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Veto Impotence, Security Council Reform and International Law: Calibrated Enlargement Strategies in a Fragmented Geopolitical Era

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ABSTRACT

The United Nations Security Council occupies a central position in the international legal architecture for maintaining international peace and security, yet its effectiveness and legitimacy have increasingly been questioned because of institutional imbalance, geopolitical polarization and the veto power vested in its five permanent members. This article examines the legal and institutional implications of Security Council reform, with particular attention to veto-related paralysis, enlargement of membership and the representation of historically underrepresented regions, especially Africa. The study adopts a qualitative doctrinal and documentary research design, drawing on the United Nations Charter, General Assembly resolutions, African Union policy instruments, official United Nations reform documents and recent scholarly literature. The analysis demonstrates that the principal difficulty is not merely the existence of the veto but the interaction between veto authority, permanent membership, geopolitical rivalry and the stringent Charter amendment procedure. It further finds that enlargement without corresponding reforms to decision-making practices may improve representativeness without necessarily resolving institutional paralysis, while veto expansion without appropriate safeguards may reproduce the same problem at a larger scale. The article therefore advances a calibrated reform framework combining equitable enlargement, enhanced representation of Africa and other underrepresented regions, responsible veto practices, stronger General Assembly accountability, improved working methods and a periodic review mechanism. It concludes that durable reform requires a legally coherent balance between representation, effectiveness, sovereign equality and the political realities of the international system.

1. Introduction

The United Nations Security Council was established as the principal organ entrusted with responsibility for the maintenance of international peace and security under the Charter of the United Nations. Its institutional design reflected the geopolitical realities of 1945, when the victorious Allied powers occupied a dominant position in the emerging international order. The Council originally consisted of eleven members, including five permanent members with special voting privileges and six non-permanent members. The Charter was subsequently amended in 1963 to enlarge the Council to fifteen members, comprising five permanent and ten non-permanent members, while simultaneously increasing the affirmative voting threshold for substantive decisions from seven to nine votes, including the concurring votes of the permanent members. This historical amendment demonstrates that the Council's composition and voting arrangements have previously been adapted through Charter reform, although the political and legal conditions for another major amendment are considerably more difficult.

The contemporary international system, however, bears limited resemblance to the geopolitical environment in which the Council was created. The United Nations has expanded from its original membership, while political, economic, demographic, technological and military power has become more geographically dispersed. The contemporary system includes rising powers, regional organisations, middle powers, small States and increasingly influential transnational actors whose interests are not adequately reflected in the Council's permanent membership. At the same time, contemporary security challenges have expanded beyond traditional interstate warfare to include

terrorism, violent extremism, cyber threats, climate-related insecurity, transnational organised crime, food insecurity, pandemics, displacement and emerging technologies. The 2024 *Pact for the Future* therefore recognised Security Council reform as an urgent component of broader global-governance reform and called for a Council that is more representative, inclusive, transparent, efficient, effective, democratic and accountable. It specifically identified the enlargement of the Council, increased representation of developing countries, correction of Africa's historical underrepresentation, reform of working methods, the question of the veto and a possible review clause as interconnected reform issues (United Nations, 2024).

The central difficulty is that the Council's authority is simultaneously legal and political. The Charter confers upon the Council primary responsibility for international peace and security, while Article 27 provides the voting structure through which substantive decisions are adopted. Under the existing arrangement, a substantive decision requires nine affirmative votes, including the concurring votes of the permanent members. Consequently, a negative vote by any permanent member can prevent adoption of a substantive draft resolution. The veto is therefore not simply a procedural voting device; it is an institutional manifestation of the unequal distribution of decision-making authority embedded in the Charter. Contemporary scholarship has consequently associated the veto with instances of Council paralysis, particularly where major geopolitical interests of permanent members intersect with the subject matter before the Council (Gómez-Robledo & Arrocha Olabuenaga, 2024; Opanasenko, 2025).

The concept of “veto impotence” used in this study refers not to the legal disappearance of the veto, but to the institutional condition in which the extensive use or threat of veto contributes to the Council's inability to discharge its peace-and-security responsibilities effectively. The concept is therefore deliberately distinguished from the legal validity of the veto itself. The Charter presently recognises the special voting position of permanent members, and any fundamental alteration to that arrangement requires Charter amendment. Under Article 108, amendments must be adopted by a two-thirds vote of the General Assembly and ratified according to national constitutional processes by two-thirds of UN members, including all permanent members of the Security Council. Article 109 similarly provides for a review-conference route, but alterations recommended through that mechanism also require ratification by two-thirds of UN members, including all permanent members. Thus, the States whose privileges would potentially be affected by structural reform retain a legally decisive role in the amendment process (United Nations, 1945).

This legal structure explains why Security Council reform has remained an enduring challenge. The General Assembly commenced intergovernmental negotiations on equitable representation and enlargement in 2008, and the process has continued through successive sessions. The United Nations currently identifies five principal clusters of negotiation: the size of an enlarged Council, categories of membership, regional representation, the question of veto extension, and working methods and the relationship between the Council and the General Assembly. During the eightieth session, negotiations continued in 2026, including consideration of a revised Co-Chairs' Elements Paper. The June 2026 paper recorded broader recognition of Africa's legitimate aspiration for increased representation, consideration of a review clause, and renewed attention to Article 27(3) as a possible avenue for constraining veto use within the existing Charter framework.

Africa occupies a particularly important position within this debate. The African Union's Common African Position, articulated principally through the Ezulwini Consensus and Sirte Declaration, calls for at least two permanent seats for Africa with the prerogatives and privileges of permanent membership, including the veto while the veto continues to exist, as well as additional non-permanent seats. The AU continues to defend this position as a response to the continent's historical exclusion from permanent representation despite its demographic weight, contribution to peacekeeping and exposure to matters

frequently addressed by the Council. In May 2026, the Chairperson of the African Union Commission again reaffirmed the Common African Position and called for stronger political coordination and strategic alliances to translate the growing recognition of Africa's underrepresentation into institutional reform.

The African position also exposes a central contradiction in the reform debate. On the one hand, enlargement is presented as necessary to correct representational inequality. On the other hand, extending permanent status and veto authority to additional States could increase the number of actors capable of blocking Council decisions. Consequently, the question is not simply whether the Council should become larger, but how enlargement can be calibrated so that representativeness and effectiveness are pursued simultaneously. A reform that merely adds permanent members without addressing decision-making paralysis may improve symbolic representation without adequately resolving the Council's functional difficulties. Conversely, reform that seeks to preserve effectiveness by creating permanent members without equal rights may reproduce a hierarchy that reform is intended to correct. Recent legal scholarship therefore treats the debate as a problem of reconciling enlargement, veto reform and the institutional constraints of the Charter rather than as a simple numerical question (Latino, 2025; Kovtun & Havlakov, 2025).

The problem has become more pronounced in an increasingly fragmented geopolitical environment. Contemporary international politics is characterised by strategic competition among major powers, competing regional interests, changing alliances and declining consensus over aspects of the international order. The Council consequently operates in circumstances in which permanent members may have direct or indirect strategic interests in the conflicts and crises under consideration. Recent scholarship has described the Council as increasingly exposed to a mismatch between the expectations placed upon it and the political willingness of States to accept collective constraints, while other studies identify the veto as a significant source of decision-making paralysis (Chesterman, 2025; Opanasenko, 2025). The issue therefore requires a legal-institutional response that does not assume that enlargement alone can overcome geopolitical disagreement.

The significance of the debate extends beyond the five permanent members. For developing countries, particularly African States, the composition of the Council affects the distribution of influence over international peace and security decisions, sanctions regimes, peacekeeping mandates, conflict-management frameworks and responses to emerging security crises. The 2024 *Pact for the Future* expressly identifies redressing the historical injustice against Africa as a priority while also recognising the need to improve representation of other underrepresented and unrepresented regions. It further recognises that the total size of an enlarged Council must balance representativeness and effectiveness (United Nations, 2024).

The legal dimension is consequently indispensable. Security Council reform cannot be treated exclusively as a matter of diplomatic preference because the composition, voting structure and powers of the Council are established by the Charter. At the same time, international law operates within a political system in which sovereign States determine the content of treaty amendment. This interaction between law and power makes Security Council reform a distinctive problem of international institutional law. The challenge is to identify reform options that are legally permissible, politically negotiable and institutionally capable of improving both representation and effectiveness.

Against this background, the article examines the relationship between veto-related paralysis, Security Council enlargement and international law. It argues that a durable reform strategy should not approach enlargement and veto reform as isolated questions. Rather, the two should be treated as components of a calibrated institutional package in which representational expansion is accompanied by improved working methods, responsible veto practices, stronger General Assembly oversight, regional

representation and a periodic review mechanism. Such an approach does not presume that all geopolitical disagreement can be eliminated through institutional design; instead, it seeks to reduce the extent to which disagreement automatically becomes institutional paralysis.

2.0 Statement of the Problem

The fundamental problem addressed by this study is the widening gap between the legal architecture of the Security Council and the contemporary distribution of international political authority. The Council remains legally central to the maintenance of international peace and security, yet its permanent membership continues to reflect the geopolitical settlement of 1945 rather than the broader composition and power distribution of the contemporary international system. The absence of permanent African representation is particularly significant because Africa constitutes a major component of the UN membership and remains deeply affected by Council decisions concerning conflict, sanctions, peace operations and international security. The persistence of this representational imbalance has generated sustained demands for structural reform, culminating in renewed international commitments to address Africa's underrepresentation (United Nations, 2024; African Union, 2026).

A second dimension of the problem concerns the veto. The veto provides permanent members with a legally entrenched capacity to prevent substantive Council action even where a substantial majority of Council members support a proposal. The existence of this power was an intentional feature of the post-1945 settlement, but its contemporary operation raises questions concerning accountability, representativeness and institutional effectiveness. Recent international-law scholarship has examined the possibility of restraining veto use through legal interpretation, political commitments and procedural mechanisms, particularly in situations involving mass atrocities and fundamental Charter purposes (Gómez-Robledo & Arrocha Olabuenaga, 2024). The General Assembly's 2022 veto initiative, which provides for Assembly consideration following the casting of a veto, represents one example of an accountability mechanism that does not itself amend the Charter.

A third problem is the uncertainty surrounding the appropriate model of enlargement. Reform proposals differ significantly concerning the number of new members, the distinction between permanent and non-permanent membership, the distribution of seats among regions and whether new permanent members should immediately receive veto rights. Some proposals favour permanent expansion, others emphasise longer-term elected membership, while some seek combinations of permanent and non-permanent categories. The G4 model, for example, has contemplated an enlarged Council with new permanent members whose veto rights would initially be suspended, whereas the African Common Position seeks equal permanent-member prerogatives if the veto remains part of the Council's structure (Kovtun & Havlakov, 2025; African Union, 2026).

The problem is therefore not simply that reform has not occurred. It is that reform must simultaneously address competing principles of sovereign equality, representativeness, effectiveness, regional legitimacy, geopolitical stability and legal feasibility. Enlargement without veto reform may increase the number of States represented without materially changing the Council's capacity to act. Veto abolition without a politically acceptable replacement could face severe resistance from permanent members and potentially prevent Charter amendment altogether. A legally sophisticated reform strategy must therefore identify the institutional changes that can be pursued together and those that may need to be sequenced over time.

3.0 Objectives of the Study

The study pursues four objectives:

i. To examine the legal foundations and institutional consequences of the veto power within the United Nations Security Council.

ii. To assess the representational and legal arguments for enlargement of the Security Council, with particular attention to Africa.

iii. To examine the principal reform models concerning membership categories, veto authority and Council working methods.

iv. To develop calibrated legal and institutional strategies for improving the representativeness, accountability and effectiveness of the Security Council in a fragmented geopolitical environment.

4.0 Research Questions

i. What are the legal foundations and institutional consequences of the veto power within the United Nations Security Council?

ii. What are the legal and representational arguments for enlarging the Security Council, particularly with respect to Africa?

iii. What principal models of membership, veto reform and working-method reform are available within the contemporary reform debate?

iv. What calibrated legal and institutional strategies can improve the representativeness, accountability and effectiveness of the Security Council?

5.0 Conceptual Clarification

5.1 Veto Impotence

Veto impotence refers in this study to the condition in which the operation, threat or strategic deployment of the veto contributes to the inability of the Security Council to reach substantive decisions or implement its peace-and-security mandate effectively. The term does not suggest that the veto is legally invalid. Rather, it identifies a functional problem arising where a formally lawful power produces persistent institutional deadlock. The distinction is important because a legal assessment must separate the validity of a power under the Charter from the consequences of its exercise. The contemporary reform debate increasingly reflects this distinction by considering both the preservation of the Charter and possible limitations on the scope and use of the veto (United Nations, 2024; Gómez-Robledo & Arrocha Olabuenaga, 2024).

5.2 Security Council Enlargement

Security Council enlargement refers to an increase in the number of Council members and may involve expansion of permanent membership, non-permanent membership, or both. Enlargement also encompasses questions of regional distribution and membership categories. The 2024 *Pact for the Future* supports enlargement to make the Council more representative of the contemporary UN membership while emphasising the need to balance representation and effectiveness (United Nations, 2024).

5.3 International Institutional Law

International institutional law concerns the legal rules governing the establishment, powers, structure, procedures and accountability of international organisations. In the present context, it encompasses the UN Charter provisions governing the Security Council, the legal procedures for Charter amendment, institutional practice, General Assembly decisions and interpretative developments concerning the relationship between the Council and wider UN membership.

5.4 Calibrated Reform

Calibrated reform refers to a sequenced and interconnected approach that seeks to improve Council representation and effectiveness without assuming that every element of reform must occur simultaneously. It may combine Charter amendment with interim political commitments, procedural reforms, improved working methods, veto restraint, review mechanisms and stronger engagement between the Council, General Assembly and regional organisations.

6.0 Theoretical Framework

6.1 Institutionalism in International Relations

Institutionalism provides a useful framework for examining the Security Council because it treats international institutions as mechanisms through which States organise cooperation, establish rules and reduce uncertainty. From this perspective, the Council's effectiveness depends not only on the distribution of material power but also on institutional rules, procedures and expectations that influence State behaviour. Institutions can facilitate cooperation, but poorly adapted institutional structures may also preserve historical inequalities and generate collective-action problems.

The institutionalist perspective is particularly relevant to Security Council reform because the Council's structure embodies a negotiated compromise between sovereign equality and great-power privilege. The permanent membership and veto were designed to ensure the participation of the most powerful States in collective security decision-making. Yet institutional arrangements created under one geopolitical configuration may become increasingly difficult to reconcile with a transformed international environment. Reform therefore becomes a process of institutional adaptation.

6.2 Legal Institutionalism

Legal institutionalism complements the broader institutionalist approach by emphasising the significance of constitutive legal rules. The Security Council is not merely a diplomatic forum; it is a Charter-based organ whose authority and procedures derive from international law. Its composition, voting system and powers cannot be fundamentally redesigned through ordinary political practice alone where such changes contradict express Charter provisions.

Legal institutionalism therefore permits the study to examine the tension between institutional continuity and legal adaptation. The Council must remain anchored in the Charter while adapting to changing international realities. Articles 23 and 27 govern membership and voting, while Articles 108 and 109 establish the mechanisms through which structural reform can acquire legal validity. The theory consequently provides an analytical basis for assessing whether proposed reforms are legally sustainable, politically practicable and institutionally coherent.

7.0 Methodology

The study adopts a qualitative doctrinal and documentary research design. The doctrinal component examines the United Nations Charter, General Assembly resolutions and decisions, official Security Council materials and relevant principles of international institutional law. The documentary component examines the 2024 *Pact for the Future*, contemporary intergovernmental negotiation documents, African Union positions and relevant policy and scholarly literature published principally between 2021 and 2026.

The study employs purposive selection of authoritative sources. Primary materials include the Charter of the United Nations, General Assembly reform decisions, the *Pact for the Future*, African Union instruments and official statements concerning Security Council reform. Secondary materials include peer-reviewed legal scholarship, international-relations literature and policy analysis addressing veto use, institutional reform, African representation and Council effectiveness. The analysis is interpretive and comparative rather than statistical. It evaluates the legal feasibility, institutional implications and comparative advantages of major reform approaches while avoiding prediction of political outcomes.

8.0 Legal Architecture of the Security Council and the Veto

The legal foundation of the Security Council is contained principally in Chapter V of the UN Charter. Article 23 establishes the composition of the Council, while Article 24 confers primary responsibility upon it for the maintenance of international peace and security. Article 25 establishes the obligation of UN members to accept and carry out Security Council decisions in accordance with the

Charter. These provisions collectively demonstrate that the Council occupies an exceptional position within the international institutional system.

Article 27 provides the voting framework. Procedural decisions require an affirmative vote of nine members, while substantive decisions require nine affirmative votes including the concurring votes of the permanent members. This structure gives each permanent member an individual blocking capacity on substantive matters. Although the Charter does not use the modern expression “veto” in Article 27, the requirement of concurring permanent-member votes constitutes the legal foundation of the veto system.

The veto must nevertheless be understood within the broader Charter framework. Article 24 provides that the Council acts on behalf of the membership in fulfilling its responsibilities, while Article 27 establishes the voting arrangement through which the Council operates. The resulting institutional structure therefore reflects a compromise between collective security and great-power consent. The legal problem arises where the second principle substantially impairs the first.

Article 27(3) also contains a significant limitation concerning abstention by a party to a dispute in certain circumstances. The 2026 Co-Chairs' Elements Paper records renewed attention by several Member States to full and consistent application of Article 27(3) as a practical avenue for constraining veto use within the current Charter framework. This is important because it demonstrates that some reform measures may be pursued through clarification and faithful application of existing Charter provisions rather than immediate constitutional reconstruction.

9.0 Veto Power and Institutional Impotence

The veto has historically been defended as a mechanism for ensuring that the major powers whose cooperation is essential to international peace and security cannot be compelled by decisions to which they fundamentally object. From this perspective, the veto is a stabilising device designed to prevent the Security Council from adopting measures that major powers would refuse to implement or that might intensify great-power confrontation. The legal architecture therefore reflects an assumption that collective security cannot operate effectively without the participation and consent of the most powerful States.

However, the same mechanism can generate institutional paralysis. Where a permanent member's strategic interests conflict with a proposed Council decision, the veto can prevent action irrespective of support among the non-permanent members. Recent scholarship has identified this dynamic in relation to several contemporary conflicts and has linked it to declining perceptions of Council effectiveness (Opanasenko, 2025; Chesterman, 2025). The problem becomes especially acute when the Council is expected to respond to situations in which one or more permanent members have direct geopolitical interests.

The difficulty is compounded by the fact that the veto can influence Council behaviour even when it is not formally exercised. The anticipated use of a veto may shape the drafting of resolutions, determine which proposals reach the voting stage and encourage negotiators to dilute provisions in order to avoid confrontation. Veto power therefore has both an explicit dimension, through the negative vote, and an implicit dimension, through the political expectation of possible blockage.

The General Assembly's veto initiative provides one example of an institutional response that seeks greater accountability without immediately changing the Charter. Since 2022, the initiative has required the General Assembly to meet following the casting of a veto, thereby creating a political forum in which the reasons and consequences of veto use can be examined by the wider membership. By August 2026, Security Council Report recorded twenty-five vetoes cast since the initiative began and noted that each had been considered by the General Assembly. Such mechanisms do not remove the veto, but they may increase transparency surrounding its exercise.

10.0 Security Council Enlargement and the Question of Representation

The representational argument for enlargement is grounded in the transformation of UN membership and global power since 1945. The current permanent membership does not include any African State, while Africa has long argued that its exclusion constitutes a historical injustice. The African Union's Common African Position calls for at least two permanent seats with full prerogatives, including the veto while it remains part of the Council, and additional non-permanent seats. This position has been repeatedly reaffirmed in contemporary African diplomacy, including in 2026.

The representation question extends beyond Africa. The contemporary reform process also addresses the representation of Asia-Pacific, Latin America and the Caribbean, small island developing States and other underrepresented groups. The *Pact for the Future* explicitly links Council enlargement with increased representation of developing countries and small and medium-sized States (United Nations, 2024).

Representation, however, is not equivalent to effectiveness. A Council could become more geographically representative while becoming more difficult to manage if the membership increases without corresponding procedural reform. This is why the contemporary reform process identifies the size of the Council and its working methods as interconnected questions. The challenge is to create sufficient representational breadth without producing an institution whose decision-making procedures become excessively cumbersome.

The 1963 amendment provides historical evidence that enlargement is legally possible. The Council increased from eleven to fifteen members through Charter amendment. The precedent demonstrates that institutional adaptation is not alien to the Charter system, although contemporary reform is more politically complex because it potentially concerns the permanent membership and veto privileges rather than merely the number of elected members.

11.0 Africa and the Legal Politics of Permanent Representation

Africa's position deserves separate consideration because it combines representational, historical and legal arguments. The continent's Common African Position was developed to ensure collective negotiation rather than fragmented national claims. The AU position seeks two permanent seats with full privileges and five non-permanent seats in the expanded Council. The demand is therefore not simply for African participation but for participation capable of influencing substantive decision-making.

The legal significance of the African position lies in its relationship with the existing veto system. Africa has maintained that if the veto remains, new permanent members should not be placed in an inferior legal category. The argument is based on institutional equality within the permanent category. Creating permanent seats without equivalent rights could produce a two-tier permanent membership and potentially institutionalise a new form of inequality.

At the same time, some States and reform coalitions have supported a model under which new permanent members would initially lack veto rights. Germany, for example, stated during the April 2026 intergovernmental negotiations that new permanent members could initially be without veto rights, subject to review after fifteen years, while also supporting limits on veto use. This illustrates the continuing divergence between equality of permanent membership and concerns over expanding veto-based paralysis.

The disagreement therefore reflects two legitimate institutional concerns: representational equality and decision-making effectiveness. A legally sustainable reform package must address both rather than treating either as dispositive.

12.0 Competing Models of Security Council Reform

The first model is full permanent enlargement, under which additional States receive permanent membership with the same legal privileges as the existing permanent members. This model most directly

addresses representational inequality and is broadly consistent with the African Common Position. Its principal institutional difficulty is that it could increase the number of veto holders and thereby potentially increase the frequency of Council deadlock.

The second model is permanent enlargement without immediate veto rights. Under this arrangement, additional permanent members would enjoy continuity of membership and participation but would initially lack the power to block substantive decisions. The model seeks to combine permanence with institutional effectiveness. Its legal difficulty is that it could create different categories of permanent membership and may therefore face objections from States that regard equal permanent status as requiring equal privileges. The G4 debate has explored variations of this approach, including a possible review period before veto rights are extended.

The third model is expanded non-permanent membership, potentially involving longer terms or improved regional rotation. This approach would increase geographical representation without creating additional veto holders. Its principal advantage is that it may improve representativeness with fewer structural implications for Article 27. Its limitation is that elected members would remain subject to the existing permanent-member veto and therefore could gain visibility without acquiring corresponding decision-making authority.

The fourth model is hybrid institutional reform, combining enlargement with veto restraint, working-method reform, greater transparency and stronger General Assembly engagement. This model does not assume that one constitutional change will solve all problems. Instead, it recognises that Council dysfunction results from the interaction of membership, voting rules, geopolitical rivalry and institutional practices.

The fifth model is regional representation, under which regional organisations would play a greater role in determining candidates for permanent and non-permanent seats. Such an approach could enhance regional legitimacy and reduce competition among States from the same region. It would be particularly relevant for Africa, where the AU has already developed a common institutional position. It could also provide a mechanism for balancing national interests with regional representation.

13.0 International Law and the Limits of Security Council Reform

Any comprehensive alteration of Council composition or voting privileges requires attention to the Charter amendment process. Article 108 establishes a demanding legal threshold requiring a two-thirds General Assembly vote and ratification by two-thirds of UN members, including all permanent members. This requirement means that the existing permanent members possess an effective constitutional safeguard over reforms affecting their institutional privileges.

The consequence is that reform cannot realistically be conceptualised exclusively as a majoritarian exercise. The General Assembly may possess numerical superiority, but numerical superiority alone cannot amend the Charter. This is one of the principal reasons that Security Council reform has remained a prolonged intergovernmental process.

Nevertheless, the Charter does not preclude incremental institutional adaptation. Working-method reforms, greater transparency, voluntary restraint and enhanced General Assembly scrutiny can be pursued without necessarily requiring the same level of constitutional transformation as abolition or redistribution of veto rights. The distinction between formal Charter reform and institutional practice reform is therefore critical.

The law consequently permits a layered reform strategy. The first layer consists of Charter amendments dealing with membership and voting. The second consists of procedural reforms adopted through Council and General Assembly practice. The third consists of political commitments by States to exercise existing powers with greater restraint. The fourth consists of accountability mechanisms that

enable the wider UN membership to scrutinise Council decisions. A calibrated approach should use all four layers rather than relying exclusively upon one.

14.0 Veto Restraint as an Interim Legal-Institutional Strategy

Complete abolition of the veto would represent the most extensive transformation of the Council's constitutional structure. However, abolition is legally and politically distinct from restraint. Veto restraint can be pursued through political commitments, interpretive practices and procedural mechanisms while broader Charter reform remains under negotiation.

One important avenue is the continued application of Article 27(3), particularly where the Charter requires abstention in circumstances involving a party to a dispute. The 2026 reform negotiations have specifically identified fuller and more consistent application of this provision as a practical mechanism for constraining veto use within the existing framework.

Another avenue concerns voluntary restraint in situations involving mass atrocities. Various initiatives have sought to encourage permanent members to refrain from veto use in situations involving genocide, crimes against humanity and other grave violations. These initiatives do not create the same legal obligation as Charter amendment, but they can contribute to institutional accountability and establish expectations concerning responsible use of permanent-member powers.

A third avenue is enhanced explanation and transparency. A veto should generate a clearer institutional record concerning the legal and policy reasons for the decision. The General Assembly veto initiative already provides a mechanism through which vetoes are discussed by the wider membership. This could be complemented by more systematic explanatory statements, analytical documentation and follow-up consideration of the consequences of vetoed proposals.

15.0 Working Methods, General Assembly Accountability and Institutional Balance

Security Council reform should not be reduced to membership and veto rights. Working methods determine how the Council engages with affected States, regional organisations, civil society and the General Assembly. Greater transparency can improve legitimacy, while more systematic consultation can strengthen the quality of Council decisions.

The relationship between the Security Council and General Assembly is particularly important. Although the Council has primary responsibility for international peace and security, it remains an organ of an organisation whose membership extends far beyond its fifteen members. The Assembly's political authority and representative character can therefore provide an important accountability dimension.

The 2024 *Pact for the Future* explicitly calls for improvements in the Council's relationship with the General Assembly and identifies transparency, efficiency, effectiveness, democracy and accountability as principles for an enlarged Council. These commitments provide a contemporary normative basis for linking structural reform with institutional accountability (United Nations, 2024).

Regional organisations should similarly receive greater institutional consideration. The African Union, European Union, Arab League and other regional bodies possess contextual knowledge and political legitimacy that can contribute to conflict prevention and implementation. Stronger consultation between the Council and regional organisations would not eliminate geopolitical disagreement, but it could improve the quality and regional ownership of Council action.

16.0 The Case for a Review Clause

A major weakness in international institutional reform is the possibility that a newly negotiated arrangement may eventually become obsolete. A review clause can address this problem by requiring the membership to periodically examine whether the Council's composition, voting procedures and working methods continue to reflect international realities.

The 2024 *Pact for the Future* expressly encourages consideration of a review clause, and the 2026 Co-Chairs' Elements Paper records agreement among Member States to consider including such a mechanism in a comprehensive reform package.

A review clause would not necessarily guarantee future reform. Its value would lie in institutionalising periodic assessment. This could reduce the risk that a reform negotiated for one geopolitical period becomes another rigid institutional settlement. It would also allow the membership to assess the effects of enlargement on representativeness, decision-making speed, veto use and regional balance.

The review mechanism could therefore be designed around measurable institutional questions: whether regional representation has improved; whether Council decisions are adopted in a timely manner; whether veto use has increased or decreased; whether the Council's relationship with regional organisations has improved; and whether its working methods remain appropriate to contemporary security challenges.

17.0 Discussion of Findings

The first finding is that the veto is simultaneously a legal entitlement and a source of institutional vulnerability. The Charter deliberately gives permanent members a special position, but the resulting decision-making structure can become ineffective when geopolitical interests prevent consensus. Consequently, the challenge is not adequately described as a simple conflict between law and politics. The veto is itself a product of international law, while its consequences are shaped by international politics.

The second finding is that enlargement is necessary to address representational deficits but insufficient by itself to resolve Council dysfunction. The contemporary reform process recognises the need for greater representation, particularly for Africa, while simultaneously emphasising effectiveness. The *Pact for the Future* therefore treats enlargement, working methods, veto reform and a review clause as interconnected components rather than independent reforms.

The third finding is that Africa's claim occupies a distinctive position within the reform process. The Common African Position has achieved institutional coherence through the Ezulwini Consensus and Sirte Declaration and has been reaffirmed in contemporary AU diplomacy. The central legal question is therefore no longer whether Africa has articulated a coherent position, but how that position can be accommodated within a Charter amendment process that requires broad agreement, including the participation of existing permanent members.

The fourth finding is that interim reform is legally and institutionally important. Because comprehensive Charter amendment faces a demanding threshold, procedural measures such as veto accountability, application of Article 27(3), improved working methods and General Assembly scrutiny can operate while structural negotiations continue. The 2026 reform process itself recognises the relevance of these mechanisms.

The fifth finding is that the most sustainable reform model is likely to require calibration rather than a single transformative intervention. This does not mean that a particular model should be predetermined. Rather, it means that enlargement should be linked to decision-making safeguards, regional representation, transparency, accountability and periodic review. The legal structure of the Charter makes such sequencing particularly relevant because some reforms can be implemented through institutional practice while others require formal amendment.

18.0 Conclusion

The United Nations Security Council remains indispensable to the international legal architecture of peace and security, but its institutional design reflects a geopolitical settlement that has undergone profound transformation. The persistence of the veto, the absence of permanent African representation

and the growing fragmentation of international politics have intensified questions concerning the Council's representativeness, legitimacy and effectiveness. The contemporary reform process confirms that these concerns are no longer peripheral to global governance; they constitute a recognised component of the wider effort to adapt the international system to twenty-first-century realities.

The legal analysis demonstrates that Security Council reform cannot be separated from the Charter. Membership, voting rights and permanent-member privileges are constitutionally embedded and therefore subject to stringent amendment procedures. This creates a structural paradox: the institution most in need of adaptation is legally protected by rules that make adaptation exceptionally difficult. Yet the same legal framework contains opportunities for incremental change through working methods, interpretation, accountability practices and political restraint.

The article therefore conceptualises reform as a calibrated process involving four mutually reinforcing dimensions: equitable enlargement, responsible veto governance, institutional accountability and periodic review. Enlargement should address the underrepresentation of Africa and other regions while maintaining an appropriate balance between representativeness and effectiveness. Veto governance should pursue restraint, transparency and fuller application of existing Charter limitations. Institutional accountability should enhance the role of the General Assembly and regional organisations without undermining the Council's Charter-based responsibilities. Finally, a review mechanism should ensure that future institutional arrangements remain adaptable.

For Africa, the reform debate has particular significance because permanent exclusion from the Council remains difficult to reconcile with the continent's role in the international peace-and-security system. The African Common Position provides a coherent framework for engagement, but translating that position into Charter reform requires sustained diplomacy, regional coordination and negotiation across competing models. The objective should therefore be a Security Council whose legal authority is matched by contemporary representativeness and whose institutional capacity is not undermined by unchecked veto paralysis.

Ultimately, reform should seek to reconcile two principles that have too often been presented as competing objectives: representation and effectiveness. A Council that is representative but unable to act cannot fully discharge its mandate, while a Council that acts efficiently but excludes significant parts of the international community risks weakening the legitimacy of its decisions. The legal and institutional challenge is therefore to construct a Council capable of doing both. In a fragmented geopolitical era, calibrated enlargement, responsible veto governance and adaptive institutional law provide a more coherent framework for pursuing that balance.

19.0 Recommendations

Recommendation One

The United Nations General Assembly should pursue comprehensive Security Council enlargement through a negotiated model that improves regional representation while preserving institutional effectiveness.

Implementation Strategies

i. The General Assembly Intergovernmental Negotiations (IGN) to develop a consolidated enlargement framework addressing Council size, permanent and non-permanent membership, regional allocation and the relationship between representation and effectiveness.

ii. The African Union in collaboration with other regional organisations to coordinate regional positions before IGN negotiations to promote coherent representation models and reduce competing regional claims.

Recommendation Two

The permanent members should strengthen responsible veto practices while broader Charter reform remains under negotiation.

Implementation Strategies

i. The Permanent Members of the Security Council to adopt and publicly communicate restraint commitments concerning veto use in situations involving mass atrocities and other grave threats to international peace and security.

ii. The Security Council and General Assembly to strengthen the institutional follow-up to vetoes through explanatory statements, structured debates and systematic consideration under the General Assembly's veto initiative.

Recommendation Three

The United Nations should strengthen the legal and procedural relationship between the Security Council, General Assembly and regional organisations.

Implementation Strategies

i. The Security Council and General Assembly to institutionalise more systematic consultation with regional organisations on conflicts and peace-and-security situations directly affecting their regions.

ii. The UN Secretariat and regional organisations to improve institutional channels for transmitting regional assessments, early-warning information and implementation concerns to the Council.

Recommendation Four

The United Nations should incorporate a periodic review mechanism into any comprehensive Security Council reform package.

Implementation Strategies

i. The General Assembly IGN to include a legally defined review clause establishing periodic assessment of Council composition, voting practices, regional representation, working methods and effectiveness.

ii. The UN Secretariat to develop periodic institutional assessments to provide evidence for review discussions and identify areas requiring procedural or structural adjustment.

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