

Helsinki Commission Recommends Kicking Russia Off U.N. Security Council

Not so fast, experts say.

By [Jack Detsch](#), a Pentagon and national security reporter at *Foreign Policy*., and [Robbie Gramer](#), a diplomacy and national security reporter at *Foreign Policy*.



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A overhead view shows a United Nations Security Council meeting at U.N. headquarters in New York on Sept. 30. Ed Jones/AFP via Getty Images

An independent U.S. government human rights and security watchdog is calling on the Biden administration to take immediate steps to remove Russia as a permanent member of the U.N. Security Council, after Russia hit civilian areas in Kyiv and other major Ukrainian cities this week with missile strikes.

In a letter to U.S. Secretary of State Antony Blinken obtained by *Foreign Policy*, the bipartisan Helsinki Commission urged the United States to initiate a protest of Russia's standing as a permanent member of the Security Council based on the violation of Ukraine's sovereignty, which U.S. President Joe Biden has said flies in the face of the U.N. Charter.

Under the long-shot plan, Ukraine would issue credentials to a representative to claim the seat, allowing the United States or another nation to protest Russia's standing as a Security Council member, which derives from a 1991 deal for Moscow to retain the Soviet Union's permanent seat after the country collapsed. That could force a vote for Russia's ability to remain on the Security Council.

"We urge you to initiate a process to replace Russia on the UN Security Council as the fifth permanent member," Reps. Steve Cohen and Joe Wilson, a co-chair and the ranking member on the Helsinki Commission, respectively, wrote to Blinken on Wednesday. "Russia is not a responsible international actor and is unbecoming of a seat on the UN Security Council. Moreover, it has no right to this seat. Rather, it was provided to Russia in a deal after the dissolution of the Soviet Union. Ukraine could and should be recognized to fill the USSR seat rather than Russia."

The push also comes as Russia has faced criticism in New York from U.N. member states about the full-scale invasion of Ukraine. The U.N. General Assembly on Wednesday voted overwhelmingly to condemn Russia's attempts to annex Ukrainian territory as illegal in an action that underscored Moscow's growing diplomatic isolation at the world body. Only four countries—North Korea, Belarus, Syria, and Nicaragua—backed Russia, while 143 countries voted against it.

Under the 1991 deal, Russia pledged to respect the sovereignty and territorial integrity of its neighbors. Belarus and Ukraine were the two U.N. founding states that were also members of the Soviet Union, dating back to 1946, but as Belarus's pro-Moscow government has "aided and assisted Russia in the war against Ukraine," it should be deemed "unsuitable" for the seat, Cohen and Wilson wrote to Blinken.

For months, Ukrainian officials have also been urging for Russia to be expelled from the Security Council, fearing that it could use its veto power as one of the body's five permanent members to escape condemnation for the full-scale invasion of Ukraine. Last month, before the General Assembly vote, Russia [vetoed](#) a draft Security Council resolution circulated by the United States and Albania that called Moscow's illegal annexation of four Ukrainian territories as "a threat to international peace and security."

Ukraine's push to expel Russia from the security council dates back to before the invasion, but officials—all the way up to Ukrainian President Volodymyr Zelensky—have re-upped their concerns after Russian massacres, such as in the Kyiv suburb of Bucha, fearing Russia could continue to obstruct efforts to condemn human rights abuses.

"Where is the security that the Security Council was supposed to guarantee?" Zelensky asked in an impassioned speech to the security council after visiting

Bucha in April. “Ladies and gentlemen, are you ready to close the U.N.? Do you think the time for international order is gone?” (Zelensky [repeated](#) his plea at the U.N. General Assembly meeting in September).

There is a debate about how readily Russia might be booted from the Security Council. Ukraine, for instance, could take Russia’s old seat, warmed by the Soviet Union. Security Council members could push through a nine-country majority vote on Russia’s membership if the United States or another member backs a challenge by a Ukrainian representative to issue credentials to fulfill the Soviet Union’s old seat, [wrote](#) Thomas Grant of the University of Cambridge.



A local resident sits outside a building destroyed by Russian, Iranian-made, drones after an airstrike on Bila Tserkva, southwest of Kyiv, on October 5, 2022, amid the Russian invasion of Ukraine.

But such a move could prompt legal and political blowback. Since Ukraine was a charter member of the United Nations in 1946—added to the body by Soviet leader Joseph Stalin along with Belarus in a negotiated effort to give Moscow more votes—some doubt that it could lay any [claim](#) to Russia’s membership. Ukraine also supported Russia’s continuance of the Soviet Union’s United Nations membership in 1991 after it came into the body as an independent state (Russia was not a member of the United Nations until the breakup of the Soviet Union). From a legal standpoint, [booting](#) Russia in favor of Ukraine could require an amendment to the United Nations charter, something that has happened only five times in the world body’s 76-year history.

And despite the vote earlier this week and though several current U.N. security council members voted to denounce Russia’s full-scale invasion of Ukraine in March, some experts are skeptical that a challenge to remove Moscow from the body would fly politically. Russia has repeatedly received votes to continue sitting on other United Nations bodies, such as the United Nations Economic and Social Council, and experts said that smaller states—even those that have stood up against Russia since February—might be worried about the precedent that the United States booting a permanent member of the security council could set.

“A lot of states worry about the general precedent for the U.S. and its allies trying to exclude countries from U.N. forums,” Richard Gowan, the United Nations director for the International Crisis Group, told *Foreign Policy* in a phone interview. “They worry that if Russia can be somehow turfed out of the security council, then in the future, the West will start trying to throw smaller countries that it doesn’t like out of U.N. bodies or trying to use the U.N. charter rules to expel smaller countries from the U.N. altogether.”

The United States also appears to be looking at other options to deal with Russia’s intransigence on the Security Council. Biden in his address to the U.N. General Assembly last month proposed reforming the U.N. Security Council, but only spoke of adding new members, rather than removing one. “The United States supports increasing the number of both permanent and non-permanent representatives of the Council. This includes permanent seats for those nations we’ve long supported and permanent seats for countries in Africa [and] Latin America and the Caribbean,” he said.

While experts and diplomats widely agree that the current makeup of the UNSC doesn’t reflect the current world order, few believe that the five major powers on the UNSC—namely China and Russia—would unanimously agree to adding new permanent members to the council.

If reforming the U.N. Security Council is indeed a longshot, Russia may have greased the wheels for more serious discussions on it after it launched its invasion of Ukraine in late February, leading to sweeping international condemnation and transforming Putin into a pariah on the world stage. And Moscow put itself on unsteady footing with the sham referendum vote on Ukrainian soil, experts said, opening themselves up to another round of condemnation.

“By challenging the principle of territorial integrity, the Russians managed to force a lot of other countries to voice direct support for Ukraine again,” said Gowan. “The Russians are in a pretty bad place diplomatically in New York right now.”

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