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Nigerian Multilateral Diplomacy: Case Study Of Nigeria's Aspiration For United Nations Security Council Reform

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Abstract

Nigeria's quest in the United Nations (UN) reform gained momentum in the year 2005, following the proposal made by High-Level Panel (HLP) to redress the imbalance of presentation in the Security Council. Nigeria's among other African states joined the United Nations during the year of Africa in 1960s. Nigeria's aspiration for UN Security Council reform came as perceived marginalization of Africa in the Security Council. Africa is the only continent without a permanent seat on United Nations Security Council. Its memberships are limited only to non-permanent seats on the council. According to an amendment to the council structure of 1963 which entered into force on August 31 of 1965, Africa shares five non-permanent seats along with Asian continent. It means that there shall be only two and at most three non-permanent members on the continent in one term. This scientific article is designed to analyze Nigeria's participation in the United Nations, the United Nations constitutional crisis, Nigeria's aspiration for UN Security Council reform and its desire to represent African continent in the Council.

Keywords: Nigeria, Leadership, African Union, United Nations, UN Security Council Reform.

Overview of United Nations Security Council

The United Nations was formed in 1945 immediately after the end of World War II by 51 countries who were committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards, and human rights. It could be seen that the United Nations was instituted in pursuance of achieving the following mandate: (1) to protect human rights; (2) to maintain international peace and security; (3) to uphold international law; (4) to deliver humanitarian aid and support sustainable development and climate action. However, the negotiations which created the organization took into account the role played by the major victorious allies in the war (United Nations Mandate).

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The victory and structure of this organization necessitated the Security Council which is the United Nations most powerful organ because of power wielded by its members from the time of its creation. The United Nations Security Council is charged with maintaining peace and security between nations (Akpotor et al., 2017). For instance, Chapter VII of the United Nations Charter sets out UN Security Councils' powers to maintain peace. It allows the Council to determine the existence of any threat to peace, breach of the peace, or act of aggression and to take military and nonmilitary action to restore international peace and security.

Moreover, the United Nations Security Council is composed of 15 members: five permanent members with the veto and double veto; Peoples Republic of China, France, Russian Federation, United Kingdom and the United States of America; and ten non-permanent members elected for two-year terms by the General Assembly. Above all the Security Council has the power to make compelling decisions on member states (UN member states).

Apparently, Africa is the only continent without a permanent seat on the United Nations Security Council. Its memberships are limited only to non-permanent seats on the council. According to amendment to the council structure of 1963 which entered into force on August 31 of 1965 (UNSC Amendment of 1963), Africa shares five non-permanent seats along with Asian continent. It means that there shall be only two and at most three non-permanent members on the continent in one term. Nigeria tops the list of African countries by the number of times they have been on the Security Council. Nigeria has occupied the United Nations Security Council's non-permanent seats five times as it was in 1966 – 1967, 1978 – 1979, 1994 – 1995, 2010 – 2011 and 2014 – 2015 (UNSC Non-Permanent Members). Furthermore, the United Nations Organization has been successful in achieving its fundamental principle and objectives in the area of peace and security. Directly or indirectly the organization had averted the third World War as projected by many scholars and political actors in light of the gap between the First and Second World War. However, the organizational structure reform is highly inevitable because of the urgency to promote the democracy of states as well as consolidate peace and harmonies among the United Nations member states.

The United Nations Constitutional Crisis

The uncommon United Nations constitutional crisis which was caused by the quest and expectations that some parts of the organization or organ, such as UN Security Council might be evolving into something far more effective and powerful than anticipated. Thus, has little or no impact on Organizational efficiency as relating to maintenance of peace and security, as stipulated in Chapter VII of the UN Charter.

The United Nations Charter confirms and endorse a highly differentiated international society, despite the rhetoric of state equality portray by its organizational structure. An excessive political power is reserved to five of the strongest states (Peoples Republic of China, France, Russian Federation, United Kingdom and the United States of America) by giving them a dominant power and responsibility in the Security Council, to bind all the other member states on the matter relating to maintenance of international peace and security as stipulated in Chapter VII of the UN Charter.

For emphasis, the five members of UN Security Council have the duty to determine the existence of any threat to the peace, breach of the peace, or act of aggression and further make a recommendation or even decide on what approaches shall be taken in accordance with Articles 41 and 42 to maintain international peace and security. According to Goodrich (1985), the concessions given by the major powers were clear to justify the activities of the Charter, in which limit the activities of the smaller powers in introducing important changes in the system. For instance, their roles during the Dumbarton Oaks Proposals

that determined the establishment of the international organization (United Nations) in 1945 for the purpose of international peace and security.

However, the veto power assigned to each of the five permanent member states remains the only constitutional limitation to other states, due to its excessive power (UN Charter). Moreover, the Charter was necessitated from the inception of the organization in 1945, because of the practice within the UN system which paved the way for several constitutional control over Security Council activities. The Charter does not incorporate a constitutional theory of checks and balances between separate branches but the reciprocal operation of the veto during the Cold War and the resultant paralysis of the Security Council created a system that was functional equivalent (Michael, 2017).

During the Cold War, the General Assembly grew with the admission of many newly independent states in the process many became restive about the Assembly's limited powers, as regards to Security Council position. Within the interval, specifically in 1963, in response to the ongoing pressure from the newly enlarged General Assembly, a constitutional reform was carried out which included an additional four non-permanent seats to the six already existing seats on the Security Council making it a total of ten nonpermanent seats (UN General Assembly No 15 Resolutions, 1963).

Meanwhile, the General Assembly tries to extend its range of activities into the area of peace and security, which indirectly portrays a threat to Security Council, but as long as the Security Council remained paralyzed both organs are always in harmonies. The UN Security Councils' paralysis served as a justification for judicial activism (Jurisdiction and Admissibility, 1984). Perhaps, even when the General Assembly and the Security Council were simultaneously seized of a dispute, the latent constitutional and jurisdictional conflicts receded if, as sometimes occurred, both organs were asked by the same parties to do substantially the same things to synchronize their cooperation (Nwalie, 2020).

Other powers conferred on UN General Assembly by the Charter include taking action in cases of a threat to the peace, breach of peace, or act of aggression when the Security Council has failed to act owing to negative vote of a permanent member. In such instances, as stipulated in *Uniting for Peace*, 377 (v) Resolution of November 1950, the Assembly may consider the matter immediately and recommend to its members collective measures to maintain or restore international peace and security.

Despite that, some of the political leaders from the smaller states in UN General Assembly had grown up operating in this changing environment, to change the status quo. Most of the states aspired, individually to admission to the most exclusive club and organization like BRIC, Shanghai Cooperation Organisation, European Union (EU) and African Union (AU) in the world, so as to limit or abolish the veto of the Security Council members (Michael, 2017). Unfortunately, none of these initiatives proved successful due to the political and economic power control by member states of Security Council. However, the constitutional crisis between the General Assembly and Security Council are created due to excessive political power given to Security Council member states, and the similarity in the functions of both organs which are centered on maintenance of international peace and security, as well as the used of veto by the five Security Council permanent members.

Nigeria's Aspiration for UN Security Council Reform

In the contemporary period, Nigeria among other African states has called for democratization and better regional representation in the UN Security Council. The country believes that United Nations reform would encourage its Permanent Membership seat at the Security Council. Notwithstanding, the call for the reform of the United Nations Security Council has been longstanding (Schlesinger, 1997).

Nigeria has been one of the leading African countries fully in support of the demand for a comprehensive reform of UN Security Council. Nigeria's support stems from both its Pan-African focus, especially the collective opportunities such reform might offer Africa and its people and from its national interest as a potential beneficiary of an enlarged Security Council (Nwalie, 2020).

The basic justification for the call for reform revolves around numerous factors, such as changing the international environment in which the UN operates and the need to adapt to the attendant challenges. According to Schlesinger (1997), the reformation of the United Nations (UN) can be done effectively only if certain misconceptions about its origins and its administration can be fully identified and dispelled. Perhaps, the UN was created for political reasons and remains torn between the maneuverings of democratic and dictatorial and Northern and Southern powers. The above-mentioned factors have been transforming the realities of 1945 the fundamental principle in which the UN was established.

It is imperative to note that the United Nations was instituted with 51 nations when the process of colonialism was still at its very peak and Cold War dominated the agenda of the major powers. However, the colonies were therefore perceived and viewed as a basic instrument of power for the colonial masters, like Great Britain and France, whom they automatically served to enhance their power ranking to assure a permanent seat on the Security Council.

However, the situation has changed at the moment due to the system of operation and size of the organization which has contributed immensely to the democratic value of its member states. For instance, the increase in the number of its memberships to 193 and the veto power given to five permanent members of the Security Council had encouraged the maintenance of international peace and security. Again, the completion of the decolonization process had a significant impact on the structure and membership of the UN.

Apparently, the geographical structure of the organization has also changed significantly. The European and American institutions at inception, the termination of a colonial rule meant that other regions like Africa, Asia, Latin America, and the Pacific now constitute a much larger portion of the membership. These changes have been a formidable basis for the call and need for reform of the Security Council to give a sense of belonging and a global character to these other regions.

Moreover, the UN's inability to respond quickly to prevent the outbreak and spread of conflict in Rwanda and Sudan have contributed to the quest for its Council reform. Most Scholars have attributed the slow and inadequate responses of the UN to the African trouble spots to Security Council failure which is probably connected to the use and abuse of veto power conferred on its members. Moreover, other contradictions can also be associated with the internal workings of the UN. The veto power accorded to the five permanent members of the Security Council has been regarded as undemocratic and unrepresentative of the current membership. Thus, the issues of efficiency, transparency, and accountability in the workings and methods of the UN, have also been of greater concern. It requires a system of devolution of powers to strengthen the General Assembly and the Secretariat but not to the detriment of the Security Council.

The High-Level Panel proposal- under the administration of Kofi Annan, the past UN Secretary-General was a proposal by the High-Level Panel (HLP) to redress the imbalance of presentation in the Security Council in fulfillment of the General Assembly Resolution 52(2) in conformity with the Millennium Declaration, which stresses on the importance of a comprehensive reform of the United Nations (Osuntokun, 1992).

The High-Level Panel proposal and recommendations suggested two models for the reform of the UN Security Council. Both models suggest the increasement of more seats on the UN Security Council in

order to redress the quest among the regional groups on the composition of the Council. The first model recommends additional six permanent seats and four non-permanent members in the Security Council that would increase the Council's membership from 15 to 25.

The six new permanent members would be elected according to the following pattern: two to Africa, two to Asia (Japan and India), one to Europe (Germany) and one to Latin America (Brazil) while the four new non-permanent members would be as follows: one from the African States; one from the Asian States; one from the Eastern European States; and one from Latin American and the Caribbean States (Resolution on Security Council Reform, 2005).

However, the panel recommended that the General Assembly should elect Security Council members by giving preference to the top three financial contributors to the regular budget of the UN in their relevant regional groups, or the top three voluntary contributors, or the top three contributors of troops from their regional areas to the UN peacekeeping operations. In this light, Nigeria could be the most suitable candidate, taking into account its military troops to UN and ECOWAS for peacekeeping missions and its huge financial contributions to the UN regular budget, as well as ECOWAS and AU annual budget respectively. Besides, Nigerian remains the highest voluntarily contributor in Africa (Saliu, 2012).

In line with this judgment, the African Head of States and Government in their Mid-term Summit in Abuja, Nigeria in 2005, reached a consensus by choosing the first model of the proposal submitted by the UN High-Level Panel, which recommends additional six permanent seats and four non-permanent members in the Security Council that would increase the Security Council membership from 15 to 25.

In preference to the second model which recommends creating a new category of eight, four-year renewable-term seats and eleven new two-year non-renewable seats divided among the regional groups (Osuntokun, 1992). This position was formally adopted in Addis Ababa on 8 March, 2005 and became the official position of Africa on the reform of the UN Security Council (African Union Report on UN Security Council Reform, 2005). However, the first model of the High-Level Panel draft proposal and recommendations would help to redress the issues among the regional groups on the composition of the Security Council. Perhaps, the first model would also attract fairness and equity in the usage of veto power.

Accessing Nigeria Candidacy in Quest for the UN Security Council Permanent Seat

Following the meeting held by African Head of States and Government in Addis Ababa on 8 March, 2005 which showed African desire and stance in choosing the first model of the proposal submitted by the UN High-Level Panel, which recommends additional six permanent seats and four non-permanent members in the Security Council. This judgment only permits two African states that have contributed hugely to the following aspect: UN annual regular budget and their regional groups in Africa; UN peacekeeping troops; and the top three voluntary contributors to their regional organization and UN. In this regard, there have been three major African contenders that happen to merit the prescribed conditions for qualification. Nigeria, South Africa, and Egypt fall into the category of those who merited the candidacy for UN Security Council permanent members seat as required by the UN High-Level Panel.

Nigeria possesses the criteria that qualify its candidacy as one of the two African states to take over the slots melted for the UN Security Council permanent seats in conformity with the proposal and recommendations of the UN High-Level Panel. Nigeria remains the highest contributor from Africa to the UN peacekeeping operations and its annual regular budget is in accordance with the UN High-Level Panel criteria for Council qualification. For clarity, South Africa has yet to establish a record for global participation in peacekeeping missions, while Egypt is only participating with interest. In order words, its participation has so far been based on discriminatory and selective (UN Department of Public Information).

Nigeria in the recent time had contributed the most peacekeeping troops to United Nations peacekeeping operations, especially in 2013, Nigeria contributed the fifth largest number of peacekeepers to United Nations peacekeeping operations. According to Mbadiwe (2003), Nigeria's huge contribution to the UN under President Olusegun Obasanjo's administration was to reintegrate the country into the international community as well as restore the lost glory incurred by his predecessor Sani Abacha.

Meanwhile, Nigeria's participation in regional, continental and international peacekeeping was without discrimination and interest. Nigeria was deeply involved in the struggle for decolonization in Angola, Mozambique, Namibia, and the struggle against apartheid in South Africa, in the process of creating a name for itself 'advanced nation' even though it was geographically far from the Southern region of Africa. Nigeria is central to the formation of ECOWAS, restrains the destruction of public order in Liberia, Sierra Leone, and has contributed hugely to the areas, such as peacekeeping operations and providing economic incentives for less economically demanding African countries (Saliu, 2012).

According to Gambari (1997), Nigeria's participation in peacekeeping operations was not limited to Africa and has contributed more than 200,000 Nigerian troops in the UN peacekeeping operation. For instance, Nigeria has participated in the following peacekeeping missions: United Nations India-Pakistan Observer Mission; United Nations Security Force in West New Guinea; United Nations Interim Force in Lebanon; United Nations Transition Assistance Group Namibia; United Nations Mission for the Referendum in Western Sahara; United Nations Operations in Somalia; United Nations Protection Force; United Nations Assistance Mission in Rwanda; United Nations Groups in the Aouzou Strip; United Nations Iran-Iraq Military Observer Groups (Saliu et al., 2008).

Beyond Nigeria's contributions to the UN peacekeeping missions, another major credential is that Nigeria has served as the Chairman of the UN Special Committee against Apartheid, the main instrument through which the UN engaged in attending to the white minority rule in South Africa. Accordingly, in September 2019, Tijjani Muhammad Bande (Nigerian) emerged as the 74th President of the United Nations General Assembly (Nwalie, 2020). Moreso, Nigerian troops has acquired relevant military experience in terms of training, exposure to the use of modern technology in participation in UN peacekeeping missions. Perhaps, Nigeria's role in the UN and ECOWAS peacekeeping operations has given the country an edge over other contenders, especially South Africa and Egypt (United Nations Report on MDG), as relating to the criteria of the UN High-Level Panel.

Regional Context in accessing Nigeria candidacy

Nigeria within the regional context has incontestably emerged as a regional hegemon because of its role in conflict resolution and peacekeeping in West Africa. Since Nigeria's independence in 1960, the country has declared its readiness, commitment, and intention in making Africa the centerpiece of its foreign policy. It could be seen in the assertion made by Prime Minister Tafawa Balewa in his inaugural speech on 7 October, 1960 at the Plenary of the 15th Regular Session of the United Nations General Assembly, exactly six days after Nigeria gained independence and became the 99th member of the organization, declared that Nigeria hoped to work and cooperate with the UN and its member states, especially in matters related to establishing democratic principles and supporting peace (Akpotor, 2017; Olusanya, 1986).

Nigeria's involvement in African conflict resolution and management has been noticeable and appreciated by the regional and intergovernmental organizations, such as the Economic Community of the West African States and the African Union where it belongs. Since the formation of the Organization of African Unity (now African Union), Nigeria has been spearheading conflict resolution and peace management in Africa (Ebo & Mandeh, 1998). Nigeria through peacekeeping interventions has contributed

to the quelling of internal and international conflict in Africa. Beginning from its participation in Congo crisis shortly after independence, it has since remained committed to conflict resolution and peace management in Africa. For instance, Nigeria participated in the peacekeeping mission in Tanzania in 1964, Chad in the 1980s, before the United Nations intervention as well as Namibia from 1989 to 1990, all in connection with conflict resolution.

Nigeria's peacekeeping efforts in the West African subregion are particularly noteworthy, not essentially because of its immense role in the formation of the ECOWAS Monitoring Group (ECOMOG), but also because most of its roles are immense and exceptional. For emphasis, Nigeria contributed hugely to the operational needs of all the contingents (about 9000 personnel) in ECOMOG peacekeeping missions from 1991 to 1992. Also, Nigeria spent \$8 billion on peacekeeping operations in Liberia and Sierra Leone conflicts before the intervention of the United Nations (Saliu, 2012).

The Nigeria's role in peacekeeping operations in its subregion has continued to be manifested in the developmental aspirations of the continent. Especially, the transmutation of OAU to AU shows this as Nigeria has been involved at every stage of the project. Again, Nigerian former President Olusegun Obasanjo chaired the AU between 2003 and 2004. The NEPAD initiative has also been enhanced by Nigeria's commitment, and Nigerian diplomat, Ambassador Aluko Olokun served as the head of its implementation committee (Akinterinwa et al., 2005). This among other factors has been promoting and protecting the integrity and welfare of Nigeria and its neighbors within the context of unity and development (Ogunnubi, 2018). All of this was in tandem and consonance with Nigeria's first Prime Minister's ideas to be commensurate with Nigeria's name and status 'messiah' of the continent (Claude, 1964).

Finally, given Nigeria huge contributions to peacekeeping mission and other developmental areas, such as economic and sociocultural in Africa, it may be appropriate to envisage a smooth path for Nigeria in the journey to being elected as one of the two new African representatives on the UN Security Council permanent seat. Suffice it to say that since Nigeria attained independence, the successive Nigerian Presidents has shown much commitment towards promoting African diplomacy, as well as representing the good image of Africans within and in diaspora, in line with this judgment Nigeria remains one out of the two new required African representatives on the UN Security Council permanent seat.

The **Conclusion** summarizes the key findings of the work.

To conclude this, we ascertain that the first model of the High-Level Panel draft proposal and recommendations would help to redress the issues among the regional groups on the composition of the Security Council. It is shown that the first model would also attract fairness and equity in the usage of veto power. It is revealed that the constitutional crisis between the General Assembly and the Security Council are created due to excessive political power given to Security Council member states, and the similarity in the functions of both organs which is centered on maintenance of international peace and security, as well as the used of veto by the five Security Council members.

It is shown that the Nigerian troops has acquired relevant military experience in terms of training, exposure to the use of modern technology in participation in UN peacekeeping missions. Thus, the Nigeria's role in the UN and ECOWAS peacekeeping operations has given the country an edge over other contenders, especially South Africa and Egypt, as relating to the criteria of the UN High-Level Panel. It has been argued that the Nigeria's involvement in the regional, continental and global levels - peacekeeping missions and other aspects has qualified the country as one out of the two new required African representatives on the UN Security Council permanent seat.

However, the United Nations Organization has been successful in achieving its fundamental principle and objectives in the area of international peace and security. It has been argued that directly or indirectly the organization had averted the third World War as projected by many scholars and political actors in light of the gap between the first and second World War. It has been established that Nigeria's has called for democratization and better regional representation in the UN Security Council. The researcher concludes that the United Nations reform would encourage Nigerian Permanent Membership seat at the Security Council.

Conclusion

It is concluded that Nigeria has taken a position as a mouthpiece and reliable defender of Africa's interest in the international community. The study gave a strong clarification why Nigeria's has called for democratization and better regional representation in the UN Security Council. It is shown that Nigeria possesses the criteria that qualify its candidacy as one of the two African states to take over the slots melted for UN Security Council permanent seat in conformity with the proposal and recommendations of the UN High-Level Panel. However, the Nigeria's involvement in the peacekeeping missions and other aspects has qualified the country as one out of the two new required African representatives on the UN Security Council permanent seat. Suffice it to say that since Nigeria attained independence, the successive Nigerian Presidents has shown much commitment towards promoting African diplomacy, as well as representing the good image of Africans in the international community.

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