

INDIA'S BID FOR A PERMANENT SEAT AT THE UNSC

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Abstract:

The United Nations Security Council (UNSC) remains functionally historic, under an umbrella institutional design dating back to 1945. Composed of five permanent members known as “P5” members - United States, United Kingdom, France, China, Russian, and ten non-permanent members. The United Nations organization was established aiming to create peace after WW2, to stop colonization and hawkish trade practices. But the UN and especially UNSC structure critically fails to reflect contemporary global distribution of power. India's quest for a permanent seat, championed by the Group of Four (G4), commands strong political endorsement from four of the five incumbent P5 members (the US, UK, France, and Russia). However, this political support is strategically constrained by the procedural wall erected by the UN Charter. Any amendment to the Charter requires the ratification of all P5 members. This legal requirement provides a singular procedural lock for China, whose strategic opposition to empowering its regional rival serves as the primary and decisive impediment to India's inclusion. The institutional rules, particularly the veto mechanism, were fundamentally designed to ensure institutional stability by protecting the incumbent great powers from structural change.

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Introduction:

The United Nations Security Council is constitutionally mandated to maintain international peace and security. Its current configuration comprises 15 Member States. This includes five permanent members and remaining ten non-permanent members are elected by the General Assembly for staggered two-year terms. For instance, current non-permanent members include Algeria, Denmark, Greece, Guyana, Pakistan, Panama, the Republic of Korea, Sierra Leone, Slovenia, and Somalia. 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. A plan called NORMS (New Orientation for a Reformed Multilateral System), created by the Ministry of External Affairs, and was largely concerned with multilateralism reform. 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. 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.

1. Who is in favor of India being a permanent member?

Most countries have supported India's bid to become a permanent member of the Security Council. Out of Permanent Five members four of them have publicly backed India's candidacy on several occasions, especially Russian federation. Due to China's huge investment in Pakistan mainly the CPEC corridor, 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, countries in Latin America and the whole African union. India's quest for a permanent seat also championed by the Group of Four (G4). The G4 coalition comprises Brazil, Germany, India, and Japan, all mutually supporting each other's bids for permanent seats. Their primary resolution, presented in 2005, proposed expanding the UNSC membership from 15 to 26 members by adding six permanent members and four non-permanent members. The six proposed new permanent seats would include the four G4 countries and two seats dedicated to African representation.

2. The Foundational Obstacle: UN Charter and the Veto:

The Immutability of the Charter: Articles 108 and 109.

The primary barrier to India's permanent seat ambition is structural, residing in the highly rigid process for amending the UN Charter. The Charter has a provisions for amendment, but they are very complex. According to Article 108 any amendment to the present Charter comes into force only when adopted by a vote of two-thirds of the members of the General Assembly and ratified by two-thirds of all UN Members, including all five permanent members of the Security Council. Though there is a parallel pathway under Article 109 allows for a UNGA to review the Charter, but any alteration recommended by that conference must also be ratified by two-thirds of the Members, including all the P5 of the Security Council. This structure grants special powers to the P5 countries an absolute procedural lock on any reform affecting the Council's composition or voting procedures.

3. Obstacles before India to become a permanent member of UNSC:

China

China being the member of P5 group and a neighboring country has never been clear about its stance on India's permanent seat proposal. Its present stance is that it is willing to examine India's permanent membership but till date it has not firmly backed India in this issue. China's links to Pakistan, and other concerns, Sino-India relations are at their lowest point in a while. Border issues such as encroachment in Arunachal Pradesh, Doklam standoff, skirmishes in Galwan valley and the most important the CPEC corridor passing through Gilgit Baltistan are the alarming issues in India China Relations.

Pakistan

Pakistan being a leading member of the "Uniting for Consensus" (UfC) group (which also includes Italy, Spain, South Korea, and others), advocates for an increase in the number of elected non-permanent members, rather than adding any new permanent members with veto power. A primary concern for Pakistan is that if India were to gain a permanent seat with a veto, it could use that power to block resolutions or actions related to the disputed region of Jammu and Kashmir, diplomatically isolating Pakistan on the issue at the UN. Pakistan seeks to maintain a balance of power in South Asia and fears that an Indian permanent seat would officially elevate India's status, which would be a blow to its policy of seeking parity.

United States of America

The US has "long endorsed" permanent seats for India, Japan, and Germany as part of a necessary reform of the UNSC to better reflect current global realities. The US stance is part of a broader vision for comprehensive UN reform. The US also advocates for creating two permanent seats for African nations and permanent representation for Latin America and the Caribbean. While supporting India's permanent membership, the US proposal does not currently support extending the use of the veto power to new permanent members, as it believes expanding the veto would lead to further gridlock. The US has reiterated its support during bilateral meetings with Indian Prime Minister Narendra Modi and in joint statements with Quad nations (US, India, Japan, and Australia), recognizing India's growing global influence, large population, and contributions to international peacekeeping.

4. Normative and Governance Challenges:

Beyond the procedural and geopolitical challenges, India's bid also faces scrutiny regarding its long-term normative commitment to the principles enshrined in the UN Charter, particularly concerning human rights and multilateral cooperation.

A. The 1950s Offer Controversy: Historical Context

A disputable element in India's historical engagement with the UNSC involves alleged offers for a permanent seat from both the United States and the Soviet Union in the 1950s. Archival evidence suggests India's first Prime Minister, Shri. Jawaharlal Nehru, declined these offers. Nehru's rationale centered on the importance of integrating the China into the international community, arguing against disturbing Sino-Indian relations or pushing for new permanent members at that time. He believed that India valued international stability and supported the China's rightful place. This historical episode is frequently debated by modern critics who accuse Nehru of sacrificing India's national interest for idealistic international morality.

B. The Human Rights Record: Impediment to Global Stewardship

As a potential permanent member, a candidate must demonstrate an unwavering commitment to the entire UN Charter, including the promotion and protection of human rights, which are integral to maintaining international peace and security.

Key areas of non-compliance include:

- **Treaty Status and Torture:** India signed the UN Convention against Torture in 1997 but has never ratified it, despite repeated commitments during the Universal Periodic Review (UPR) cycles in 2012 and 2017. Reports indicate that torture and other ill-treatment are routinely used by police and security forces in India.
- **Overdue Treaty Reports:** India's failure to submit mandated periodic reports for key treaties is indicative of institutional non-cooperation. For example, India's report for the International Covenant on Economic, Social and Cultural Rights (ICESCR) is 13 years overdue, and its fourth review under the International Covenant on Civil and Political Rights (ICCPR) occurred in 2024 after a 27-year gap. This systematic resistance to human rights mechanisms provides the UfC and other opponents with concrete diplomatic ammunition, allowing them to argue that India, if granted permanent status, would use the seat to further shield itself from international accountability. This weakens the legitimacy of India's claim to be a principled global steward committed to the rules-based order.

5. India's Credentials: The Case for Inclusion

India's candidacy rests on three main pillars:

1. It's demographic and democratic weight as being world's largest democracy.
2. It's rapidly expanding economic and strategic power.
3. It's operational commitment to international peace and security through active participation in peacekeeping program.

India's moral argument is powerful as being the most populated nation with largest democracy. India is the founding member of UN. India argues that inclusion is essential to ensure that the diversity, scale, and aspirations of the 21st-century global community, particularly the Global South and Asia, are adequately represented in the multilateral decision-making process.

India's growing strategic importance, combined with its rapidly expanding economic and military growth, further justifies its demand for permanent seat. India is currently one of the world's fastest-growing economy and ranks world's fifth largest economy. A permanent seat would allow it to move beyond a reactive stance and assume a proactive role in shaping international security. Securing permanent membership would demonstrably affirm India's identity as a responsible global stakeholder committed to international peace.

India's most compelling, factual grounded argument rests on its sustained and substantial participation in UN Peacekeeping force. Historically, India has provided services of 287,000 personnel, having served in 49 of the 72 UN missions deployed since 1948. This contribution demonstrates a depth and consistency of commitment. Currently, India remains one of the largest contributors of personnel deployed across 12 UN's peacekeeping missions round the globe. As of late 2023/early 2024, approx. 5,900 Indian troops were deployed, showcasing its continued willingness to assume operational risk. This sustained participation has come at a significant cost, with over 160 Indian soldier's supreme sacrifice to uphold UN mandates.



6. Conclusion:

In summary, while India has strong credentials and significant backing, particularly from the US, the fundamental structure of the UN Charter and the veto power held by the P5 ensure that any change requires the unanimous consent of all major powers. Until those fundamental disagreements are overcome, India's aspiration for a permanent seat remains a long-term diplomatic objective rather than an immediate prospect.

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