

21 January 2010

English only

Sixty-fourth session

Agenda item 119

Question of equitable representation on and increase in the membership of the Security Council and related matters**Security Council reform**

As Chair of the intergovernmental negotiations on equitable representation on and increase in the membership of the Security Council and related matters, I have the honour to submit the following conference room paper, which was presented by the delegations of Colombia and Italy during the intergovernmental negotiations and is issued at their request:

1. Since the last amendment of the Charter of the United Nations in 1963, which increased the number of non-permanent members of the Security Council, world realities have continued to change. Adapting the Council's structure and working methods to these realities is an urgent priority.
2. Any reform of the Security Council should have as its objective the establishment of a more democratic, more equitably representative, more transparent, more effective and more accountable Council, one that respects the diversity and pluralism of the contemporary international community. Such a reform would need to pay particular attention to the substantial increase in the number of developing countries within the United Nations membership since the last expansion of the Council, as well as the legitimate interests of small and medium-sized States with respect to serving on the Council.
3. The preservation of democratic principle lies at the heart of the legitimacy of any reform of the Security Council. The discipline of regular elections is irreplaceable in ensuring an accountable, accessible Council, one in which membership is earned as a privileged responsibility, not granted as a permanent right. Only an expansion in the number of elected seats can ensure the preservation of that democratic principle; the authority, through it, of the General Assembly; and, ultimately, the long-term legitimacy of reform.
4. The subject of Security Council reform is one of the most contentious issues in the United Nations. The review conference envisaged by Article 109 of the Charter of the United Nations never materialized. In the 63 years of its existence, there has been only one successful attempt to change the composition of the Council. The current reform process has been going on for the last 14 years without the reaching

of any agreement. Therefore, it is extremely important that the reform of the Council be comprehensive, including an increase in the size of the membership and an improvement in the working methods.

I. Categories, terms and mandate

Additional seats

1. The exact number of seats will depend on the total size of the expansion and the distribution of those seats among various regions, taking into account equitable geographical distribution.

Longer-term seats

- Seats allocated to the regional groups, as follows:

Africa

Asia

Asia/Africa (on a rotational basis)

Group of Latin American and Caribbean States

Western European and Others Group/Eastern European Group (on a rotational basis)

Alternative options for duration of terms:

(a) A term of from three to five years without possibility of immediate re-election; or

(b) A term of two years with the possibility of up to two immediate re-elections. To be eligible to run afresh, Member States will have to give a break equivalent to the consecutive period served on the Council.

Regular non-permanent seats

- Seats for a two-year term without the possibility of immediate re-election, as follows:

Small states¹

Medium-sized States²

Africa

Asia

Group of Latin American and Caribbean States

Eastern European Group

¹ Population below 1 million, that is, 42 countries, of which 37 have never been elected to the Security Council. Of the 37 never elected: 4 are from Africa; 11 are from Group of Latin American and Caribbean States; 15 are from Asia; 1 is from Eastern European Group; 6 are from Western European and Others Group.

² Population between 1 million and 10 million, that is, 71 countries, of which 27 have never been elected to the Security Council.

2. Arrangements for representation in respect of the seats, including re-election and rotation, should be decided by the respective regional groups.

II. Majority required for Security Council decisions and the question of the veto

- *Majority required for adoption of substantive decisions in an enlarged Security Council, in accordance with Article 27 of the Charter of the United Nations:*
 - Present ratio, that is, 3/5 (60 per cent) of the total Security Council membership, or a greater ratio
- *Options on the question of the veto:*
 - Abolition of the veto
 - Limitations in respect of the scope of the veto: inter alia, application of the veto only on Chapter VII-related matters

III. Working methods and procedures

1. Enhancement of transparency in the work of the Security Council, including through:
- Better access to information through open briefings
 - Holding of Security Council meetings in an open format and keeping to a minimum closed meetings and informal consultations as the exception that they were meant to be
 - Timely availability to non-Security Council members of draft resolutions and presidential statements
 - Frequent, timely and qualitative briefings for non-Security Council members on the matters discussed in Council informal consultations and in the subsidiary bodies
2. Enhancement of access and participation of non-Security Council members in the work of the Council, including through:
- Full and more vigorous implementation of Articles 31 and 32 of the Charter of the United Nations within the context of the work of the Security Council and its subsidiary bodies
 - Interaction of the Security Council with all interested and concerned parties, particularly in the decision-making process
 - Timely decision on the format of meetings to allow the membership sufficient preparation
 - Establishing mechanisms to ensure that views and interests of Member States affected or concerned by any matter in the agenda, including troop-contributing countries and host countries, are heard and taken into account

- Expansion of consultation and cooperation of the Security Council with regional organizations and countries in the region concerned
- 3. Adoption of formal rules of procedure of the Security Council, after appropriate consultation with the general membership.
- 4. Review of the implementation of decisions of the Security Council.

IV. Relationship between the Security Council and the General Assembly

- Enhancement of the accountability of the Security Council to the general membership
- Submission of substantive and analytical annual reports and, when necessary, of special reports of the Security Council to the General Assembly, pursuant to Articles 15 (1) and 24 (3), of the Charter of the United Nations
- Strengthening of the interrelationship among the Security Council and other United Nations principal organs, including through regular and institutionalized consultations, cooperation and adequate exchange of information

V. Review mechanism

- Review after 10-12 years or after 15-16 years, taking into account the terms for the seats
- Comprehensive reassessment, including the composition and working methods of the Council