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Re-Imagining the United Nations Organization

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Abstract

In 2015, I proposed a model for better composition of the Security Council, known as 8+8+8. Seeing no progress or desire towards creating a change, in my policy brief *Towards Multiple Security Councils*, published in 2020, I proposed to establish a Peacebuilding Council, a Climate Security Council, and a Health Security Council. These councils will allow for more representative configurations of states with fresh expertise, funds, and capacities to take larger part in strengthening international peace and security. The Secretary-General's (SG) Report "Our Common Agenda" (OCA) and other recent proposals were aligned with the same logic of either introducing new, or revising existing, UN organs to engage and deal better with threats to global peace and security. The Russian aggression in Ukraine in February 2022 invoked fundamental questions as to the fitness of the UN to prevent wars and maintain peace. This policy brief revisits the proposals for institutional change, takes a longer-term approach, and offers a set of scenarios for re-imagining the UN.

Introduction

If a fire breaks out in a building, we need a fire brigade to stop the flames and save people; ambulances are required to drive victims to medical centers; doctors and nurses are essential in the treatment of burns and other injuries; and then psychologists are there to help with the traumatic experiences of victims. Next steps would then involve the investigation of the causes of the fire: engineers to check the electricity system, the construction materials and what else may have gone wrong. The police can investigate whether the fire was caused by a person or not. If caused by a person—especially if deliberate—prosecutors will prepare a case for the judges. Based on these actions, undertaken by separate and narrowly specialized actors, we learn lessons on how to prevent fires in the future.

However, using the analogy above, if we were to consider a fire-like situation erupting in international relations, all eyes turn to a single organ—the Security Council. The Security Council as a singular entity has multiple challenges to juggle and with that in mind, it is high time to divide security responsibilities between more organs, so that the Security Council can focus its time, energy, and power on providing immediate responses to urgent military security threats, whereas the other organs (or new councils) can deal with post-conflict peacebuilding and other non-traditional security threats such as: climate change, environmental degradation, pandemics, etc.

In 2020 in a policy brief "Towards Multiple Security Councils" from this series' predecessor, I argued that the Security Council's lack of reform can be combatted with the creation of additional councils. These new councils will represent more states, amplify more voices, bring more expertise as well as funds and commitments to strengthen international peace and security.¹ I proposed three such new councils: Peacebuilding Council, Climate Security Council, and Health Security Council and argued that these would not undermine the powers of the current permanent members of the Security Council (P5); in fact, they would serve to complement their work and encourage their contributions in other areas.

The Secretary-General's (SG) Report "Our Common Agenda" and other recent proposals went along the same logic of introducing new, or re-visualizing existing UN organs, and creating a security framework where multiple organs engage and deal with threats to the peace and security, specialize and develop unique strengths and share the work.² Some of these would focus on hard security, others on soft security; some focus on urgent short-term measures, while others will prepare to stay long-term and ensure sustainable peace.

This framework will be elaborated later in the policy brief, but before that, let me summarize the previous existing proposals.

Multiple Security Councils

In 2020, I assessed the continuing inefficiency and lack of representativeness of the Security Council and, seeing no appetite for reform from the P5, I offered an alternative way to establish three new Councils: **Peacebuilding Council**, **Climate Security Council** and **Health Security Council**. These co-exist and cooperate with the current Security Council, taking over specific issues from its agenda. The P5 do not lose their power, they keep all privileges they have and share the burden of work and financing with more actors.

The **Peacebuilding Council** is an upgrade of the already existing Peacebuilding Commission (PBC) and deals with peace consolidation, security sector reform, rule of law and justice, economic reconstruction, strengthening of institutions and other tasks. Having an enhanced and better represented organ to deal with long-term post-conflict re-building alleviates the agenda of the existing Security Council, which focuses on urgent threats to the peace and responses to them under Chapter VII of the UN Charter. The Peacebuilding Council can play a crucial role in conflict prevention, uniting in one place most of the prevention efforts, currently spread among many parts of the UN. This would allow large states to directly participate in international peace and security. For example, Japan and Germany, instead of repeatedly and unsuccessfully asking for permanent membership in the Security Council, can instead become natural leaders of the Peacebuilding Council with their successful track record of active post-conflict non-military engagement.

The **Climate Security Council** deals with the greatest challenge to human survival, exemplified in ever more frequent and intensive extreme weather disasters and resulting human displacement. This Council can synergize the efforts for mitigation and adaptation, the responses to climate disasters, and address various security implications arising from other environmental concerns, such as loss of biodiversity, land degradation, deforestation, plastics in oceans etc. The Climate Security Council does not need to be only government-based. It can orchestrate the efforts and actions of various stakeholders, including the private sector, civil society organizations, think-tanks, philanthropists, city mayors, among others.

The **Health Security Council** can bridge the political and the functional parts of the WHO and other public health organizations, begin a fundamental re-imagination of the way how to anticipate and deal with pandemics. Future viruses would need to be met with globally coordinated robust actions. A Health Security Council would be better suited to orchestrate actions, instead of the under-capacitated and divided WHO, whose approach traditionally and excessively focused on short-term technical interventions, instead of longer-term capacity building and resilience, health promotion, and community engagement.

Innovations proposed by the Secretary-General report, “Our Common Agenda”

In September 2021, Secretary-General António Guterres issued a visionary report “Our Common Agenda” (OCA) urging states to deliberate and undertake a profound strengthening of the UN System, and to address the security challenges with interconnected responses through reinvigorated multilateralism.³ The OCA did not offer anything on the Security Council’s reform (compared for example with the 2005 report “In Larger Freedom”), it simply listed previous suggestions to strengthen the inclusiveness and legitimacy of the Security Council by systematic consultations with a broader range of actors, including regional organizations; by public commitments to exercise restraint in the use of the veto; and by expanding the use of informal mechanisms (the Arria-formula).⁵

Encouragingly, the OCA stated that the UN system should be able to address the cross-cutting issues of security, climate change, health, development, gender, and human rights from a prevention

perspective with greater effectiveness and accountability. It appealed for expanding the role of the Peacebuilding Commission and proposed an Emergency Platform for convening key actors to respond to complex global crises.⁶ Such an approach to security in a broader context is welcome, it goes along the same logic of the multiple Security Councils, alleviating the Security Council agenda, so that it focuses on urgent hard security threats, whereas other UN organs are empowered to play bigger role on soft security issues and work on long-term sustainability and stability.

The new security challenges urge finding new methods to address them, as traditional conflict prevention and management models might be ill suited. The risks to peace and security have become abundant with protracted conflicts, transnational terrorist and criminal networks, rapid sophistication of weapons, significant number of displaced people, and overall high level of violence outside armed conflict. Further challenges come from new technologies placing the capacity to disrupt global stability in the hands of very few and invisible actors.

Trusteeship Council for Future Generations

No report in the UN history has ever paid so much attention to the life and wellbeing of the future generations, as did the OCA. It appealed, admirably, for meaningful, diverse, and effective youth engagement. For that matter, it proposed to repurpose the old and defunct Trusteeship Council, to create a Futures Lab, adopt a Declaration on Future Generations, and introduce a Special Envoy to ensure that all decisions consider future generations.⁷

The repurposing of the Trusteeship Council will put an end to several previous attempts to revamp this organ. In 1996 Boutros-Ghali proposed to Member States to reconstitute the Trusteeship Council as a forum to exercise collective trusteeship for the integrity of the global environment and commons, such as oceans, atmosphere, and outer space.⁸ When the Human Rights Council (HRC) was established in 2006, there were voices for making it a principal organ, replacing the Trusteeship Council. More recent proposals for a new Global Environmental Agency (GEA) and for a Global Resilience Council also express ambitions to take over the Trusteeship Council.⁹ When proposing to upgrade the Peacebuilding Commission into a Council, I also argued that the Peacebuilding Council can inherit the Trusteeship Council. Moreover, there is some similarity and continuity as both organs deal with territories that need continuous UN engagement and long-term assistance to become independent and build strong domestic institutions.¹⁰

All above suggestions would have required UN Charter amendment, therefore the repurposing of the Trusteeship Council into an organ that can address future generations would be a feasible solution, given the Member-States commit to the demand for inter-generational trust and enhance it to address the global challenges.

New Agenda for Peace

The OCA mentioned, but did not elaborate on, a new “Agenda for Peace”. It listed tasks such as greater collective security responses and presented meaningful steps to manage and reduce emerging and existing strategic risks. It shared a vision for disarmament that guarantees human, national, and collective security, and provided a broader support for non-proliferation, effective control of conventional weapons, and regulation of new technologies. The new Agenda should ensure continued cooperation to prevent and defy terrorism, strengthen digital transformation, promote innovation, de-escalate cyber-related risks, and establish legal limits on lethal autonomous weapons. The OCA appeals to strengthen international foresight and capacities to identify and adapt to new risks with emphasis on future generations. It also asks states to prioritize responses to violence from criminal groups as well as domestic violence—an early warning of diminishing law and order and rising insecurity that may catalyze into broader conflict.

The OCA also encouraged commitments to provide resources for prevention, including at national level; to reduce excessive military budgets and ensure adequate social spending; to tailor development assistance to address root causes of conflict and uphold human rights; and link disarmament to development. It renewed calls to allocate a dedicated amount to the Peacebuilding Fund from assessed contributions, initially through the peacekeeping budget and later through the regular budget, as a complementary investment that would increase the sustainability of peacekeeping outcomes. The most far-reaching suggestion was to expand the PBC role to more geographical and substantive settings, and address cross-cutting issues of security, climate change, health, gender equality, development, and human rights from prevention perspectives.

The new Agenda for Peace can be seen as a start of a process that requires further thinking both in terms of conceptualization and in terms of operationalization.

Climate Change

Regarding climate change, the OCA expressed serious concerns and urged to address, in particular, the needs of the most vulnerable states. Building on the work of the Platform on Disaster Displacement, OCA appealed for—but did not elaborate on—a new deal to deliver global public goods, address major risks, and find ways to prevent, protect, and resolve situations of environmental displacement. It emphasized that climate action is a central part of a fundamental reset in the human relationship with nature and added that a strong post-2020 biodiversity framework is needed to provide sufficient financing to reverse the catastrophic biodiversity loss.

As with the peace and security agenda: gaps in the institutional architecture do exist, and a clear forward-looking vision is desirable. This explains why several proposals—Global Environment Agency, Global Pact for the Environment, Global Resilience Council, etc.—are constantly emerging trying to address these existing institutional gaps.

Global Health

The OCA urged to develop mechanisms to manage health proactively as a global public good, including improved health surveillance, scientific advances, and vital public-private partnerships. Admirably, the OCA divided the tasks into short-term and long-term, emphasizing efforts to end the pandemic as the main short-term test of multilateralism. The OCA called for an Emergency Task Force to put existing assets together to facilitate a greater sharing of know-how, and to strengthen and build local capacities. In fact, this co-operation can help also in the long-term—given these assets become sustainable and are prepared to respond to next health emergencies.

For longer-term health governance, the OCA stressed the need for WHO to have independence, authority, and stable financing. WHO needs to be empowered with normative, policy and technical guidance, as well as full access to information, to play the leading coordinating role in health emergencies. The OCA encouraged States to consider recommendations, such as updating of national preparedness plans for future health crises, and a universal periodic peer review process to foster accountability and learning between countries.¹¹ The international system for pandemic preparedness and response, including early detection, independent verification capacity and the containment of emerging pathogens, must be adequately and predictably financed, ideally through a facility that builds on existing global health financing mechanisms to reduce fragmentation.

The OCA proposed a Platform for Complex Emergencies, available in the face of future pandemics, as a complement to the WHO measures to strengthen its global surveillance system and declare public health emergencies.

Emergency Platform

The OCA also proposed an Emergency Platform to respond to complex global crises, including future economic crises and shocks of sufficient scale and magnitude. The Emergency Platform is not viewed as a permanent or standing body, rather it would be an organ which would function automatically depending on the type or nature of the crisis. Once activated, the platform will bring together leaders from the UN system, key country groupings, international financial institutions, regional bodies, civil society, and stakeholders from the private sector, subject-specific industries, and research spheres. The criteria for the activation of the platform include the scale and scope of the crisis; funding and financing; identification of relevant actors and the support they are expected to provide. Other key components include mechanisms for surge capacity; focal points and protocols to promote interoperability with existing crisis-specific arrangements; regular exercises to test efficacy, identify and fill gaps; and the identification of a set of tools to make the international system crisis-ready. The platform would boost the convening role of the Secretary-General during global crises.¹²

The Emergency Platform would serve as a crucial organ that not only coordinates but anticipates needs through assessments of risks and vulnerabilities. Resources and investments in anticipatory action are vital to the survival of people in crises. The operational success of the Platform may help rehabilitate the reputation of the UN and build support for global governance. Growing numbers of climate displacement, in particular, will only amplify the calls for the Platform to have greater capacity and authority.

What is missing, however, is not so much the lack of existing processes to convene actors when crises emerge, but how to overcome the obstinate blocking from a handful of UN Member-States, who prefer such decision-making to happen in smaller non-representative forums rather than in the large UN. One danger is, if the Emergency Platform does not resolve this perennial problem, it may only further delay decision-making by keeping the status quo.

Other Innovative Proposals for New Organs

There have been some excellent recent suggestions that additionally demonstrate the need to re-constitute and re-institutionalize the global governance.

The Global Challenges Foundation (GCF) published a proposal to create a **Global Environment Agency** (GEA)¹³, emphasizing the urgency of a more effective response to the interlocked crises of climate change, biodiversity collapse, chronic pollution, erosion of natural resources. The GEA can strengthen the currently weak and fragmentary institutional environmental landscape, create a new level of governance responsibility, and build trust across states, peoples, and cultures. Its role would be more than a catalyst or coordination mechanism: it may establish a central authority gradually acquiring the mandate to adopt global rules, norms, and values to ensure safeguarding of the planetary common goods, as well as assert the right to a clean, safe, productive human environment. Nevertheless, it should be endowed with adequate supervision authority to ensure that rules are followed.

The GEA's position within the UN system will depend on whether there are wider UN reforms which give for example, more authority to the General Assembly or expand the jurisdiction of the International Court of Justice. In their absence, granting such authority to GEA to act on the planetary environmental crises may be more politically acceptable, whereas within a reformed UN, GEA could be one of several policy-setting and implementing agencies. There can be both a long-term strategy and short-term steps towards building GEA. The specific, near-term steps to strengthen global climate governance could be to adopt rules of procedure to enable majority decision-making for the UNFCCC and to set up an independent global scientific advisory council to

support country reflections on their ethical responsibility and highest possible ambition. Further, it should support actors to use existing accountability mechanisms (courts, parliaments, audits) for states' climate obligations.

While climate change is the most pressing global crisis, climate governance overlaps with many other problems and ultimately, they could be tackled together by GEA, which will evolve from, and replace, UNEP. GEA needs to ensure that available scientific knowledge is collected and assessed as a basis for identifying research gaps and providing policy relevant knowledge to decision-makers. Too many of the present assessment processes are in panel silos (IPCC, IPBES), and they need to be better orchestrated. The GEA can bring these under a joint administration, facilitating consolidation and filling thematic gaps. GEA can also gradually replace the consensus principle governing assessments by majority voting to reduce the obstructing political influence link the assessments explicitly to serve a set of global decision-making arenas, and coordinate the global with regional and national assessments to form a system of polycentric processes.

Lopez-Claros, Dahl, and Groff, in a book proposing a range of global governance institutional reforms for the 21st Century suggested a **Global Pact for the Environment** consolidating international environmental law and various environmental organization—currently deeply fragmented—to create a binding global legal framework for those resources, planetary processes and biogeochemical cycles, essential to maintain a planetary system conducive to human life and well-being as common property of humankind¹⁴. This requires coordinated and sustained research, monitoring, and scientific advisory procedures appropriate to each environmental process, with structures for multilevel governance. The Pact can start with establishing a **UN Climate Change Organization** responsible not only for CO₂ emissions, but also managing climate-induced migration, climate impacts on nature and food production, ocean acidification, energy transition, and technology assessment of proposed solutions. This integrated approach could then be extended to other aspects of planetary sustainability including biosphere integrity, chemicals, waste management, the atmosphere, and global natural resources management.

Another initiative came from the Foundation for Global Governance and Sustainability (FOGGS) to establish a **Global Resilience Council** as an operational body to deliberate and act effectively on non-military global threats.¹⁵ Similarly to my 2020 proposal for new Councils, FOGGS argues that responses to pandemics, climate change or other insecurities cannot be done without a body of an equal stature to the Security Council with mandatory authority to guide the international community on a wide range of global responses to non-armed-conflict based crises. FOGGS insisted that a Global Resilience Council, central to the entire UN system, can scale up issues of importance and in interconnections from the level of individual specialized bodies to the global community at large, can promote concerted action cutting across sectoral agendas. Such a body would be responsible for ensuring the resilience of individuals and communities vis-à-vis soft security risks. Its enforcement tools would include directed cross-organizational action, economic tools, public engagement, criminal and liability referrals, standards pre-emption, fact-finding, and preventive measures. The Global Resilience Council—akin to what I argued for the Climate Security Council—could have state and non-state membership.

Possible Future Scenarios

These proposals are well timed to highlight the necessity for re-imagination of the global security architecture. No matter how the new organs are named or addressed, they have the potential to boost the effectiveness of global governance on vital issues of climate change, global health, and peacebuilding. They can be established as subsidiary organs of the General Assembly (according to Article 22 of the UN Charter), without the need to amend the UN Charter.

The framework of such architecture should include addressing both hard and soft security threats and both in terms of immediate responses and in terms of long-term commitment.

The table below lists a potential division of tasks between the current and newly created organs to deal with peace and security:

UN Security Organs	Hard Security	Soft Security
Immediate Responses	Security Council	Emergency Platform
Long-Term Engagement	Peacebuilding Council upgrade from PBC	ECOSOC, Trusteeship Council + GEA, Global Pact for the Environment, Global Resilience Council, and others, if created

In the context of successful institutional innovations outside the gridlocked debate on Security Council reform, the establishment of new organs is a promising way forward, especially if the Security Council continues to be ineffective as well as unrepresentative of the 21st century political and economic reality. The new organs can foster high-level attention to key issues, cooperate with the rest of the system, enjoy the UN’s global convening power, innovate, and create platforms to draw upon the best expertise. They can also develop integrated analytical capacity that the UN currently does not possess, identifying potential short-term and long-term perspectives.

Emerging powers, middle and small states, and non-state actors can contribute to the new organs, offer expertise, commitment, resources, and solutions. If some of the new organs, listed above, are indeed created, they can alleviate the agenda of the Security Council, allowing it to focus primarily on urgent hard security issues. These new organs can then take the role of helping states build resilience, avoid zero-sum thinking, promote cooperation, engage public and private actors, and other methods for which the Security Council is not comfortably suited.

The problem with the OCA is not in vagueness (over-emphasis on future always tends to be vague) but rather in limited ambition. Compared with previous more revolutionary reports, the OCA suggests a slower, but gradual reform, and its little steps can build up and bring efficiency over time. Even if all ideas in OCA are implemented, the UN would still need to go through re-imagination of its goals and re-articulation of its methods, as to become a powerful vehicle for tackling crises.

The slow and non-coercive approach in the OCA should not prevent more revolutionary views to continue to push the goalposts. Even the unthinkable today can become possible in the right time with the right approaches from the right actors. The Security Council resolution 688, which directly linked human rights to maintenance of international peace and enabled humanitarian intervention in Iraq was unthinkable prior to 1991, and so was the adoption of the Rome Statute for the ICC prior to 1998. The ‘revolutionaries’ should continue to unmask the shortcomings of existing arrangements, but also the ‘reformers’ should make more radical approaches palatable by using security framings to bridge with more mainstream sensibilities and tools.

The war in Ukraine re-imposed the fundamental question whether the UN Charter is fit to serve its main purposes as seen previously through its repeated failures to save human lives in Syria, Myanmar, Yemen, Gaza and elsewhere, to take just the last decade. The UN Security Council remained hamstrung even in the face of the most brutal aggression of a P-5 member against a peaceful neighbor, coupled with shocking evidence of war crimes and threats to use nuclear weapons. In

a speech at the Security Council the Ukrainian President Zelensky compared the right to veto with the “right to die”.¹⁶ The abuse of the veto damages the whole UN system, which otherwise could be well-structured and capacitated to undertake extensive preventative and live-saving operations. It produces not only paralysis in collective measures, but also destroys the core international legal fabric by allowing an escape route for aggressors and war criminals.

What is often forgotten is the general dissatisfaction with the veto, expressed as early as in 1945 by many founding UN members (Australia, Poland, most Latin American countries), who regarded the veto as a temporary measure to be tested for the first 10 years. They drafted Article 109 of the Charter with the expectation of abandoning the veto with a review conference in 1955.

In 2015, France and Mexico attempted to reduce veto misuse by proposing a *Political Declaration on Suspension of Veto Powers in Cases of Mass Atrocity*. The “ACT” group developed a code of conduct, urging the P-5 to refrain from use of the veto in mass atrocities. The General Assembly has adopted several resolutions on the Russian invasion of Ukraine, one of them initiated by Liechtenstein to conduct special emergency sessions every time when a veto is cast, to hear explanations from P-5 members and to decide on further actions. The expectation was that this will increase the reputational cost of the use of veto. France, Britain, and the USA supported the resolution. While the efforts listed above are admirable, the abuse of the veto will no doubt continue.

Let’s imagine four possible scenarios as to what may happen with the UN Charter in the future:

1. Live with the current Charter and make the best within it, including by building upon initiatives like those of the ACT Group, Liechtenstein, and others.
2. Reinterpret texts of the current Charter. Are there legal arguments to be made for GA Resolutions to be considered legally binding? Can a P-5 member participate but not vote when it is part of the conflict under discussion? (e.g., extending Art. 27).
3. Introduce Charter amendments under Art. 108 or convene an Art. 109 review. The Charter amendments cannot come into effect without the ratification by all P-5; are there legal or practical ways around such potential blockage to the will of most states? Can a Protocol be added to the UN Charter to limit the veto?
4. Create a new/successor organization with a new Charter, similar to 1945 when the UN was created, and the League of Nations was dissolved. The new organization can inherit everything that works in the current UN system, and re-constitute not only the Security Council, but implement other important proposals from the OCA Report, draft reasonable, periodic Charter review mechanisms, ensure a genuine international rule of law, etc.

If we put these scenarios into desirability-feasibility assessment, we may find that some of the P-5 might never ever accept any change of the UN Charter that limits the right of veto. Hardly anything will change, and we may be in Year 2050 and still continue to see acts of aggression, war crimes and genocides happening and being sheltered by the veto of one or more of the P-5. The question therefore arises whether the fourth scenario might indeed prove to be both the most desirable and the most feasible. If 140 Member States gather and create a new organization without the right to veto of any member, there is nothing that Russia and China can do against that. They can decide to join, or decide to stay out, but in both situations their veto will no longer be applicable.

What is crystal clear is that the international peace and security is too important to be left entirely on the Security Council, which over the years has further divided and become ineffective due to the big powers rivalry. New organs are thus necessary, and they must emerge sooner than later, provided they clearly announce and develop their specialized niche of engagement and offer the

best expertise. This will be an excellent development, but still short of solving the fundamental problem in the heart of the Organization, the right of veto, that allows aggressors and war criminals when they come from the P-5 to walk free without accountability for their crimes. That fundamental problem cannot be solved within the current UN Charter, it has to come through a new Organization and a new Charter.

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