

## Regional Organizations and UN Reform

### *1. The Security Council Reform*

Punctually, like the comet of Halley, the problem of the Security Council reform has appeared again on the horizon. And yet it continues to be formulated in a way that does not fit the most recent tendencies of international politics.

The current structure of the Security Council was devised in an age of domination and inequality. At a distance of 60 years from the creation of the UN, the substance of the decision-making power in the UN is still concentrated in the hands of only five states out of 191. That structure has become wholly inadequate to present needs of the world and inconsistent with the goals of equality and justice in international politics. Hence the need to enlarge and transform it from the five big powers' directory into a more representative body.

The traditional way to address this problem is to open the Security Council doors to the strongest states that have risen to prominent positions in the world power hierarchy and to entrust them the representation of the smaller states belonging to the same region. The decline in US international influence, as shown by the failure of the strategy of preventive war, suggests to entrust regional gendarmes (such as Germany, Japan, India, Brazil and a still-unidentified African country) with the responsibility of sharing the burden of maintaining the world order.

This solution arouses the hostility of the states left out, particularly of those most qualified to a seat in that assembly. For instance, Pakistan is not willing to accept the candidacy of India, Argentina that of Brazil, Italy that of Germany and so forth. The bestowal of two new seats on the North and three on the South would indeed strengthen the representation of the South in the Security Council, but would also confirm the supremacy of the North and especially of Europe, which would get three seats, an entirely disproportionate weight, if we consider that the EU population amounts to 455 million inhabitants. In conclusion, this proposal reflects the principles of domination and inequality that have shaped the present Security Council structure, but are by now inadequate to meet the present needs of the world and incompatible with the objectives of equality and justice that are becoming paramount in international relations.

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The best way to achieve an equitable reform of the Security Council is that involving the formation of regional groupings of states. The reorganization of the world order on the basis of groupings of states represents not only an alternative to the power hierarchies determined by the difference between states of varying sizes, but also to the world fragmentation into a cloud of small states and statelets, contrasted with very large states.

In fact, the huge disparity in size and power of member states represents the most serious shortcoming of the current structure of the UN. The constant increase in the

number of member states (today they are approximately four times as many as in 1945) shows an alarming trend toward fragmentation and anarchy. It is necessary to let regional groupings form within the General Assembly, and increase their cohesion, so that they can later express themselves in the Security Council.

The growing cohesion of the EU as a player in the UN is closely correlated to the degree of advancement in the unification process. It is not to be forgotten that, in spite of the dramatic split of the EU brought about by the US attack on Iraq, member states' decisions in the sphere of external relations show a high rate of convergence. This is true particularly in the field of economic, monetary and environmental policies, where Europe can speak with one single voice. In the WTO and the FAO the European Commission represents member states. But within the UN, the EU already acts in the great majority of cases as one single actor. For instance, in 1999 it took a common position in almost 95% of the General Assembly votes. Moreover, the forthcoming European Constitution, recognizing the international legal personality of the EU, creating the European Foreign Minister and promoting a single security and defense system through the "structured co-operations", is destined to strengthen the international role of Europe. The weakness of Europe lies in the fact that its political decisions on foreign and security policy are to be made unanimously. This is the vacuum that has to be filled to make possible the entrance of the EU into the Security Council.

EU membership in the Council would also be an alternative to the hegemony of the three most powerful countries in the EU and to Germany's demand for representation. It must be considered that the admission of Germany to the Security Council would encourage, in that country, the development of a foreign policy independent of that of the EU and thus provide a stimulus for the revival of German nationalism. If Germany's reasons are recognized, how to ignore those of Italy, Spain, Poland and so on? If the Europeans decide to return to giving priority to national interests, the whole design of the European unity will be irretrievably damaged. Paradoxically this occurs when the ratification of the European Constitution is on the agenda.

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A strong independent EU represents the first pillar of a renewed UN building based on regional groupings of states. The principal teaching that can be deduced from the history of international law and international organizations is that a well-functioning system of rules depends on a balance of power between the members of the states system. If one state is preponderant, it may afford to disregard the rights of other states. This means that the overcoming of the asymmetry that, due to the American hegemony, currently characterizes international relations, is the necessary step forward which can pave the way to the UN reform.

The integration processes under way in Africa, the Arab World, Southern Asia, South-East Asia and Latin America appear to be creating the conditions to attain the economic size required for the development of modern production techniques and to acquire the political weight needed to obtain a real independence from the great

powers. If the European Union (which, having nurtured a process of economic integration, is now moving towards political union) can be seen as a pilot project, it is foreseeable that the other great regions which are taking shape in other parts of the world may, in the future, become the protagonists of the new multipolar world order. The extraordinary novelty of the regional representation in the Security Council lies in the recognition of the rights of all the states of the EU to be represented in the Security Council, with no distinction made between permanent and non-permanent members. The achievement of this principle in Europe will open the way to its extension to the other great regions of the world.

The transformation of the Security Council into the Council of the great regions of the world will allow all the states to be represented in this body through their respective regional organization. This is the way to overcome the unjust discrimination between permanent and non-permanent member states. This is the way leading to the replacement of the right of veto with the majority vote.

## *2. The Blind-Alley of the UN Reform*

The world summit, meeting in New York on the occasion of the UN's 60<sup>th</sup> anniversary, ended in failure. In the wake of the speech by President Bush the debate focused for three days on terrorism, while other crucial issues such as disarmament, nuclear non-proliferation, poverty, human rights and the protection of the environment were largely neglected.

The summit's final document does not even mention arms control, nor nuclear non-proliferation. Mostly, it confines itself to statements of principles. The Millennium Development Goals have been reaffirmed, but with the exception of an EU pledge to double its development aid for Africa no mention can be found regarding the means to pursue international justice. If we take into account that only a few developed countries will commit themselves to pursue the goal of 0.7% of GDP for development aid, the achievement of the aim of halving poverty by 2015 has been mainly entrusted to the free market. This is wholly unrealistic. After a time-span of five years from the solemn announcement, the Millennium Goals now seem to be yet another of those broken dreams that have scarred the UN's history.

The summit did decide on the creation of a Peacebuilding Commission, a Human Rights Council and a Democracy Fund. But despite these objectives being in accord with the current US Administration's policy of spreading democracy, positive action to achieve them failed to materialize.

For the first time a political commitment has been made to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, though when the question arises of how to assess the right moment to intervene, it is foreseeable that divisions among member states will inevitably emerge.

Terrorism was condemned once again, but no agreement was reached on a shared definition. Most Islamic countries asked that the notion of violence against civilians by fighters for freedom and independence should be excluded from the definition.

This has the effect that the necessary conditions for entrusting the task of combating terrorism to the UN do not at present exist.

Lastly, the summit failed to produce a new architecture for the global system. Kofi Annan's proposals for Security Council reform met with strong opposition. The Big Five will continue to be the UN's masters, even though they have been weakened by the emergence of new powers.

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What obstructs progress towards UN reform is the asymmetry of the current world order characterized by the overwhelming political, economic and military superiority of the US. The US aims to submit the UN to its will whenever possible. Otherwise it acts unilaterally, free from any international discipline, as was shown by its decision to attack Iraq.

The fundamental lesson which can be drawn from the history of international relations is that only power can limit power. This means that only when states are able to keep each other in check there is space to ensure the rule of law. This balance of power — that is, the mechanical interplay of opposing forces — can act as a brake on the aspirations of every member of the states system and thus play the role of deterrent against violations of international law. On the other hand, when one state acquires a dominant position, as was the case with the US after the end of the Cold War, it will act solely in accordance with its own interests, possibly infringing international law and disregarding the rights of other states. Relevant examples can be found in the fact that the US opposes the Kyoto protocol, the International Criminal Court, disarmament, nuclear non-proliferation and a specific level of development aid.

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To propel the US along the multilateralist road the formation of one or more large regional actors is an inescapable pre-condition. In Europe this process has begun. The EU is the most intensively regulated region of the world. It is based on a stable balance of power. Its political institutions impose restraints on what sovereign states may do in their relations with each other, and in this it shows the way to what the UN could become in the future: namely, the guardian of international law and the framework of a process of constitutionalization of international relations.

The EU is not only a model for the UN reform. It is also the motor. In the monetary sphere the euro has triggered a process of evolution towards world multilateralism. A recent step forward was the decision of the Chinese Central Bank to disconnect the yuan from the dollar. This means that the emergence of a monetary multipolarism opens the way to a reform of the international economic organizations, i.e. a new Bretton Woods. The ECOSOC should be transformed into an Economic Security Council, in order to co-ordinate the various UN institutions and agencies dealing with economic matters, finance, trade, development, labour and environment.

But monetary multipolarism is not enough. A single EU foreign and security policy is the paramount condition of any move to defeat the pretension of the US to act unilaterally and to consider itself above the international community. To confront the present imbalance the way must be opened to a single European seat within the Security Council and to transform this body into the Council of the great regions of the world. With this reform, the US would eventually become the equal of other regional actors and therefore obliged to respect new rules of the game.

The EU's international prestige has, however, been considerably weakened by Germany's campaign, supported by France and the UK, to obtain for itself a permanent seat in the Security Council. In this attempt to revive anachronistic nationalist ambitions, the EU has made a pitiful spectacle of itself, and at the very moment when it should have been able to speak with one voice in the cause of the construction of world peace. Nation states in this age of globalization are little more than remnants of a bygone epoch. The future belongs to the great regional groupings of states and their co-operation within the UN.

At this summit, the African Union was the sole regional organization to challenge the Big Five's monopoly of the power of veto. It claimed two permanent African seats in the Security Council, with the right to veto. On the other hand it refused to support the ambitions of the four Security Council aspirants — Germany, Japan, India and Brazil — although they did not ask for veto rights. In the debate on Security Council reform Africa proved able to speak with one voice and demonstrated its ability to free itself from its condition of dependency and to participate in the crucial decisions concerning the future of humankind.

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In an article published in *The Boston Globe* on September 12, 2005 Newt Gingrich, former Speaker of the US House of Representatives, recently put forward a characteristic argument against UN reform, namely that: "The UN must be a fundamentally limited institution because it has no democratic accountability but has at times pretensions of asserting legitimacy akin to that of a democratic nation state".

It is true that the UN is not accountable to the people. But what distinguishes the *neocon* viewpoint from that of supporters of international democracy is that, for the former, the UN is not, cannot and should not be a democratic institution. We should therefore ask what future would democracy have in a world where the significant decisions are taken at global level, while democracy itself does not reach beyond state borders? It is unacceptable for genuine democrats to leave these important decisions solely in the hands of big powers and of private actors such as multinational corporations or criminal and terrorist organizations. In a globalized world, democracy is destined to decline unless it too becomes international.

That it is feasible to extend democracy to international level has been demonstrated by the European Parliament, which proves that it will be possible, in the not far distant future, to build a UN Parliamentary Assembly, conceived as a step toward a World Parliament.