

## NOTES & COMMENTS

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# “Article 24 Crises” and Security Council Reform: A Japanese Perspective

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*The Article 24 of the United Nations Charter prescribes the responsibility of the Security Council in maintaining the peace and security of the international community. Due to emerging threats against international peace, such as terrorism, proliferation of weapons of mass destruction and increasing recognition of the ‘human security’ concept, the Security Council now needs to diversify approaches to international security, such as prevention by establishing new international norms through quasi-legislation activities, in addition to a conventional approach of response to crisis such as peace keeping. Thus, the reform of the Security Council must be considered so that the Security Council could deal with such new threats more effectively as well as more legitimately.*

### Keywords

Security Council, United Nations Reform, Article 24 of the Charter, human security.

## 1. Introduction

On October 17, 2008, Japan was elected as a non-permanent member of the United Nations Security Council. Since its accession to the United Nations on December 18, 1956, Japan has served as a non-permanent member of the Security Council for a total of nine terms, and this election marked its tenth election.<sup>1</sup> Japan is the most frequently serving non-permanent member state of the Security Council. On this occasion, Japan

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<sup>1</sup> Japan has been successful in all elections except one in 1978, when Japan lost against Bangladesh.

expressed its determination to commit itself to making “proactive and constructive contributions to the work of the Council” to deal with complex challenges such as terrorism and the proliferation of weapons of mass destruction (WMD).<sup>2</sup> Furthermore, the Government of Japan explicitly expressed its expectation that its active engagement and contribution to the Council’s work during the two-year term beginning from January 2009 would meet the expectations of the international community and enable Japan to achieve permanent membership in the Security Council.<sup>3</sup> Three years after the bitter disappointment of the failure of the Security Council reforms of 2005, expectations for the quest toward permanent membership have re-emerged.

At the same time, it is not appropriate to discuss Security Council reform only in the context of power politics within the United Nations. The quest for reform of the Security Council has derived not from power-hungry motivations of states aspiring for permanent seats. Rather, it is a consequence of real needs for increasing the Security Council’s capacity to adapt to the new security environment and thereby play a fundamental role in the maintenance of international peace and stability—as prescribed in Article 24 of the Charter of the United Nations—in the post-Cold War security environment, where “non-traditional security” issues have become increasingly critical.

Therefore, this paper will argue for the necessity of reform of the Security Council in view of the emerging functions that the Security Council will assume under changing perceptions of threats to international peace and security, and will then review the qualifications of Japan, as a new permanent member, in helping to enable the Security Council to play such new roles. This paper will first provide a rough sketch of the history of Security Council reform and Japan’s endeavors. Second, it will analyze the emerging new international security environment surrounding the Security Council and the so-called “Article 24 Crises,” as well as evolving (quasi-)legislative and judicial functions that the Security Council should adopt and bear in order to meet such new international security challenges. This paper will then re-evaluate the qualifications of Japan for becoming a permanent member of the Security Council and will describe the rationale upon which Japan should base its quest for expansion of permanent seats in the Security Council.

As unanimously adopted by the United Nations General Assembly on September 15, 2008, reform of the Security Council, or expansion of membership of the Security Council, was once again addressed as a priority issue in the reform for a more

<sup>2</sup> Press Release, Ministry of Foreign Affairs of Japan, *Statement by Mr. Hirofumi Nakasone, Minister for Foreign Affairs of Japan, on the election of Japan as Non-permanent member of the United Nations Security Council* (Oct. 18, 2008), available at [http://www.mofa.go.jp/announce/announce/2008/10/1183983\\_1060.html](http://www.mofa.go.jp/announce/announce/2008/10/1183983_1060.html). (last visited on Feb. 22, 2009)

<sup>3</sup> *Id.*