AU Security Council Reform Proposal: Principle of Equality and Challenges

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Abstract: In the 21st century, the international status of African countries has risen. The power and status mismatch has the AU seeking a boost in the UN. Africans strive for autonomous resolution of indigenous challenges. The failure of the United Nations to resolve African issues has aroused African dissatisfaction, as evidenced by historical events such as the Rwandan massacre, the Somalia famine, and the Congo civil war. Africa claims that the current power structure within the Security Council pays insufficient attention to the interests of the continent, prompting the submission of proposals for reform of the African Union Security Council. This proposal is in line with the principle of equality in the UN Charter, especially the principle of regional balance. The equal cooperation between Africa and China also reflects the AU's understanding of the principle of equality. However, the prospect of the AU Security Council reform proposal faces multiple challenges. The AU's weak intervention capability as a leading organization in Africa and the leadership struggles within Africa are all factors that need to be considered.

Keywords: AU Security Council reform proposal, principle of equality, African leadership struggles

1.   Introduction

The principles of equality in the Charter of the United Nations (hereinafter referred to as UN Charter) is embodied in Article 2 of Chapter I of the Charter of the United Nations, state that the fundamental basis of the Organization is the concept that all of its Members are equal in terms of sovereignty [1].

Sovereign equality means each state has full sovereignty rights, and should respect other states' personality and territorial integrity. States also have the right to develop their own political, social, economic, and cultural systems, and must fulfill international obligations and maintain peace with other nations [2].

The status of the principles of equality in the United Nations is intricately linked to the proposal for reforming the AU Security Council. Any modifications to the Security Council must adhere to the fundamental principles of the UN Charter. It is only by complying the principle of sovereign equality that the AU can assume a more significant role and voice within the Security Council, and consequently, more effectively safeguard its interests and rights.

In the early 21st century, globalization and international cooperation became mainstream. International affairs became more complex and diverse, and countries' interdependence deepened. International organizations play an increasingly important role in global governance. However,

African countries have a relatively weak status in international affairs, and their interests are often overlooked. In response, African countries and the AU sought to enhance their voice and status in international affairs. The AU proposed to reform the UN Security Council, hoping to gain more influence in international governance. Therefore, the AU Security Council reform proposal is an important measure taken by African countries to enhance their international status and rights in the context of globalization and international cooperation.

2.   Overview of AU Security Council Reform Proposals

2.1.   The Imbalance of Status and Power in Africa

The second largest continent in the globe after Asia, Africa has a sizable territory that spans 30 million square kilometers. Africa is the true geographic center of the world, the only continent in the world that is bisected by the equator and a meridian. The air route around Africa has been the main channel for east-west traffic since ancient times [3]. In addition to the geopolitical environment, Africa's international strategic status has also gradually improved, which has become the basis for the AU Security Council reform proposal (hereinafter referred to as AU proposal).

About one-third of the total number of seats at the UN are occupied by members of Africa. Specifically, the United Nations has 193 member states, 54 of which are from Africa. Six of the current 12 peacekeeping operations are in Africa, including the four largest missions in the Democratic Republic of the Congo, the Central African Republic, Mali, and South Sudan. Among the countries with the largest number of peacekeepers, nine of the top 15 are African countries, including Rwanda, Egypt, Ghana, Senegal, Morocco, Tanzania, Chad, South Africa, and Togo [4].

Africa also works closely with the Council. During the Council meeting in Addis Ababa in February 1972, the Organization of African Unity (OAU) requested the Security Council to take measures in line with its Colonies under Dominion and General Assembly resolution 1514 (XV) regarding the right to self-determination. The first ministerial meeting of the Council was convened on September 25, 1997, with the objective of discussing the necessity of a coordinated international approach to advance peace and security in Africa, with a particular focus on the situation in South Africa. The project was merged with the initiative "Peace and Security in Africa" on September 25, 2007. Under this agenda item, the Security Council examines a wide range of themes, including collaboration between regions, terrorist attacks, organized crime, piracy, and healthcare, as well as individual country and regional issues that impact the African continent [5]. On May 28, 1998, and March 1, 2002, respectively, the Ad Hoc Working Group on African Issues and the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa were founded. The AU and the Security Council have formed a collaboration, and cooperation spans a wide range of issues, including conflict prevention, resolution, peacekeeping and reconciliation, arms control, detachment, rehabilitation, and development [6]. However, the actual influence of African countries in the United Nations is very limited.

As of April 2023, none of the permanent members of the Security Council belong to Africa, and among the ten non-permanent members, there are only three African countries, Mozambique, Gabon, and Ghana [7].

For a long time, African countries have been at a clear disadvantage in the international political and economic system. However, in recent years, African countries have joined hands to address their own stability and development challenges, and the political and economic situation has improved. African countries demand to play a greater role in world politics, but the current composition and operating mechanism of the UN Security Council make it impossible to effectively resolve African problems and conflicts.The interests of African nations are not sufficiently represented by the Security Council's existing membership. Therefore, African countries regard the reform of the United

Nations and its Security Council as an important opportunity to gain more participation and decision-making power in international affairs.

2.2. The Historical Reason of the AU Proposal

Since its establishment in 1963, the AU has been pursuing an equal, just, and inclusive international order, and believes that the current structure and operation of the UN Security Council have failed to reflect changes in the global political landscape. The interests and concerns of African countries have also not been fully taken into account. In addition, the African region has faced many serious crises and conflicts in the past few decades, including the Rwandan genocide, the civil war in Somalia, etc. These historical events show that the United Nations has shortcomings in dealing with crises and conflicts in the African region. The interests and concerns of African countries have not received sufficient attention and protection from the United Nations.

The UN peacekeeping force failed to prevent the Rwandan massacre, and only sent additional peacekeeping troops after the massacre. As revealed by a report commissioned by Secretary-General Kofi Annan. The report found that the UN peacekeeping mission was destined to fail due to a weak mandate and the Security Council's refusal to strengthen it. UN officials, including Boutros Boutros-Ghali and Annan, failed to act on information that a planned genocide was imminent, leaving the Rwandan people vulnerable. The report also highlights the UN's inadequate resources and lack of will to prevent the genocide. Despite warnings from Canadian Lt. Gen. Romeo Dallaire and a UN human rights investigator in August 1993, the UN failed to act on the risk of genocide [8].

The United Nations has also been criticized for its inaction in Somalia Famine. From 1992 to 1993, Somalia suffered a severe famine and civil war that killed tens of thousands of people. The famine is regarded as one of the most severe humanitarian disasters in the history of Africa. Although the United Nations provides a lot of humanitarian assistance. But logistical difficulties mean aid is not reaching those most in need [9]. Contradictions and divisions within the United Nations lead to a lack of coordination and unified action in dealing with the situation in Somalia. This further leads to delays and difficulties in resolving the crisis.

Besides, in Congo Civil War, the United Nations failed to effectively control and reduce the violent conflict in the civil war, resulting in the death of a large number of civilians.

2.3. Main Content and Objectives of the Reform Proposal

In 2005, the African Union proposed reforms based on a document endorsed by all its members. The proposal, known as the Ezulwini Consensus, addressed key issues in the UN system. The Swaziland valley where it was founded inspired the name of the Consensus. African nations desired adequate representation and a louder voice in UN decision-making, therefore solutions for reorganizing the UNSC had been highlighted in particular.

The African proposal for UNSC expansion focused on quantitative and qualitative issues. The objective was to enact a comprehensive reform aimed at enhancing representation, operational approaches, and making amendments to the United Nations Charter. The proposal called for expanding the UNSC in both seat categories. All newly appointed permanent members would possess equal privileges as the existing ones, which include the power of veto. The proposal consisted of 11 additional seats, which comprised two permanent seats and two non-permanent seats for Africa, along with one permanent seat designated for Western Europe and other states [10]. The AU's proposed draft resolution is grounded on the principles of equality among nations and regional balance. It aims to expand both permanent and non-permanent membership in the Security Council to provide greater representation for developing countries, and to enhance the legitimacy of Security Council decisions. By doing so, the Security Council can better fulfill its primary responsibilities [11].

3. Examining the AU's Proposal for Security Council Reform in Light of the Principle of Equality

3.1. Legitimacy of Increased Representation on the Security Council of African Countries in Reform Proposals

One of the main purposes of the AU Security Council reform proposal is to increase the representation of African countries on the Security Council. According to the UN Charter, all UN member states have equal rights and obligations. Furthermore, the Security Council holds a prominent position as one of the foremost decision-making entities within the UN. The decisions made by the Security Council significantly affect global security and peace. Nevertheless, there are clear disparities in the structure of the current Security Council, where the five permanent members wield greater influence, while African nations have comparatively limited representation.

The five permanent members of the UN Security Council originate from diverse geographical regions. China represents Asia, the United States represents North America, Britain and France represent Europe, and Russia represents Europe and Asia. However, as an important continent, Africa does not have a permanent seat. The expansion of African representation on the UN Security Council is justified by the principle of geographical representation, which emphasizes the importance of regional interests and participation in key UN institutions. The current insufficiency in representing African nations on the Security Council contradicts this principle and consequently weakens the credibility of the Council's decision-making procedures. By increasing the number of African seats on the Council, the UN can become more globally representative and better equipped to address the challenges of the 21st century.

3.2. Consideration of Regional Interests in the AU Security Council Reform Proposal

According to the "Common Position on United Nations Reform: Ezulwini Consensus" reached at the Seventh Special Session of the AU Executive Council in March 2005, the AU has requested that as long as the veto power exists, it should be granted to all permanent members without discrimination [12].

Granting veto power to all the permanent members of the Security Council demonstrates consideration for the interests of other nations. The ideas of equality, democracy, and efficiency serve as the cornerstones of the UN. By ensuring equal treatment of all members within the Security Council, the United Nations can effectively promote these foundational principles. This approach also guarantees a fair representation of all countries in the decision-making process, further enhancing the legitimacy and inclusivity of the Council's actions.

Some other Security Council reform proposals do not grant veto power to new permanent members. This undermines the fundamental principles of equality and democracy upon which the United Nations was founded. It also creates inefficient decision-making processes that can lead to deadlock or even paralysis amidst the presence of global challenges. Enabling all permanent members of the Security Council to exercise veto power guarantees expeditious and efficient decision-making, fostering global peace, security, and development.

In summary, it is a more democratic and fair approach to grant equal veto power to all permanent members of the Security Council, which reflects genuine concern for the interests of all countries. This approach helps the United Nations fulfill its founding mission of promoting global peace, security and development.

Therefore, we can believe that the increase in representation in the AU reform proposal has taken into account the interests of countries in other regions.

3.3. Case Study: China and African Countries' Equal Cooperation in the United Nation

The African Union upholds the principle of one-China and endorses China's endeavors to protect its territorial integrity and sovereignty. China is in favor of passing the resolution on the effects of sanctions and other unilateral coercive actions on African Union members. This resolution expresses severe condemnation towards any state's utilization of unilateral coercive measures to impose economic and political pressure on other countries. It urges the elimination of measures that contravene the United Nations Charter's goals and principles [13].

China considers Africa as a strategic partner in accomplishing its objectives, including ensuring resource security, exploring new markets and investment prospects, and revitalizing political alliances. African rulers are drawn to China's alternative development model. The model offers an unwavering commitment to national sovereignty, autonomy from Western hegemony, and assistance without conditions.

During the Cold War, China began to provide aid and support to African countries. In exchange for their support for China's bid for a seat in the United Nations. As a developing country, China has provided a large amount of economic aid to Africa and established diplomatic relations with 46 African countries. In the late 1980s, however, China's focus shifted to economic modernization and closer cooperation with the West. Leading to a decline in diplomatic relations with Africa.

China's revitalized engagement with Africa from the late 1980s onwards. This is partly a response to Western criticism of its policies. But it also reflects China's desire to unite with Africa to fight back and resist Western criticism [14].

On major issues concerning Africa's security, China has shown a highly responsible attitude towards Africa. China abstained from voting on resolutions 1556 and 1564.

The resolutions were about imposing sanctions on the conflict in southern Sudan. China made this decision based on several considerations. These considerations included maintaining long-term peace, avoiding intensification of conflicts, and respecting the principle of independent resolution of issues by the Sudanese government and African countries [15].

In the speech at the high-level meeting of the UN General Assembly, Chinese Ambassador Dai Bing said that China welcomes and supports the strengthening of cooperation between the United Nations and the African Union. The aim is to better promote peace and development in Africa. The Security Council should support more African members to solve African problems. Endorse the African Union in enhancing its capacities for early detection, prevention, mediation, and proactive diplomacy in conflict situations. He also agreed with Secretary-General Guterres' proposal to AU peacekeeping or missions funded by the regular UN budget assessed contributions [16].

China supports Africa's need to raise its status in the United Nations. This speaks to the representation of African countries in international affairs. The cooperative relationship between China and African countries in the Security Council is based on equality and mutual respect. This reflects the AU's understanding of the principle of equality.

4. Challenges to AU Reform Proposals

Although the African Union's reform plan has received some support, it is difficult to implement the reform. Most Member States support Africa's legitimate demand for a permanent seat. However, despite the appeal for assistance, there has been a lack of tangible steps taken to support initial reform. Expressions of support for African reforms should not be considered as solely benefiting Africa. Instead, they should be seen as part of a wider effort towards comprehensive reforms. Otherwise, this support holds no significance or substantive value. The author believes that the reform process of the Security Council has been unable to advance. This is the result of the complex relationship between

the international environment and the interests of various countries. In addition, the AU also has its own reasons for its weak ability to intervene in African affairs and disunity within the AU.

4.1. Weak Intervention Capacity of the AU in African Affairs

In the years that followed the Cold War, instability on the African continent rose dramatically. The period from 2010 onwards has been characterized by a rise in instances of social assault, electoral violence, and acts of terrorism. This instability encompasses various events. For instance, the electoral crisis in Burundi led to heightened tensions within the country. Moreover, the activities of the extremist group Boko Haram in Nigeria exacerbated the overall instability in the region. Additionally, instances of violence in South Sudan further contributed to the volatile situation. Furthermore, the northern Sinai Peninsula in Egypt witnessed a series of attacks, further escalating the level of instability. While the AU has been instrumental in bolstering peace and security in the region, it faces regional capacity deficiencies that hinder its ability to successfully and definitively address conflicts.

The African Union's management of the Libyan crisis has faced extensive criticism from various quarters. The AU has been unsuccessful in convincing Libyans, Africans, or the global community of its credibility as a reliable mediator for peace in Libya. The lack of a unified stance from Africa, along with insufficient financial, military, and diplomatic resources, has hindered the AU's initiative to be successful. Furthermore, Africa has not communicated its goals and plans to the public, leading to a widespread misunderstanding of the AU's position and a leadership crisis for the organization [17]. African regional organizations have the potential to have the legal capacity to enforce measures against member States that fail to meet their obligations. However, their efforts are hampered by limited resources and a lack of political will to effectively implement such operations. As a result, their performance was sluggish [18].

4.2. The Struggle for Leadership Within the African Union

Under the reality that African countries are generally poor, backward and weak, solidarity and unity are an important guarantee for the realization of Africa's common interests.

Although African countries have so far insisted on a unified proposal, internal differences persist. The main problem facing the African Group with regard to reform was the inability to reach an agreement on countries capable of representing the region. Discussions continue over which country should represent the bloc on the UN Security Council. In the meantime, certain members have proposed alternative models of representation, including a rotational arrangement that would establish permanent regional seats within the UN Security Council [19].

South Africa, Nigeria, Egypt, Kenya and Senegal are currently the clear candidates to represent the AU. In addition, Libya, Algeria, Ghana and other countries are also interested in becoming candidates.

South Africa and Nigeria are the two most prominent African contenders for permanent seats on the Security Council. They are all major African countries and the largest economies in their regions, and there has been long-term competition for regional leadership. South Africa is the most economically developed country in Africa. In terms of international cooperation, South Africa is a member of the BRICS countries and cooperates closely with Brazil and India. In 2014, Nigeria surpassed South Africa in economic output. It regards factors such as population size, economic strength, and peacekeeping contributions to justify its bid for seeking a permanent seat on the Security Council. In September 2015, Nigerian leaders publicly declared that if Africa could only get one permanent national seat on the Security Council, that seat should belong to Nigeria [20].

However, both Nigeria and South Africa's permanent membership have been questioned by some African countries.

In July 2005, the Egyptian foreign minister strongly criticized Nigeria's attempt to reach a private agreement with the four countries in the name of the African Union in a public speech. In his public speech in July 2005, Egypt's foreign minister strongly criticized Nigeria's attempt to reach an agreement with the four countries in private under the name of the African Union. He believes that Nigeria agreed to waive the veto power of new permanent members of the Security Council without consulting other African countries. And said that Nigeria's attempt to manipulate Africa's position for its own benefit has faced opposition from many African countries [21].

At the AU summit held in June 2015, Robert Gabriel Mugabe criticized South Africa and Nigeria for supporting the Security Council resolution to forcefully overthrow Libyan leader Gaddafi, and accused them of betraying the African continent. He urged other African countries not to support these two countries' bids for permanent membership in the Security Council [20].

There are supporters among the great powers, between the large and small states, between North Africa and South Africa, and between English-speaking and French-speaking African countries. As a result, some countries are at odds with each other. This is also the reason why the AU has so far failed to identify specific countries.

5. Conclusion

After the above discussion on the AU Security Council reform proposal, we can conclude that the AU Security Council reform proposal reflects the principle of equality in the UN Charter. This principle affirms the equal participation of all countries, regardless of their size, strength, wealth, or poverty, in global decision-making processes. The proposal could provide African countries with equal representation and decision-making power in the Security Council. However, the implementation of the proposal faces multiple difficulties.

Africa's international status improved after the Cold War, but the United Nations did not pay enough attention to Africa's interests. This lack of attention resulted in increased dissatisfaction among African nations regarding the UN's ability to address African issues. Lead to an increased willingness among Africans to solve their own problems, which resulted in the proposal of the African Union's Security Council reform plan.

However, the AU has weak capabilities of its own, which cannot match its ambitions and limits the AU's ability to solve practical problems. In addition, there are many African countries, and internal differences have always been a real challenge to the unity of the AU.

The reform of the United Nations has seen a distinctive involvement of Africa, which is expected to boost the continent's confidence and influence in global affairs, and consequently, enhance its international standing. However, it should also be noted that the overall strength of Africa is still relatively weak, the country's political and economic situation is still relatively fragile, and there are still many difficulties to be overcome.

In the pursuit of promoting Security Council reform, the AU needs to strengthen coordination and cooperation among member states, improve its ability to intervene in African affairs, and further enhance its influence in international affairs. Simultaneously, it is imperative for the international community to duly prioritize and extend support, ensuring stronger backing for the African Union to assume a more proactive role in global affairs.

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