
4. **Peace-keeper**- the UN asks its members states to provide troops to monitor a ceasefire, wearing UN colours
5. **Enforcer**-and ultimately peace enforcer-the UN can send in troops to take a more direct and active role in bringing about a cessation of

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<sup>8</sup>Dr.H.O.Agarwal "*International Law & Human Rights*" 14<sup>th</sup> ed. Central law publications, Allahabad, India,2007, pp.347-351.

<sup>9</sup> Vernon Van Dyke "*International Politics*" second edition, Vakils, feffer and Simons private limited, Bombay, India, 1968,p.408.

<sup>10</sup> Andrew Heywood "*Politics*" "Palgrave Macmillan, New York, third edition, 2007, p.158.

conflict; this has never actually happened.<sup>11</sup>

Although the principal aims and objectives of the UNSC betray a realist perception of the world grounded as they are in the maintenance of peace and national security, there is evidence to suggest that since the end of the Cold War it has taken a more active role in promoting human rights standards, blurring the boundaries between state sovereignty and ethical questions of rights. However, the UNSC cannot in all honesty be relied upon to serve as a consistent defender of these standards which may from time to time conflict with its primary objectives. Other organs of the UNO are more directly committed to upholding human rights. In reality, most of the UN work is carried out by specialist agencies which are answerable to one or another of the main organs.<sup>12</sup> The UNS Council has the power to pass legally binding resolutions to suspend or expel members, to impose economic sanctions and to take military action to maintain or restore peace and security. The Security Council has 15 members. The Big five or P-5-The USA, Russia, the UK, China and France are permanent veto powers –meaning that they can block decisions made by other members of the Council. The 10 members are non-permanent members elected for two years by the General Assembly in line with an established, if imperfect, regional balance.<sup>13</sup>

### **3. The Economic and Social Council**

This has 54 members elected by the General Assembly. Its chief role is to coordinate the economic and social work of the UN and the UN family of organizations. This involves overseeing the activities of a large number of programs, funds and specialized agencies. These include the so-called “three sisters”-the World Bank, the International Monetary Fund(IMF)<sup>14</sup> and the World Trade Organization (WTO)<sup>15</sup>-and also bodies such as the International Labour Organization (ILO), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization(UNESCO) and the United Nations Children’s Fund (UNICEF). The expansion of the UN’s economic and social institutions occurred largely along functionalist lines, bodies being created or further developed as specific economic and social problems emerged.<sup>16</sup>

### **4. Trusteeship Council,**

The objective of the Trusteeship Council is to help in the attainment of independence to those territories which are under foreign rule. Most of such territories have now attained independence. Namibia achieved its independence in 1990.<sup>17</sup>

### **5. World Court (formerly the International Court of Justice)**

This court is the judicial arm of the UN. This court has 15 judges. No judges can be from the same country. The Security Council and the General Assembly elect these judges for a period of nine years. This is based in The Hague (Netherlands). The court’s role is to seek to resolve conflicts between states by law rather than by force; states involved in conflict or disagreement can ask for their disputes to be considered by the International Court and abide by its decision; this should not be confused with the International Criminal Court.<sup>18</sup> This decides disputes among its member nations. This also gives advice to the different bodies of the UNO. Dame Rosalyn Higgins was the first woman to be elected as judge of the International Court of Justice.<sup>19</sup>

### **6. The Secretariat.**

The Secretariat is the executive branch of the UN and it is headed by the UN Secretary General, Antonio Guterres is the present Secretary General of the UN. The Secretary General works closely with the UN Security Council. The Secretary General is considered as a “president of the world,” he or she can do much to influence the status and direction of the organization. But the Secretary General represents member states-especially the five permanent Security Council members and not the world’s people. The Secretary General is nominated by the Security Council that requires the consent of all five permanent members and must be approved by the General Assembly.<sup>20</sup>

Thus Secretariat services the other principal organs of the UN and administers the programmes and policies laid down by them. Although its main activities are located in the UN’s headquarters in New York. This has offices all over the world and a total staff of about 40,000. At its head is the Secretary-General who functions as the public face of the as well as its chief administrative officer. Appointed by the Assembly on the recommendation of the Security Council for a five year, renewable term, the Secretary-General deals with a multi-faced bureaucracy staffed by civil servants from many states and cultures and tries to maintain the UN’s independence often in a context of rivalry amongst P-5 states. However, Secretaries-General have some capacity to influence the status and policy direction of the organizations. Although the UN is best known for its high profile peace-keeping

<sup>11</sup> David P. Forsythe “*Human Rights in International Relations*” Cambridge, Cambridge University Press, 2000, p.62.

<sup>12</sup> Darren J. O’Byrne “*Human Rights: An Introduction*” Pearson Education Limited, Delhi, India, 2004, p.83.

<sup>13</sup> Andrew Heywood “*Politics*” Palgrave Macmillan, New York, third edition, 2007, p.158.

<sup>14</sup> Give loans, grants and technical assistance for economic development and IMF manages international balance-of-payments accounting.

<sup>15</sup> Sets rules for international trade.

<sup>16</sup> Joshua S. Goldstein “*International Relations*” sixth edition, Pearson education, 2005, pp.300-301.

<sup>17</sup> Ibid, p.288.

<sup>18</sup> Darren J. O’Byrne “*Human Rights: An Introduction*” Pearson Education Limited, Delhi, India, 2004, p.82.

<sup>19</sup> Joshua S. Goldstein “*International Relations*” sixth edition, Pearson education, 2005, p.307.

<sup>20</sup> Ibid, p.298.

operation, its reputation is shaped by the work of a number of specialist agencies coordinated by the Economic and Social Council of the General Assembly. These include the World Health Organization (WHO), the United Nations Children's fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United High Commission for Refugees (UNHCR).<sup>21</sup> The capacity of the UN to develop into a form of world government is severely limited by the fact that it is essentially a creature of its members: it can do no more than its member states and particularly the permanent members of the Security Council permit. As a result, UN's role has been confined essentially to providing mechanisms that facilitate the peaceful resolution of international conflicts. Nevertheless, the history of UN was virtually paralyzed by the superpower rivalry. The Cold War ensured that on most issues the USA and former Soviet Union (now Russia) adopted opposing positions which prevented the Security Council from taking decisive action.

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### **Role of India at UNO**

From the very beginning India has supported the United Nations and its programmes. India has always looked upon the United Nations as an institution which would enlarge freedom, peace and prosperity through international cooperation. India always played a leading role in the UN in opposing the colonial rule in different parts of the world. We supported the cause of freedom in the countries-Indonesia, Libya, Tunisia, Ghana, Morocco and Algeria. India has consistently supported the UN in opposing apartheid and racial discrimination practiced by the racist regime of South Africa. India played a significant role in many of the peace-keeping operations of the UN. The UN does not have an army of its own. Therefore, it asks different member countries to lend their forces to it. India sent a medical mission to give first-aid to the wounded in the Korean war. India was given the responsibility to supervise the exchange of prisoners- of- war in Korea. India supplied the largest contingent to the UN Emergency Force in Gaza. The first two commanders of the UN forces in Cyprus were Indians. In the UN operations in Congo, India shouldered the responsibility of sending the largest contingent which helped in bringing the crisis to an end. India has always taken an active part in UN Peace-keeping Operation providing troops, leadership and money. India has also been involved in Peace-keeping Operation in Namibia, Cambodia and Somalia.

India has always demonstrated her faith in the UN as an instrument for building a peaceful and harmonious world community. India considers disarmament necessary for making the world secure from the threat of war. India participated actively in discussions on disarmament in UN. India has always believed that nuclear energy should be used for peaceful purposes and advocates the total elimination of nuclear weapons. On several occasions while addressing the General Assembly representatives of India called disarmament the need of the time. India has always advocated that the prevalent expenditure on armaments should be reduced and the amount saved be diverted towards securing better conditions of livelihood for the people of the world. India along with other developing countries supports the UN for reducing economic disparities between nations. It has made significant contribution to the UN Conference on Trade and Development. India has been actively participating in the Security Council of which she has been a member several times.

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### **India's Stance on the United Nations Security Council Reformation**

The Reformation of the UN Security Council focuses on two key issues: the veto powers of its permanent members and their identity. Permanent membership and the power to veto Council decisions means that the UN is dominated as far as the core issue of peace and security is concerned by great power politics. Some UN members are clearly more equal than others. The requirement of unanimity amongst P-5 states has also effectively purified the UN as the basis for collective security, apart from exceptional circumstances. Besides, the membership of P5 is widely seen to be outdated owing to reflecting the great powers of the immediate post-1945 period not even the superpower politics of the Cold War period. At different times cases have been made out for the inclusion of Japan and Germany in view of their economic strength and more recently for emerging powers such as India, Brazil, Nigeria, Egypt and South Africa.

Japan and Germany are great powers that contribute substantial UN dues based on economic size and large contributions to UN programs and peacekeeping operations. But they have exactly the same formal representation in the UN as tiny states with less than one-hundredth of their populations: one vote in the General Assembly and the chance to rotate on the Security Council in practice they rotate on more often than the tiny states. As global trading powers, Japan and Germany have huge stakes in the ground rules for international security affairs because a stable security climate is good for international business. The security rules are written in the Security Council. Naturally Japan and Germany would like seats at the table. In 2003 Japan decided to reduce its UN dues by one quarter, in part because of unhappiness over the Security Council issue. But including Japan and Germany as permanent Council member would not be simple. If Germany joined, three of the seven permanent members would be European, giving that region unfair weight particularly from the standpoint of former European colonies in the third world. The three European seats could be combined into one – a rotating seat or one representing the European Union. But this would water down the power of Britain and France which can veto any such change in the Charter. Besides if Japan or Germany were given seat then what about India with 20% of the world's population. India too has only a single vote in the General Assembly and so is badly under-represented in the present scheme. China with a veto would not welcome rival India against the UN Security Council. Should not an expanded UN Security Council include at least one predominantly Islamic country such as Indonesia or Nigeria. But which state could represent such a diverse set of countries. What about Latin America and Africa. One plan to overhaul the UN Security Council proposed by Brazil in 1992 would give permanent seats but without veto power to Japan, Germany, India, Brazil, Nigeria, Egypt and others expanding the UN Security Council to around 25 members. It is believed that any overhaul of the UN Security Council would require a change in the UN Charter possibly opening other issues of Charter reform on which member states disagree. Any change or reform would reduce the

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<sup>21</sup> Ibid. p.158.

power of the present five permanent members, any one of which could veto the change. Thus reforms or changes in the structure of the UN Security Council are difficult to achieve except a convincing reason to act.<sup>22</sup>

Obviously, the present membership reflects a regional imbalance with no representation for Africa or for Latin America among its permanent members. The case for a revised membership is that a more representative and up-to-date Council would enjoy wider support and influence helping to make the UN a more effective peace-maker and peacekeeper. In spite of the chance of the reformation of the Security Council is remote because of the veto being the major hindrance standing in the way. Veto status could not be removed without the unanimous agreement of the P-5 states and it is unlikely that any of them would willingly give up their privileged position. Likewise, the continued existence of permanent veto powers is anyway a possibly vital way of ensuring that the UN retains the support of the world's leading states. The enlargement or change in membership of the P-5 is also difficult to bring about. It is more likely to be opposed and blocked by present P-5 states particularly the most vulnerable one's France and the UK. Other P-5 members may also fear the different design of interests and influences that a reformed Council might bring about. There is significant resistance outside the P-5 to candidacy of particular would-be members. For instance, many European States oppose the inclusion of Germany; South Africa opposes the inclusion of Brazil and so on. Accordingly, a revised membership may require the introduction of regular membership reviews as the distribution of global power is always changing.

India contends that the UN Security Council is finding itself unable to act effectively to address increasingly complex issues of international peace and security as it lacked inclusivity of those who need to be members of the powerful organ of the world body. India's contention is that there is process in the UN that has traversed the torturous pathways more than what the process of UN Security Council reform has. India along with Brazil, Japan and Germany are pressing for urgent reform of the UN Security Council and for a permanent seat in the reformed 15-member top organ of the world body. India emphasizes that it is nearly 13 years after the start of the Intergovernmental Negotiations(ING) the process India have is far from a normal UN negotiating process on the question of equitable representation on and increase in the membership of the Security Council. While the world is not what it was when India began the process, the objections to moving forward remain frozen in time. While global challenges of the 21st century have multiplied and India has been stopped by the naysayers to even adopt the process in order to move forward. It is evident that inaction on India's part is not without cost. The Security Council is being called upon to address increasing complex issues of international peace and security. Yet it finds itself unable to act effectively for it is lacking inclusivity of those who need to be there and therefore lacking legitimacy and credibility. India emphasizing that those who have created this impasse in the Intergovernmental Negotiations should take responsibility for ensuring that the UNSC has come to this pass.

The first Intergovernmental Negotiations meeting on UNSC reform in the 75<sup>th</sup> session of the General Assembly took place on 7<sup>th</sup> January 2021 in which the G4 nations-Brazil, India, Japan and Germany asserted that only two things can save the IGN as a format-negotiations of a single text with attributions, reflects various positions taken by member states in the last 12 years and the application of the rules of procedure of the General Assembly(GA).India asserted that in order to achieve progress in the UNSC reform process, it must be ensured in this session of the General Assembly that there is immediate application of General Assembly rules of procedure to the Intergovernmental negotiations(IGN) process. This will ensure openness, transparency and an institutional memory for this process which is essential if genuine negotiations are to take place. Secondly, there must be an outcome text which should ideally be the result of a rolling text, updated after each meeting by the co-chairs to capture the views and positions expressed by all delegations with attributions. India stresses that member states do not deserve to end up in the same position they found India bereft of anything to go by except false promises. In this case India will be forced to look outside the Intergovernmental Negotiations may be to this very General Assembly for a process towards genuine reform. India cannot get a sincere outcome from an insincere process. So far, the Intergovernmental Negotiations has been restricted to making repeated statements of known positions without any effort to narrow differences because it is the only process of its kind in the UN where negotiations have been conducted in a multilateral setting without any text. While this may suit those who wish to block progress, this goes against the very essence of multilateral diplomacy. India do not subscribe to the self-fulfilling prophecy of the nay-sayers on the lack of full consensus for reform. Underlining India's view on regional representation it is absolutely essential that the category of permanent membership of reflect contemporary realities and include adequate representations from all regions of the world. This is outdated that not one country from the entire continent of Africa or from the entire continent of Latin America is represented in the permanent category of the Security Council today. India is describing this as unjustifiable as well as a severe constraint on the credibility and effectiveness of the Council. India calls for six additional permanent seats; two each for Africa and Asia, one for Latin America and the Caribbean and one for the West European and others Group and also for increase in non-permanent seats. There is also a need to stick to equitable geographical distribution and not regional representation which itself is not mentioned in the UN Charter.<sup>23</sup>

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### India aspiring and deserving for permanent seat in UN Security Council

India's desire to get a Security Council membership has also been ruined by her nuclear tests. It is believed that the 1998 nuclear tests of India had hurt India's chances for permanent seat in the UN Security Council and dubbed the Indian nuclear tests a "prudential blunder" because that had created moral resentment. The morality has inherent prudence (good sense) which is sustainable only in an ideal world where all countries are directed by the same moral extent or in a situation where a hegemonic power imposes its ethos in a world it has shaped and presides over.<sup>24</sup> Despite US stance a number of countries support India's candidature for permanent membership of Security Council like Russia, France, Germany, Sweden, Australia, New

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<sup>22</sup>Joshua S. Goldstein "*International Relations*" sixth edition, Pearson education, 2005, p.293.

<sup>23</sup> PTI "*UNSC unable to effectively address complex issues: India*" Greater Kashmir, Srinagar, January 27,2021,p.09.

<sup>24</sup> Amartya Sen "*India and the Bomb*" penguin books,London,2005,p.251.

Zealand, Poland, Japan, Singapore, Thailand, Malaysia, South Africa and Egypt.<sup>25</sup> The USA has supported India's seat in UN Security Council only after Indo-US nuclear deal. But China opposes India's permanent Security Council seat in UN. The USA also supports India's membership into Nuclear Suppliers Group (NSG) because India has completed the criteria for NSG. But it is China's resistance that India could not become a member of NSG where all decisions are taken on the basis of consensus. India is non-signatory of Nuclear Non-Proliferation Treaty that signed 1968 and implemented in 1970. China's stand against India is regarded as Pakistan too has applied for NSG membership along with India.<sup>26</sup> Even Pakistan tried hard to scuttle the Indo-US deal due to sheer rivalry if nothing else. Special efforts were being made to exhort the China to oppose the Indo-US nuclear deal at the Nuclear Supplier Group just as it had in the past tried to sabotage India's claim for permanent membership of the UN Security Council when the issues of reforms of the UN came up.<sup>27</sup> The USA announced in 2010 its support for India's membership in the four multi-lateral export control regimes-Nuclear Suppliers Group (NSG), Missile Technology Control Regime (MTCR), Wassenaar Arrangement (WA) and Australia Group (AG). Among others the most significant announcement was the endorsement of India's bid as a permanent member in a reformed United Nations Security Council (UNSC).<sup>28</sup> India is looking forward to joining the NSG<sup>29</sup> for overcoming the political impediments that are against global interest because strengthening a rules-based order is a natural inclination of a polity like India. India value all opportunities to contribute it. India's membership of the MTCR, Australia Group and the Wassenaar Arrangement are significant. All these groupings are multilateral export control regimes. India as nation with a substantial nuclear industry and thus, India also look forward to joining the NSG for overcoming the political impediments that are against global interest. China has been harshly opposing India's NSG bid primarily on the grounds that New Delhi is not signatory to the Nuclear Non-Proliferation Treaty (NPT). Its opposition has made India's entry into the group difficult as the NSG works on the principle of consensus.<sup>30</sup> Thus, India calls for reforms in the United Nations Security Council (UNSC) claiming that it had not been able to fulfill responsibilities in maintaining global peace and security. India maintains that UNSC was formed after the Second World War and has always played a restricted role globally due to limited representation and UNSC has not been able to fulfill its responsibilities unless the UN particularly the UNSC is reformed because the global body's role in maintaining peace and security will be limited due to lack of representation. Recently the deadlock in the UNSC has surfaced in the context of the Ukraine-Russia conflict. The issue had to be taken to the UN General Assembly. Presently, United Nations Security Council (UNSC) has five permanent members-USA, Russia, the United Kingdom, China and France. India is among the ten non-permanent members of the body. Only a permanent member has the power to veto any substantive resolution. India has been at the forefront of the years-long efforts to reform the UN Security Council by saying it rightly deserving a place as a permanent member.<sup>31</sup>

## Conclusion

Reforming and strengthening the United Nations Security Council (UNSC) is the need of the hour. The world public opinion has been fully supporting this fact. At present, there are various global problems needing global solution through global efforts. Like the problem being posed by the menace of terrorism and ensuring the protection of human rights. The problem of removing the hindrances in the way of sustainable development, the environmental pollution, degradation and the problems resulting from poverty, diseases, ethnic conflicts, violence, war and underdevelopment are all global problems which can be resolved only through global efforts and under the auspices of the United Nations Organization as the global organization of all the civilized states. All this demands a strengthening of the United Nations. Nonetheless, this need calls for reforming the administration and working of United Nations Organizations (UNO). Its Security Council needs democratization and expansion. Its management must be made more representative, transparent and accountable. The Peace-keeping role of the UNO must be made healthier and more effective. There is need for the creation of a peace-building mission within the UNO and which should tackle the responsibility of guiding and coordinating the process of socio-economic reconstruction of war devastated states like Afghanistan, Iraq, Ukraine and others. All these factors demonstrate fully the need for reforming and strengthening the United Nations Organization. The new aspirations of humankind for peace and security, prosperity and, sustainable development and freedom from terrorism, poverty, disease and scarcity demands a reform of the UNO. The world body must reflect the changes and aspirations which have come to characterize the international community since the birth of the UN in 1945. The UNO must be reformed and strengthened for enabling it to lead the process of meeting common problems and threats by forging common responses and collective efforts. Accordingly, UNO needs to be shared through structural and functional reforms.

The end of Cold War left the UN heavily dependent on the only remaining superpower, the USA creating the danger that US hegemony would render the UN a mere tool of US foreign policy to be used, misused or ignored as Washington see fit. Conversely, the growing trend towards multi-polarity reflected particularly in the rise of China and too the growing influence of powers such as India, Brazil and South Africa is sure to have an impact on the UN. The nature of impact is difficult to fix but a more even distribution of global power is likely to support multilateralism and boost states to depend more heavily on system of collective security, facilitated by the UN rather than on violent self-help. Multi-polarity is likely to be associated with increased conflict and greater instability in which case the future history of UNO may replicate that the League of Nations as intensifying great

<sup>25</sup> Vatsala Shukla "India's Foreign Policy in the New Millennium" Atlantic, New Delhi, 2005, p.142.

<sup>26</sup> PTI "China the outlier on India's NSG membership : US" Greater Kashmir, January 16, 2017, p.11.

<sup>27</sup> K.R. Gupta & Vatsala Shukla "Foreign Policy of India" Atlantic, New Delhi, 2009, p.262.

<sup>28</sup> Naveen Bhardwaj "India's Foreign Policy in Contemporary World" Regal, New Delhi, 2014, p.55.

<sup>29</sup> NSG: NSG is the 48-member elite club of countries that deals with the trade in nuclear technology and fissile materials besides contributing to the non-proliferation of nuclear weapons.

<sup>30</sup> Press Trust of India "India looking forward to joining Nuclear Suppliers Group: S Jaishankar" Greater Kashmir, June 8, 2022, p.08.

<sup>31</sup> Press Trust of India "UNSC needs to be reformed, it plays limited role in maintaining global peace: Foreign Secretary" Greater Kashmir, Srinagar, April 19, 2022, p.08.

power rivalry makes the task of international mediation and negotiation increasingly difficult and perhaps impossible. Thus, the shifting location of global power is sure to keep the issue of the reformation of the Security Council decisively on the agenda.