

VETO RIGHTS

New approach needed by UN Security Council P5

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CONFLICTS around the world are tearing humanity to pieces, with no end in sight – and the institutions whose job it is to deal with global peace and security breaches seem in over their heads.

For one, it is clear that the UN Security Council cannot effectively deal with wars and conflict. Gaza is a prime example. The Russia-Ukraine war is another. If the UN were graded in its ability to deal with wars and conflict effectively, it would, without a doubt, be handed a failing grade.

And this all boils down to the veto right of the five permanent members (P5) – the US, China, France, Russia and the UK – of the UN Security Council. If a resolution, despite the overwhelming majority of countries supporting it, does not fit with the foreign policy of any of the P5 nations, it is doomed to fail. And it is outrageous that a P5 country can exercise a veto when that nation itself is the subject of a resolution – what has happened to the principle of recusal when there is a conflict of interest?

This is nothing new. The international community has been discussing the abolishment of the veto right for decades. Realistically though, the prospect that the P5 veto right will be abolished is non-existent. The P5 are not going to voluntarily give up that power, at least not in this lifetime.

But that does not mean to say the

veto right cannot be reformed. It just needs a new approach: First, accept that it is here to stay and look at the possibility of broadening the veto right to other players within the Security Council. An outcome that should be more inclusive by ensuring that the Global South is also adequately represented therein. Second, look at writing rules as to the exercising of the veto right. For example, by making recusal obligatory when a P5 member is itself the subject of a resolution; and by building in an appeal mechanism when a veto is exercised. The time is ripe for a dialogue on how to ensure a more measured approach to the exercising of the veto right.

And then, how to ensure a more inclusive Security Council? Simply adding a few countries is not going to make it more broadly inclusive. Possibly the approach should be to add the regional multilateral bodies as non-voting member organisations of the UN – this will require a charter change. The regional organisations can then be accommodated within the Security Council, preferably with a veto right. Technically, if the veto right is granted, one of the regional organisations' member states may have to exercise it, but that is a detail which can be ironed out later.

Maybe such an approach is a more practical solution. The African Union's Ezulweni Consensus, for example, suggests that the Security Council be expanded and that Africa be given two

seats on it. But there is no consensus as to which countries those two would be.

As for the AU and its capacity to deal with conflicts on the continent, on paper, all is good. AU mechanisms for promoting peace, security and stability within the African continent include the Peace and Security Council (PSC) – the main pillar of the African Peace and Security Architecture. Other pillars are The Panel of the Wise, Continental Early Warning System (CEWS), African Standby Force (ASF) and the Peace Fund. However, in reality, the continent is a mess: There is the full-scale war in Sudan, Ethiopia's Tigray war, conflict in the DRC, a military coup in Niger, and terrorism is gaining ground in Nigeria, and the list goes on and on. Are these mechanisms ending the conflict? No. Do they get a passing grade or a failing grade? They are failing.

Part of the failure is due to poor leadership, but materially it is due to a lack of funds and thus capacity. The international community must ensure better funding, not that they must assume responsibility for bringing order to Africa – Africa needs African solutions to African problems – but they must ensure that Africa is empowered to implement those solutions. It is after all in the interest of the West to ensure a stable Africa lest the effects of war come knocking at their backdoor in the form of large-scale immigration and economic disruption.

In short: Global conflicts are pulling humanity apart and no country can solve the problem. There needs to be an effective and functioning global multilateral order. But there isn't, the powers that be are failing. Urgent and radical reform is called for. While the ruling elite diddle, tens of thousands are being killed and banished to a life of suffering.

Although the effectiveness of the UN in dealing with global peace and security issues is poor, to put it mildly, and the probability of the P5 veto power being scrapped is virtually nil, there are certainly ways to effect reforms within the UN – specifically the Security Council. Are there ways the AU can tidy up security on the African continent and its effectiveness within the multilateral order – more so, ways Africa can ensure for its people a more just and inclusive UN system?

There are better ways to deal with all these issues. The players in power must just find the courage and do it. If not, the credibility of the UN will be undermined, and a multi-polar world promoted.

This article was drawn from the panellist remarks made by Daryl Swanepoel, CEO of the Inclusive Society Institute, at the roundtable 'Assessing institutional capacities to deliver in a changing world', held during the Academic Council on the United Nations System (ACUNS) annual meeting in Tokyo, Japan last month.