



INDIA'S CLAIM FOR PERMANENT SEAT IN UNSC: A NEED OF THE HOUR

Dr.Ramesh Kumar

Associate Professor, Department of Political Science, Central University of Haryana, Mahendergarh.

Abstract

India became a non-permanent member of the UNSC on 1 January 2021, beginning a two-year tenure that would be its eighth in the Security Council's history of 75 years. This platform may prove to be a much-needed chance for the nation to resuscitate and deepen its policy of multilateralism with the UN, being the world's leading multilateral organisation with nearly the whole world under the grip of the COVID-19 epidemic. For the first time in ten years, India took up the UNSC's monthly chairmanship on August 1. On August 9, Prime Minister Narendra Modi presided over a meeting of the heads of government of UNSC member nations. The monthly UNSC presidency is loaded with meaning. However, it offers a rare chance to highlight India as a "different" power and to influence how the UNSC operates as well as global peace and security. India must state its viewpoint on issues affecting global peace and security and, if appropriate, it may even provide a solution. The main objective of this paper is to analyze the India's Claim for Permanent Seat in UNSC. Apart from being a permanent member of UNSC, India is also a super power country of the world. Mostly secondary sources are being used in this paper.

Keywords: *UNSC, Multilateral, Permanent, Peace, Organisation, Power.*

Introduction

India will become a non-permanent member of the UN Security Council in early 2021 for a two-year term. The multilateral system reform is at the top of the Indian agenda, but the COVID-19 pandemic may have an immediate impact on the forum's activities. India was chosen as a non-permanent member of the United Nations Security Council (UNSC) on June 20, 2020, for an additional two-year term beginning in January 2021. India will be attending the UNSC for the seventh time without a permanent seat and on a non-permanent basis as it works to overhaul the UN. India will join Vietnam as one of the two non-permanent Asian members of the UNSC, taking the place of Indonesia, whose term on the body expires at the end of 2020. India was the only nation from the Asia-Pacific region competing for the seat, so victory was inevitable. India did not become smug due to her certainty. A plan called NORMS (New Orientation for a Reformed Multilateral System), created by the Ministry of External Affairs, was largely concerned with multilateralism reform. The UNSC will be dealing with a flurry of global challenges over the next few years, including a pandemic that will require multilateral cooperation, so the path to the seat may have been the easiest time at the UNSC for a while. The five objectives outlined in NORMS, including "find new opportunities for progress," "effective response to international terrorism," "reforming multilateral systems," "comprehensive approach to international peace and security," and "technology with a human touch," will require Indian diplomats to get their hands dirty.

India's most recent UNSC appointment occurs at a crucial time when the appetite and desire for international cooperation are at an all-time low, which may have an impact on India's strategy and areas of focus. India will probably need to draw attention to issues that go beyond the concerns of the permanent members of the UNSC, who are likely to disagree on many things. One of India's NORMS, which should be supported by middle powers and other states, is the reform of the UN, UNSC, and



other international institutions. Samman (Respect), Samvad (Dialogue), Sahyog (Cooperation), and Shanti (Peace) are the five "Ss" that India will pursue in its quest for a reformed multilateralism in order to foster the conditions for universal Samriddhi (Prosperity). In order to ensure that multilateral institutions such as the UN Security Council, the International Monetary Fund, the World Bank, and the World Health Organization (WHO) reflect current global political realities, India has called for their reform. But it is still unclear whether the permanent members of the UNSC will support this reformist agenda. The Corona-virus and other domestic political issues are occupying each of the five permanent member states, and these issues are not likely to go away when India takes office in 2021. Furthermore, for constructive engagement to take place, the politics surrounding multilateral engagements, particularly in the United States (US), United Kingdom, Russia, and China, have grown far too bellicose. Despite the potential benefits to Beijing, the protracted conflict between China and India in the Himalayas may tarnish Beijing's perceptions of New Delhi and dash any aspirations for Chinese cooperation for multilateral reform. Furthermore, given how it has influenced the politics and procedures of rule-making inside organisations like the World Health Organization, International Telecommunication Union, and World Trade Organization to increase its power, China may not favour comprehensive change. However, the UNSC permanent members' anticipated hesitancy and even stubbornness should not overshadow the fact that India should utilise its two-year term to publicly assert that it is no longer acceptable for the permanent members to ignore requests for accommodation as power imbalances widen. However, focusing on the UNSC and reforming global governance enables India to demonstrate its seriousness as a significant power. India will need to advocate for change at a time when nations like the US are pushing to leave the institutions they helped create.¹

At the UNSC, India will continue to place a high focus on counterterrorism. Soon after being elected, the Indian Permanent Representative's office called on the UNSC to depoliticize the process of sanctioning terrorist organisations in order to guarantee that any reasons presented are disallowed, signaling its willingness to make terrorism a priority. This emphasis on terrorism stems from India's previous membership in the UNSC between 2011 and 2012, when Indian diplomats presided over the body's counterterrorism committee and introduced the idea of "zero tolerance" for terrorists. India's willingness to concentrate on counterterrorism is also a result of its recent success in having Masood Azhar, the leader of Jaish-e-Mohammed, declared a global terrorist by the UNSC with the backing of other permanent members, including China. Even though the desire to negotiate such an agreement remains uncertain, Indian authorities may be anticipated to continue working on the incomplete Comprehensive Convention on International Terrorism that New Delhi proposed in 1996. Since then, the international dialogue on terrorism has advanced significantly, in part because of India. However, more has to be done to build agreement on matters like nuclear terrorism and terrorist finance. Along with combating terrorism, peacekeeping has played a significant role in India's interactions with the UN and UNSC. India's future assignment should prompt a reconsideration of its peacekeeping role and the best ways to safeguard peacekeeping personnel while they maintain control over hotspots.

Despite issues with terrorism, peacekeeping, and multilateral reform, it's probable that COVID-19 will dominate international debates in 2021. The international system will have to enable the worldwide manufacturing and distribution of a possible vaccine if current attempts to produce one are successful since national constraints may be under strong pressure given where vaccine research and development took place. If so, COVID-19 may be the first item on India's UNSC agenda in January.²



Who is in favour of India being a permanent member?

Most countries have endorsed India's bid to become a prospective permanent member of the UNSC. Four of the five permanent members have publicly backed India's candidacy on several occasions. Due to its strong links to Pakistan, China is the only permanent member who has been unclear about its support for India. India's proposal has also received support from other member nations, including the United Arab Emirates (UAE), Singapore, Malaysia, and the whole African Union.

And who opposes?

Pakistan, a competitor of India with nuclear weapons, has been leading the resistance against its inclusion on the UNSC's permanent members list. Other nations, who are a part of the 1995-founded "Uniting for Consensus" (UFC), often amusingly known as "The Coffee Club," are hostile to India (and the permanent seat proposal from G4. Egypt, Pakistan, Italy, and Mexico were among the founding members of the UFC. Argentina, South Korea, Spain, Turkey, and Indonesia are all included on the list.³

Regional representation

Regarding regional representation, India has fought vehemently for fair geographic representation and the urgent need to address some regions' under and non-representation in both permanent and non-permanent categories. India has argued that the UN's founding membership of 51 states has increased to 193 now and that it is unacceptable for entire continents to have no representation at all in the permanent category. The Council has been around for 70 years, but it has failed to reflect current geopolitical and economic conditions. India believes that the Security Council must reflect modern realities and adequately represent all global areas. The increasing desire for regional representation is seen in India as "a scream of anger and displeasure with the status of affairs." Regional representation has been demanded for a number of reasons, including historical injustice, the fact that whole areas are not fairly represented or are even underrepresented in a crucial category, and the desire to go beyond the nation state as the main actor in international affairs. India views it as a "anachronistic" situation that only one region makes up three of the UN's five permanent members, while the rest of the world-including the Arab states, all of Central and Eastern Europe, the Caribbean states, and small island developing states-remains excluded from the Security Council's operations. Regarding the role of regional groups in choosing new members, India backed the present procedure, according to which each regional group would endorse its candidate, followed by the requirement to run for election on the General Assembly floor in order to fill a seat at the Security Council.

India has embraced the approach taken by areas like Africa, which have requested to be considered as an exception despite the fact that different regions have different viewpoints on the topic of regional representation. However, these should only be viewed as an addition to the Charter's mandate that all Member States vote to choose a permanent member to ensure fair regional representation. India recognises the connections that the African governments have made between the question of categories and regional representation, but it disagrees with these connections. (G4 Joint Statement, April 2017; Brazil, Germany, India, and Japan) India has maintained that while it respects the unanimity of an area like Africa, it cannot be reproduced elsewhere where there are no such wishes since the Asian region does not and will not experience such unanimity.⁴



Need for UNSC Reforms

More over 75 years have passed since the UNSC was founded. But it doesn't accurately reflect the geopolitical and economic conditions of the twenty-first century. Some important reforms are required for UNSC.

These are as follows

1. Undemocratic UNSC:

Other regions, such as Asia, are either underrepresented or not represented, with the exception of two continents (North America and Europe). (Latin America, the Small Island Developing States, and Africa) at all.

2. Global governance is lacking

For global commons like the Internet, Space, and the High Seas (outside your EEZ-exclusive economic zone), there are no regulatory procedures, and there is no agreement on how to handle concerns like terrorism, climate change, cybersecurity, and public health on a global scale (as seen in the current pandemic).⁵

3. Misuse of Veto Power:

- Five permanent nations utilise their veto power to further their own and their allies' strategic goals.
- The United States of America has exercised its veto on Council measures pertaining to Israeli-Palestinian relations 16 times since 1990. 17 times, including eight times in relation to Syria, Russia has done this.
- Due to all these factors, the former UN Secretary-General Kofi Annan said that the Security Council must either, reform or risk becoming increasingly irrelevant.

Obstacles before India to become a permanent member of UNSC:

There are many challenges before India to become a permanent member of UNSC. These are as follows:

China

China has never been clear about its stance on India's proposal. Its present stance is that it is willing to examine India's permanent membership but is not yet prepared to do so. Independent of the Kashmir dispute, China's links to Pakistan, and other concerns, India-China relations are at their lowest point in a while. China, on the other hand, opposes Japan's offer, which India backs, and China is unlikely to back India for as long as India backs Japan.

United States of America

Since a while ago, it has been stated official American policy to oppose India's permanent participation in the Security Council. Evidently, this is because India has nuclear weapons but has not ratified the Nuclear Non-proliferation Treaty. Weapons are a major source of frustration for the US. The President, however, proclaimed in favour of India's request. The US's position is no longer obvious, but we can still be very with certainty, no progress will be made soon.

Pakistan

Pakistan, which naturally opposes India's bid despite having less sway on its own, has tight connections with both China and the United States (though recent events have thrown these alliances into question). Additionally, it is a problem that India and Pakistan are involved in a war that constantly comes up on



the Security Council's agenda. (China is involved in additional issues, but because to its power as a P5 member, it is able to keep them off the table.).

The structure of the Security Council itself

The issue at hand is by far the largest. There is a very low likelihood that India will obtain a permanent seat very soon, despite the fact that it already has the verbal backing of all five P5 members. This would entail amending the UN Charter, which needs agreement from the P5 and a two-thirds majority of general members. But regardless of the lip service the P5 may give to backing India, they will probably continue to table the matter since permitting one nation to join the permanent members establishes a precedent that might create havoc with the balance of power. When something is comfortable (even if inefficient) the way it is, why alter it? Wouldn't that further validate the claims of other nations—Japan, Germany, Brazil, etc.—who all appear to endorse one another's claims to be G4 nations? Even though it has been discussed for some time, the UN can't seem to increase the number of non-permanent members on the Security Council.

India is perhaps the most apparent and uncontroversial candidate to be included as a permanent member and it's likely long past time. But given that no country has ever been joined as a permanent member (Russia and China were sort of the default selections after their predecessors), It really doubt that this seat will be filled anytime soon. It would break the present members' mutually aware deadlock to increase the number of seats. Additionally, it would give India far greater power in the UN than it already has. A few countries oppose the idea of permanent membership and veto power completely, and while they are unable to change the P5 at the moment, they can certainly try to stop India from gaining more influence. Last but not least, the UNSC is one of the most conservative and resistant to change international organisations in the world; it won't move much faster on the subject of its own membership. India and Japan have resolved to step up bilateral efforts for the UN Security Council's membership expansion in order to push for the body's urgent reform and increase its responsiveness to the realities of the twenty-first century. During their bilateral discussions, Prime Minister Narendra Modi and his Japanese counterpart Shinzo Abe called for tangible results in this direction by the UN's 70th anniversary in 2015 and vowed to further up bilateral and G4 efforts to achieve this. Brazil, Germany, India, and Japan are members of the G4 and support each other's applications for permanent seats on the UN Security Council. "The two Prime Ministers reaffirmed the urgent requirement for thorough reform of the UN Security Council, particularly its enlargement in both permanent and non-permanent categories, to make it more representative, legitimate, efficient, and responsive to the realities of the 21st century. India and Japan made the decision to expand their bilateral cooperation and outreach to other member nations in this area. Additionally, they emphasised the results of the third session of India-Japan dialogues on UN matters, which took place in Tokyo in 2019.⁶

Criticism of the United Nation Security Council

The framework of the council is said by many detractors, especially member nations from the developing world, to not represent contemporary geopolitical realities. In 1965, the council increased from six elected members to ten, and in 1971, the People's Republic of China assumed the Republic of China's former permanent seat (Taiwan). The body hasn't changed in composition since then. Regional powers including Brazil, Germany, India, Japan, Nigeria, South Africa, and others have aimed to increase the size of the council or win themselves permanent seats. Following Brexit, some have demanded that France give up its permanent seat to the European Union, particularly when France and Germany opted to split the council's two-month presidency in 2019. Britain declared its support for



Germany obtaining a seat on the Council in 2021. The expansion discussion is frequently presented as a choice between legitimacy and effectiveness. In 2013, Saudi Arabia took the rare action of renouncing a seat on the Security Council, declaring a day after being chosen for the 2014–15 term that it would not serve absent institutional change.⁷

R2P proponents are among the other detractors, arguing that the veto shows an excessive amount of respect to the political interests of the P5, resulting in passivity in the face of mass crimes. Zeid Ra'ad al-Hussein, who served as the UN human rights head from 2014 to 2018, has criticised the excessive influence of the veto-wielding member states and warned that the organisation may disintegrate without structural change. However, others outside P5 members have also shown hesitation to employ force. Brazilian, German, and Indian candidates for permanent membership have all typically rejected interventions as invasions of sovereignty. Others challenge the UN's ability to manage conflicts, frequently citing the peacekeeping crises in Somalia, the former Yugoslavia, and Rwanda in the 1990s. R2P proponents blame the Security Council and its members for a lack of political will. The United States was one among the nations that blocked a strong UN reaction in Rwanda because of its 1993 experience in Somalia, where 18 U.S. Army Rangers died trying to arrest a warlord. The council was informed of grave concerns in 1994, yet it chose not to act even after an estimated 800,000 people were massacred in genocide against the Tutsi. In the Balkans, the UN also suffered humiliating losses, with peacekeepers being used as human shields during the siege of Sarajevo and failing to stop the massacre of civilians in the designated safe area of Srebrenica. According to experts, both logistical and political issues, such as unclear objectives, insufficient funding, and the narrow interests of major nations, hindered these efforts.

The breadth, expense, and instances when peacekeepers themselves have violated the law are all factors that are still being considered when evaluating peacekeeping missions. The United Nations "repeatedly failed," according to a 2000 self-evaluation commissioned by Annan and headed by veteran envoy Lakhdar Brahimi, and would continue to do so in the absence of "major institutional change and improved budgetary assistance." Peacekeepers stationed in Haiti have come under fire for permitting rampant sexual exploitation and for starting a cholera epidemic that has killed over 10,000 people since 2010. Many experts disagree, claiming that the UN has a generally solid record. Recent research has shown, however, that UN peacekeeping generally works to stop the escalation of conflict in post-war situations.⁸

Conclusion

It is crucial that India intensifies and contributes to addressing these issues in the fast shifting global order of today, when multilateralism and global governance are experiencing some of their most significant threats since World War II. India may use the UNSC as a powerful venue to express its concerns about a multilateralism that has been reformatted. By taking advantage of this chance, the nation may also gain by broadening its influence and presence in the international system. India will be able to use this channel to promote some of its main issues, which are represented in the three priority areas listed in this piece, on the international agenda.

India has always been a staunch supporter of international law as a nation, as seen by its arguments in favour of UNCLOS ratification, the idea of SAGAR, and its vision for the Indo-Pacific area in its presidential discourse. India's appointment to the UNSC is off to a fantastic start thanks to the positive reaction given to its advocacy of international law. It is now up to India to maximise its two years of



membership in the UNSC and demonstrate via its contributions that it is deserving of a seat as a permanent member.

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