



Office of the Ambassador

PERMANENT MISSION OF
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TO THE UNITED NATIONS

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C-0/COMM/1232

December 23, 2009

Excellency and dear Colleague,

I have the honour to refer to your letter of November 16, 2009 and to once again, address a letter to you on behalf of the African Group. I wish to express our sincere appreciation to you for your unwavering commitment and dedication to ensuring a smooth and successful conduct of the on-going Intergovernmental Negotiations in Informal Plenary of the General Assembly on the *Question of Equitable Representation and Increase in the Membership of the Security Council and Other Related Matters*. The African Group remains as steadfastly committed as ever to a speedy and meaningful reform of the Security Council within the context of the current geo-political realities of the global community vis-à-vis the imperatives of our collective interest for the maintenance of international peace and security.

We do concur with your strong determination to continue to engage this process within the framework of General Assembly decisions 62/557 and 63/565 as the most viable means of reaching the broadest possible agreement on the outcome we are all striving to achieve. We take note with interest the recent developments and the on-going initiative intended to encourage you to come forth with a paper or summation on the Intergovernmental Negotiations thus far in order to infuse a strong sense of urgency in remaining decisions capable of bridging the differences over sticky points of the process. The recent exchange of December 8 through 9 has also been very promising with respect to the direction member states want the process to assume.

In this regard, the aim of this correspondence is to refresh your mind about issues we have highlighted in previous interactions, exchanges and correspondence to ensure that any attempt at producing a paper or a summation as a basis for a more intense negotiation leading to trade-offs should take into account elements of the common African position as a way of redressing decades of historical injustice suffered by the continent while seeking to reform the Security Council to respond to the prevailing geo-political realities.

In your role as *'a Chair, impartial to any of the positions yet partial to progress, providing guidance to member states on the path to early reform of the Security Council'*,

We urge that any working paper to be crafted out of this process as a basis for progress and further negotiations must include among other things the following elements:

- i. On category, Africa favours expansion in both the permanent and non-permanent categories of the Security Council. This means the allocation no less than two permanent seats for Africa, with all the prerogatives and privileges of permanent membership to be extended to all permanent members and of a total of 5 non-permanent seats; with the selection of all such representatives to be done by the African Union for submission to the General Assembly for election;
- ii. On the cluster relating to the question of the veto, Africa strongly believes that the veto should be abolished but so long as it exists, it should be extended to all members of the permanent category of the Security Council, who must in this regard enjoy all the prerogatives and privileges of permanent membership in the permanent category including the right of the veto as a matter of common justice;
- iii. On the issue of regional representation, a reform that will ensure Africa's legitimate right to fair and equitable geographical representation in the Security Council, taking into account the principles, objectives and ideals of the UN Charter for a fairer world based on universalism, equity and regional balance within the UN system;
- iv. On the size of an enlarged Security Council, a more representative and inclusive Council should consist of a total of 26;
- v. On the Council's Working Methods, Africa favours a more accessible, democratic, representative, accountable and more effective Security Council responding to the exigencies of the time and accordingly deems it imperative, inter alia:
 - a. *To increase* the number of public meetings, in accordance with Articles 31 and 32 of the Charter, and that these meetings should provide real opportunities to take into account the views and contributions of the wider membership of the UN, particularly non-Council members whose affairs are under discussion of the Council;
 - b. *To allow* for briefings by the Special Envoys or Representatives of the Secretary-General and the UN Secretariat to take place in public meetings, unless in exceptional circumstances;
 - c. *To enhance* its relationship with the UN Secretariat and troop contributing countries (TCC), including through a sustained, regular and timely interaction. Meetings with TCCs should be held not only in the drawing up of mandates, but also in their implementation, when considering a change in, or renewal of, or completion of a mission mandate, or when there is a rapid deterioration of the situation on the

ground. In this context, the Security Council Working Group on Peacekeeping Operations should involve TCCs more frequently and intensively in its deliberations, especially in the very early stages of mission planning;

- d. *To uphold the primacy of and respect for the Charter in connection with its functions and powers and in that regard to desist from the practice of engaging and initiating formal or informal discussions on the situation in any Member State of the United Nations or on any issue that does not constitute a threat to international peace and security, and contrary to the provisions of Article 24 of the Charter;*
- e. *To establish its subsidiary organs in accordance with the letter and spirit of the UN Charter, and that these organs should function in a manner that would provide adequate and timely information on their activities to the general UN membership;*
- f. *To avoid any attempts to use the Security Council to pursue national political agendas and to ensure the necessity of non-selectivity and impartiality in the work of the Council, and the need for the Council to strictly keep within the powers and functions accorded to it by the Member States under the UN Charter;*
- g. *To refrain from resorting to Chapter VII of the Charter as an umbrella for addressing issues that do not necessarily pose a threat to international peace and security, and to fully utilise the provisions of other relevant Chapters, where appropriate, including Chapters VI and VIII, before invoking Chapter VII which should be a measure of last resort, if necessary;*
- h. *To Avoid any recourse to the imposition or prolongation of sanctions or their extension by the Security Council against any State under the pretext or with the aim of achieving the political objectives of one or a few States, rather than in the general interest of the international community;*
- i. *To formalise the Rules of Procedure of the Security Council, which have remained provisional for more than 60 years, in order to improve on its transparency and accountability*

vi Relationship between the General Assembly and the Security Council: it is Africa's position that the two organs must work closely together within their respective spheres in the search for solutions to the plethora of challenges confronting the international community while seeking to foster harmonious interaction and ensuring cooperative relationship between Council and the

General Assembly without encroaching on each other's mandates as spelt out in the Charter and to preserve the constitutional balance between them, and further proposes the following, inter alia:

- a. To address the growing concerns by Member States of the gradual encroachment by the Security Council on and the erosion of the authority and mandate of the General Assembly by fully and speedily implementing the relevant provisions of General Assembly resolutions 51/193, 58/126 and 59/313;
- b. Council's submission in keeping with Article 24(3) of the United Nations Charter, more comprehensive and analytical reports to the General Assembly, consisting among other things, of assessment of the work of the Council, views expressed by its members as well as the rationale for taking or not taking action on all issues before it;
- c. Council's submission in accordance with Articles 15 and 24 of the United Nations Charter, special subject-oriented reports to the General Assembly for its consideration and on issues of current international concern;
- d. Ensuring that members are fully informed of the nature and scope of Council's activities not only through full and informative press releases, but also by effectively communicating their views on issues of concern taken by Council in its informal consultations. Convening more formal meetings and informal consultations involving the interested parties prior to the adoption of decisions to allow for wider participation;
- e. The provision of effective and timely flow and exchange of information between the two organs particularly through frequent and regular consultations between the Presidents of the General Assembly and the Security Council to review work plans and consult on specific issues of mutual concern. Such meetings can enhance more direct and dynamic exchanges between the two organs;
- f. Ensuring that the role and authority of the General Assembly including on questions relating to international peace and security be respected and to also guarantee the unfettered application of Articles 10 - 14 and 35 of the Charter and where appropriate Rules 7 to 10 of the Rules of Procedure of the General Assembly, which enable the Assembly to take urgent action; all of which provide a strong basis for the General Assembly to assert itself and prevent the erosion of its powers by the Security Council.

While looking forward to a more interactive negotiation process with a renewed vigour, we remain committed to negotiating in good faith and with mutual trust. In wishing you a Happy Festive Season, please accept Excellency, the assurances of our highest consideration.

Shekou M. Touray



Ambassador/Permanent Representative
Coordinator of the Committee of Ten

H.E. Mr. Zahir Tanin
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20A

PM/A/670

Excellency,

On behalf of the Member States of the Organization of the Islamic Conference (OIC), I have the honour to convey appreciation for your efforts, as Chair of the inter-governmental negotiations, being held in the informal plenary of the General Assembly, aimed at promoting the common objective of a comprehensive reform of the United Nations Security Council.

The position of the OIC on this issue is well known. It has been declared, at the highest political level at the 11th Session of the Islamic Summit Conference, held at Dakar from 13-14 March 2008, as continued in its Final Communiqué (paragraphs 71-73) and the Resolution No. 11/ P (IS) adopted by the summit on reform of the United Nations and expansion of the membership of the Security Council. The Conference, inter alia, reaffirmed its decision that any reform proposal which neglects the adequate representation of the Islamic Ummah in any category of membership in an expanded Security Council will not be acceptable to the Islamic World. The Conference reaffirmed that efforts aimed at restructuring the Security Council should not be subjected to any artificial deadline, and that a decision on this issue should be made by consensus. This position was conveyed to the President of the General Assembly in a letter dated 7 April 2008 from the Chair of the OIC and further reaffirmed by a letter dated 23 April 2009 conveyed to His Excellency Mr. Zahir Tanin, Chair of the Inter-Governmental Negotiations on Security Council Reform, from the Chair of the OIC.

Since then, the OIC position has been reaffirmed by the resolution adopted by the 36th Session of the Council of Foreign Ministers held in Damascus, Syrian Arab Republic, from 23-25 May 2009. A copy of the resolution (No. 20/ 36- POL) is attached herewith. The reform of the Security Council was also considered, during the OIC Foreign Ministers Annual Coordination Meeting in New York on 25 September 2009, whereby the position of the OIC was reaffirmed by the OIC

Foreign Ministers, of which the relevant paragraph (175- 185 of the Final Communiqué). These paragraphs are also attached with this letter, in the context of the ongoing inter-governmental negotiation in the informal plenary of the General Assembly.

Assuring you of our cooperation, the OIC members remain constructively engaged in our collective endeavor in accordance with the General Assembly decisions No. 63/565 and 62/557 in order to achieve a comprehensive reform of the Security Council in all its aspects that corresponds to the positions and interests of all Member States and Groups.

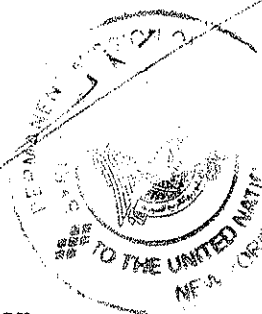
Dr. Bashar Ja'afari
Ambassador
Permanent Representative of the Syrian Arab Republic
Chair of the OIC Group in New York

Encl: As above

H.E. Mr. Zahir Tanin
Permanent Representative of Afghanistan
To the United Nations
(Chair of the Inter- governmental Negotiations
On Security Council Reform)

Copy:

- **H.E. Dr. Ali A. Treki,**
President of the 64TH Session of the
United Nations General Assembly
- **All Permanent Representative**
To the United Nations, New York



RESOLUTION NO.20/36-POL
ON
REFORM OF THE UNITED NATIONS
AND EXPANSION OF UN SECURITY COUNCIL'S MEMBERSHIP

The Thirty-Sixth Session of the Council of Foreign Ministers (Session of Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic from 28 Jamadul Awal - 1 Jamadul Thani 1430 H (23-25 May 2009);

Recalling all Resolutions adopted by the Islamic Summit and Foreign Ministers Conference on the subject;

Also recalling previous OIC resolutions, in particular Resolution 17/34-P adopted at the Thirty-fourth Session of the ICFM in Islamabad from 15-17 May 2007, resolution 19/35-P adopted at the Thirty fifth Session of the CFM held in Kampala from 18-20 June 2008, and resolution 11/11-P (IS) adopted at the Eleventh OIC Summit at Dakar from 13-14 March 2008;

Bearing in mind the provisions of paragraphs No. 145 to 152 of final communiqué of the Annual Coordination Meeting of the Ministers of Foreign Affairs of the OIC Member States at the UN Headquarters in New York on 26 September 2008;

Recalling also Paragraphs 64 to 75 of the Final Document of XII NAM Summit in Durban adopted on 3 September 1998, the paragraphs related to the Security Council reform in the Declaration adopted at the 32nd Session of the Summit of the Heads of State and Government of the Organization of African Unity, held in Harare in June 1997 as well as in the Working Paper of the Arab Group adopted by the Arab Foreign Ministers in New York on 29 September 1997;

Mindful of the objectives and principles enshrined in the Charter of the Organization of the Islamic Conference, especially the objectives of promoting Islamic solidarity among Member States and strengthening their capacity to safeguard their security, sovereignty and independence,

Reaffirming that the United Nations is an indispensable and irreplaceable global mechanism for the promotion of a shared vision of a more secure and prosperous world, and has the central role in the maintenance of international peace and security and the promotion of international cooperation,

Stressing the significant importance of multilateralism in addressing the common threats and challenges facing the common destiny of Human kind in our increasingly interconnected and globalizing world.

Expressing grave concern over the policies which have prevented the UN Security Council from performing its main duty based on justice and thus undermining its credibility;

RES.20/36-POL

Rejecting the dominant interventionist paradigm and tendencies which constitutes a real threat to the world community and maintenance of international peace and security;

Stressing that any reform of the United Nations, including Security Council reform, should be carried out in accordance with the provisions of the UN Charter;

Rejecting any preventive and pre-emptive action in international relations as a clear violation of international law;

Affirming also the importance of regular consultations with OIC Member States to advance their interests in this process;

Emphasizing the importance of transparency and all-inclusiveness of deliberations on UN reform;

Stressing that the OIC's demand for adequate representation in the Security Council is in keeping with the significant demographic and political weight of the OIC Member States, which bears particular importance, not only from the perspective of increased efficiency, but also to ensure the representation of the main forms of civilization in the Security Council;

Reaffirming its principled position that any reform of the Security Council must ensure adequate representation of the OIC Member States in any category of membership in an expanded Security Council;

1. **Affirms** the importance of the ongoing process of UN reform and stresses that the OIC Member States have a direct and vital interest in determining the outcome of UN reform, therefore calls on all OIC Member States to actively and effectively take part in the UN Security Council reform process, in accordance with the relevant declarations, statements and resolutions issued by the OIC.

2. **Notes** the progress in the UN reform process including in particular the establishment of the Peace-building Commission and the Human Rights Council and encourages the OIC Member States of these bodies to protect and promote the interests of the Islamic world in the work of these bodies.

3. **Reaffirms** the irreplaceable role of the United Nations and the necessity of ensuring the equal participation of all Member States in its activities, in a transparent and multilateral manner, guided by the UN Charter and founded on universally recognized principles.

4. **Underlines** the need, in UN reform, for evolving common perceptions and agreed approaches to address both the new and existing threats to international peace and security in the context of multilateralism.

RES.20/36-POL

5. **Stresses** that the UN Security Council reform must be comprehensive in all its aspects and have to take into account the views of the United Nations membership, including that of the OIC Member States.
6. **Emphasizes** the importance of enhancing the transparency, accountability, representativeness and democratization of the Security Council through the improvement of its working methods and legitimacy of its decision-making process.
7. **Supports** the expansion of the Security Council's membership, in accordance with the relevant UNGA resolutions, sovereign equality of all States and adequate representation of major civilizations.
8. **Reiterates** the need for the full observance of the Charter of the United Nations and the unrestricted application of all the principles and the achievement of the purposes that it enshrines, and underscores the need to preserve and promote the centrality, inviolability and sanctity of the Charter's principles and purposes, in particular the principles of respect for the sovereignty, territorial integrity and non-interference in the internal affairs of other States, in any drive for the UN reform.
9. **Expresses its deep concern** that certain recommendations and concepts, such as the responsibility to protect, new interpretation of Article 51 of UN Charter in terms of authorizing anticipatory attacks, lack of focus on nuclear disarmament as well as discriminatory restrictions on peaceful use of nuclear technology are inconsistent with UN Charter, in contradiction with the provisions of international law and against the internationally recognized principles.
10. **Rejects** any recommendation or initiative, in the process of UN reform, which may, in one way or another, violate the principles and purposes of the UN Charter or contradict the Member States sovereignty, political independence and the principle of non-interference.
11. **Emphasizes** that the process of United Nations reform should evolve on the basis of all relevant inputs, particularly that of the OIC Member States' view points and concerns.
12. **Stresses** that the UNSC should act in full transparency and accountability and should be accountable for its unlawful decisions as well as its repeated failure with regard to issues related to the Muslim Ummah
13. **Expresses** its deep concern that the issues pertaining to the threats of clash, militarism and the propensity to use force have to be assessed and properly addressed and emphasizes that in addressing a new consensus on collective security the concept of dialogue, particularly the need to the paradigm of "dialogue among civilizations", already approved by the UN General Assembly as the most efficient means to tackle the growing threat of clash, should be given the high priority.
14. **Emphasizes** the necessity of representation of major civilizations in the UN Security Council and, taking into account the fact that the OIC is the largest institution after the UN, which brings together one-fifth of the world population.

RES.20/36-POL

15. **Reaffirms** its decision that any reform proposal which neglects the adequate representation of the Islamic Ummah in any category of membership in an extended Security Council will not be acceptable to the Islamic World.
 16. **Underlines** the significant importance of achieving the expansion of UN Security Council with the broadest possible agreement, through initiation of constructive negotiation between all UN Member States, based on the points of convergence such as the need to enlarge the Council, to increase the representation of developing countries, and to improve the working methods and transparency of the Council's work, and stresses in that regard the importance of further constructive consultations between all UN Member States to agree on a common basis and framework for further progress;
 17. **Welcomes** in this regard the start on intergovernmental negotiations on the question of equitable representation on and increase in the membership of the Security Council and related matters in the informal plenary of the General Assembly from 19 February 2009.
 18. **Notes** that the position of the OIC on the reform of the Security Council has been reiterated and conveyed by the OIC Chair to the chair of the negotiations process through his letter of 23 April 2009, and requests the Permanent Representatives of the OIC countries in New York to promote and advance the OIC position in the negotiations.
 19. **Reiterates** that the UN Security Council should stick to its Charter-based mandate and refrain to address issues which do not fall within its function and powers, and *opposes* attempts by the Security Council against any State with the aim of achieving the political objectives of one or a few States, rather than in the general interest of the international community.
 20. **Reaffirms** that both reform and expansion of the membership of the Security Council, including the question of the veto and the working methods of the Security Council, should be considered as integral parts of a common and comprehensive package, taking into account the principle of sovereign equality of States and equitable geographical distribution.
 21. **Further reaffirms** that efforts at the restructuring of the Security Council shall not be subjected to any artificial deadlines, and that a decision on this issue should be made by consensus.
 22. **Reaffirms** the resolve of the Member States to continue contributing actively and constructively to the consideration of the UN reform.
 23. **Requests** the OIC open-ended Contact Group on UN Reform and Expansion of the Security Council at the United Nations Headquarters in New York to continue to closely coordinate the positions of the OIC Member States promoting the comprehensive reform of the Security Council on the above basis and to ensure equitable representation for OIC countries in any category in the enlarged Security Council in proportion to their membership of the United Nations.
 24. **Requests** the Secretary-General to submit a report thereon to the 37th Session of the Council of Foreign Ministers.
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**FINAL COMMUNIQUE
OF THE ANNUAL COORDINATION MEETING OF
MINISTERS OF FOREIGN AFFAIRS OF
THE OIC MEMBER STATES
UNITED NATIONS HEADQUARTERS
NEW YORK**

25 SEPTEMBER 2009

- 169. The Meeting took note of the Security Council Press Statement SC/9389 of 8 July 2008 and the Statement of the President of the Security Council S/PRST/2008/32 of 21 August 2008 condemning the terrorist attacks that took place in Pakistan and expressed deep sympathies and condolences to victims of these heinous attacks and the Government of Pakistan.
- 170. The Meeting emphasized the importance to address the use of internet by terrorists and cyber-terrorism and requested all countries to take the necessary measures to combat such use.
- 171. The Meeting welcomed with appreciation the initiative of President Zine El Abidine Ben Ali, President of the Republic of Tunisia, calling for an international conference under the auspices of the United Nations, to devise an international strategy to combat terrorism, address its causes and to prepare a code of conduct in this regard, drawing upon the content of the final communiqué of the international conference on terrorism: dimensions, threats and countermeasures, held in Tunisia from 15 to 17 November 2007.
- 172. The Meeting urged Member States, who have not yet done so, to sign, ratify and enforce the provisions of the "OIC Convention on Combating International Terrorism". It urged all Member States to continue working with other nations to bolster the international community's efforts under UN auspices to combat international terrorism in a transparent and integral way consistent with the Organization's Charter principles and with the relevant international agreements and mechanisms.
- 173. The Meeting invited the 13-Member Committee appointed by the Kuala Lumpur 2002 meeting and assigned to study the issues linked to combating terrorism, to meet as soon as possible and work out appropriate recommendations on combating international terrorism and promoting a better understanding of the Islamic faith and its principles, and to coordinate between the OIC on the one hand and other regional and international organizations, on the other.
- 174. The Meeting strongly condemned the perpetrators of those heinous terrorist crimes, who pretend to act in the name of Islam or under any other pretext, including the crime of hijacking and unlawful acts against the safety and security of civil aviation. It called upon all States not to grant asylum to terrorists, and to take all necessary measures to help bring them to justice in accordance with national laws and regulations.

UN REFORM

- 175. The Meeting supported a comprehensive reform of the United Nations Organization to respond to the challenges facing humanity. The Meeting reiterated the need for evolving common perceptions and agreed approaches to address both the new and existing threats to international peace and security in the context of multilateralism. The Meeting also reiterated the OIC's stance in support of the principle of the United Nations reform, including the expansion of the Security Council's membership, in accordance with the relevant UN General Assembly resolutions, and taking into consideration the principles of sovereign equality of all States and the need to ensure equitable geographic distribution.
- 176. The Meeting emphasized that the question of reform and expansion of the UN Security Council continues to be the primary preoccupation of the UN membership, including all OIC Member States for whom this is a matter of direct and vital interest. It, therefore, called on its Member States to actively and constructively take part in the UN reform process in accordance with the relevant declarations,

requested the OIC Member States to consider providing financial contributions to the OIC Secretary General such that they may be transferred as the Organization's contribution to the Fund.

183. The Meeting requested the OIC open-ended Contact Group on UN Reform and Expansion of the Security Council at the United Nations Headquarters in New York to continue to closely coordinate the positions of the OIC Member States promoting the comprehensive reform of the Security Council on the above basis and to ensure equitable representation for OIC countries in the enlarged Security Council in proportion to their membership of the United Nations.
184. The Meeting agreed that the General Assembly representing universal membership in accordance with the United Nations Charter, must be enabled to exercise its authority in addressing all major issues, including peace and security, development and human rights. The Meeting further called for halting and reversing the encroachment by the Security Council on the Assembly's prerogatives and functions.
185. The Meeting recognized the importance of revitalizing the OIC Working Group on UN Reform in New York and reiterated the earlier decision that the Group should enhance the frequency of its meetings with a view to coordinating unified positions, in accordance with the relevant resolutions at the Summit in Dakar and the CFM in Damascus, during the forthcoming critical phase of the ongoing discourse on UN Reform.

HUMAN RIGHTS AND FREEDOMS

186. The Meeting expressed deep concern over the growing intolerance, negative stereotyping, racial profiling and discrimination against Muslim communities in non-OIC Member States, particularly in the West, including the promulgation and oppressive application of restrictive laws and other measures. It emphasized that all Islamophobic practices constitute an infringement of human dignity and contradict international human rights law.
187. The Meeting affirmed that freedoms have to be exercised with responsibility and with due regard for the fundamental rights of others and, in this context, condemned in the strongest possible terms, all blasphemous acts against Islamic principles, symbols and sacred personalities, in particular, publication of offensive caricatures of Prophet Mohammad (PBUH), all abhorrent and irresponsible statements about Islam and its sacred personalities, and the screening of a defamatory documentary about the Holy Quran and dissemination of this hate material under the pretext of freedom of expression and opinion.
188. The Meeting emphasized the need to develop, at the United Nations, including the Human Rights Council, a legally binding international instrument to promote respect for all religions and cultural values and prevent intolerance, discrimination and the instigation of hatred against any group or followers of any religion.
189. The Meeting expressed appreciation and full satisfaction for the laudable collective efforts of the OIC Group in New York and Geneva to coordinate, harmonize and streamline the positions of the OIC Member States in line with the OIC Charter, resolutions and Summit declarations as well as to deploy collective and intensive efforts to pursue the Human Rights Council to pronounce itself in an objective and forthright manner on all human rights issues.



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7 January 2010

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Permanent Mission of Afghanistan to the United Nations
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on the Question of Equitable Representation on and
Increase in the Membership of the Security Council
and other Matters Related to the Security Council
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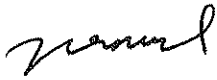
Excellency

I have the pleasure of writing to you on behalf of the S-5 (comprising Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland). In the letter of 23 December 2009 addressed to you in your capacity as Chair of the Intergovernmental Negotiations, 138 signatories had requested that you present to Member States, before the second exchange of the 4th round, a text with options to serve as a basis for negotiations, as well as the positions of and proposals made by Member States.

As you know, the S-5 has consistently highlighted the importance of improving the working methods of the Security Council and the need to treat working methods with the same urgency as the enlargement of the Council. We would like to further emphasise the need for this area of reform to be included in the text that you have been requested to prepare and recall the several written submissions made by the S-5 on the working methods of the Security Council, most recently in a non-paper of April 2009 entitled "S-5 Elements for Reflection".

The S-5 thanks you for your leadership and assures you of our full support for your efforts as we move forward on this important exercise.

Please accept, Excellency, the assurances of my highest consideration.



VANU GOPALA MENON
Ambassador and Permanent Representative

cc H.E. Dr Ali Abdussalam Treki
President of the 64th Session of the
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His Excellency Mr Mohammed F Al-Allaf
Ambassador and Permanent Representative
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His Excellency Mr Christian Wenaweser
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Permanent Mission of the Principality of Liechtenstein
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His Excellency Mr Peter Maurer
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Permanent Mission of Switzerland to the United Nations
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**Security Council**

Distr.: General
19 July 2006

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Note by the President of the Security Council

1. In efforts to enhance the efficiency and transparency of the Council's work, as well as interaction and dialogue with non-Council members, the members of the Security Council are committed to implementing the measures described in the annex to the present note.
2. The annex is intended to be a concise and user-friendly list of the recent practices and newly agreed measures, which will serve as guidance for the Council's work. In this regard, some existing measures are recollected herein for the convenience of users, which are so indicated throughout the annex.
3. The present note enriches and further develops notes and statements by the President of the Security Council relating to documentation and procedure listed in the note by the President of the Security Council of 7 February 2006 (S/2006/78), by supplementing and in some cases superseding them. Working methods regarding sanctions committees and troop-contributing countries will continue to be governed by the notes and statements by the President of the Security Council listed in the above-mentioned note unless otherwise addressed in the present note.
4. The members of the Council will continue their consideration of the Council's documentation and other procedural questions in the Informal Working Group on Documentation and Other Procedural Questions and other subsidiary bodies of the Council. The present note covers only the work done by the above-mentioned Working Group.



Annex

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* Recollected from previous note(s) by the President of the Security Council. Most of the provisions under the other headings are newly agreed by the Security Council.

I. Agenda*

1. The provisional agenda for formal meetings of the Council should be included in the *Journal of the United Nations* provided that it has been approved in informal consultations.
2. The members of the Council recall the desirability, whenever possible, of using descriptive formulations of agenda items at the time of their initial adoption to avoid having a number of separate agenda items on the same subject. When such a descriptive formulation exists, consideration may be given to subsuming earlier agenda items on the same subject under the descriptive formulation.

II. Briefings

3. The members of the Security Council agree that the President of the Council or his or her designate should provide substantive and detailed briefings to Member States in a timely manner. Such briefings should take place shortly after informal consultations of the whole. The members of the Security Council encourage the President of the Council to provide the attending Member States with copies of statements that he or she makes to the media following the informal consultations, if appropriate.
4. The members of the Security Council encourage the President of the Council to hold an informal briefing on the programme of work open to all Member States, after its adoption by the Council.
5. The members of the Security Council invite Chairs of the subsidiary bodies of the Security Council or their designates to give, on a regular basis, informal briefings, when appropriate, on their activities to interested Member States. The members of the Security Council agree that the time and place of such briefings should be published in the *Journal of the United Nations*.
6. The members of the Security Council intend to continue to consider requesting the Secretariat to give an ad hoc briefing at Security Council meetings in cases in which an emergent situation which justifies a briefing arises.
7. The members of the Security Council intend to request the Secretariat to give ad hoc briefings at informal consultations on a daily basis, if necessary, when a situation justifies such briefings.
8. The members of the Security Council invite the Secretariat to continue its practice of circulating the briefing texts at "Briefings".
9. The members of the Security Council invite the Secretariat, as a general rule, to provide a printed fact sheet, presentation materials and/or any other relevant reference materials, whenever possible, to Council members on the day prior to the consultations, when briefings in the Security Council consultations room are not given on the basis of a written report.

* Recollected from previous note(s) by the President of the Security Council.

III. Documentation

10. The members of the Security Council intend to intensify their efforts to publicize decisions and other relevant information of the Council and its subsidiary bodies to the Member States and other organizations through correspondence, websites, outreach activities and other means, when appropriate. The members of the Security Council intend to continue to examine ways to enhance its activities in this regard. The members of the Security Council encourage subsidiary bodies of the Council to continue to review periodically policies concerning access to their documents, as appropriate.

11. The members of the Security Council agree that reports of the Secretary-General should be circulated to Council members and made available in all official languages of the United Nations at least four working days before the Council is scheduled to consider them. The members of the Security Council also agree that the same rule should apply to making such reports available to relevant participants in Council meetings in which those reports are discussed, including the distribution of the reports on peacekeeping missions to all participants in meetings of troop-contributing countries.

12. The members of the Security Council agree to consider setting a six-month interval as the standard reporting period, unless the situation provides reason for shorter or longer intervals. The members of the Security Council also agree to define reporting intervals as clearly as possible when adopting resolutions. The members of the Security Council further agree to request oral reporting, which does not require submission of a written report, if the members of the Council consider that it would serve the purpose satisfactorily, and to indicate that request as clearly as possible.

13. The members of the Security Council encourage the Secretary-General to include a section in his reports where all recommendations are listed, when presenting recommendations to the Council regarding the mandate of a United Nations mission.

14. The members of the Security Council encourage the Secretary-General to make reports as concise as possible, particularly for shorter reporting periods.

15. The members of the Security Council intend to request the Secretary-General to include policy recommendations on long-term strategy in his reports, if appropriate.

16. Reports of the Secretary-General will specify the date on which the document is physically and electronically distributed in addition to the date of signature by the Secretary-General.*

17. The Security Council agrees to cooperate with other organs of the United Nations in synchronizing reporting obligations of the Secretariat on the same subject, if appropriate, while putting priority on the effective work of the Council.

18. The members of the Security Council request the Secretariat to update the Council towards the end of each month on the progress in the preparation of the reports of the Secretary-General to be issued the following month. The members of

* Recollected from previous note(s) by the President of the Security Council.

the Security Council also request the Secretariat to communicate with the Council immediately if it expects reports to be delayed beyond their deadlines or if reports that have not been requested by the Council are expected to be issued.

19. The members of the Security Council invite the Secretariat to send all information currently sent to Council members by fax also by e-mail.

IV. Informal consultations

20. The members of the Security Council encourage the President of the Council to suggest, through consultations with interested members and/or the Secretariat, as appropriate, a few areas for Council members and the Secretariat to focus on at the Council's next informal consultations, without the intention of prescribing the scope of discussion, at least one day before the consultations are to be held.

21. The members of the Security Council intend, where they agree with a previous speaker, in part or in whole, to express that agreement without repeating the same content.

22. The members of the Security Council agree that, as a general rule, the President of the Council should adhere to the prescribed speakers' list. The members of the Security Council encourage the President to facilitate interaction by inviting any participant in the consultations to speak at any time, irrespective of the order of the prescribed speakers' list, when the discussion requires it.

23. The members of the Security Council encourage speakers to direct their questions not only to the Secretariat, but also to other members.

24. The members of the Security Council do not discourage each other from taking the floor more than once, in the interest of making consultations more interactive.

25. The members of the Security Council invite the Secretariat to continue its practice of circulating all press statements issued by the Secretary-General or by the Secretary-General's spokesperson in connection with matters of concern to the Security Council, both in informal consultations and by e-mail.

V. Meetings

Conduct of meetings

26. In order to increase the transparency of its work, the Security Council reaffirms its commitment to increase recourse to open meetings, particularly at the early stage in its consideration of a matter.

27. The Security Council encourages, as a general rule, all participants, both members and non-members of the Council, in Council meetings to deliver their statements in five minutes or less. The Security Council also encourages each briefer to limit initial remarks to 15 minutes, unless otherwise decided by the Council.

28. The Security Council encourages participants in Council meetings to express agreement without repeating the same content, if they agree, in part or in whole, with the content of a previous statement.

29. The Security Council agrees that, when non-members are invited to speak to the Council, those who have a direct interest in the outcome of the matter under consideration may speak prior to Council members, if appropriate.

30. In line with paragraph 170 (a) of the 2005 World Summit Outcome (General Assembly resolution 60/1) and Security Council resolution 1631 (2005), the members of the Security Council agree to continue to expand consultation and cooperation with regional and subregional organizations, including by inviting relevant organizations to participate in the Council's public and private meetings, when appropriate.

31. In order to further encourage substantive discussions with troop-contributing countries, in accordance with Security Council resolution 1353 (2001), the members of the Security Council encourage the attendance of appropriate military and political officers from each participating mission. The members of the Security Council emphasize the importance of meeting with troop-contributing countries at the early stages of consideration of a matter. The members of the Security Council encourage the President of the Council to provide sufficient time for the meetings.

32. The President of the Security Council will in public meetings introduce agenda items by specifying the agenda item/issue for consideration, unless otherwise agreed in the Council's prior consultations, and refer to all speakers at political and ambassadorial level by name and title. These names will, however, not have to be included in the official records or in advance in the briefing notes prepared by the Secretariat for the Presidency.*

33. When non-members of the Security Council are invited to speak at its meetings, they will be seated at the Council table on alternate sides of the President, with the first speaker seated on the President's right.*

Notification

34. The members of the Security Council invite the Secretariat to notify Member States of unscheduled or emergency meetings not only by the telephone recorded message service but also through the Council website.

Format

35. In an effort further to advance the resolution of a matter under consideration, the members of the Security Council agree to use a range of meeting options from which they can select the one best suited to facilitate specific discussions. Recognizing that the provisional rules of procedure of the Security Council and their own practice provide them with considerable flexibility in choosing how best to structure their meetings, members of the Council agree that meetings of the Council could be structured according to, but not limited to, the following formats:

(a) Public meetings

(i) Functions

To take action and/or hold, inter alia, briefings and debates.

* Recollected from previous note(s) by the President of the Security Council.

(ii) Presence and participation

The presence and participation of non-Council members in public meetings should take place in accordance with the provisional rules of procedure. The Council's practice, as described below, is understood as being in accordance with the provisional rules of procedure, although it should not under any circumstances be understood as replacing or substituting for the provisional rules of procedure:

a. Any Member of the United Nations that is not a member of the Security Council may be present at its delegation's designated seats in the Council Chamber;

b. On a case-by-case basis, any Member of the United Nations that is not a member of the Security Council, members of the Secretariat and other persons may be invited to participate in the discussion, including for the purpose of giving briefings to the Council, in accordance with rule 37 or 39 of the provisional rules of procedure.

(iii) Descriptions in the provisional monthly programme of work

The members of the Security Council intend to continue to include the following formats for public meetings in the provisional monthly programme of work (calendar) when they plan to adopt, in general, the corresponding procedures:

a. "Open debate": briefings may or may not be conducted, and Council members may deliver statements; non-Council members may also be invited to participate in the discussion upon their request;

b. "Debate": briefings may be conducted, and Council members may deliver statements; non-Council members that are directly concerned or affected or have special interest in the matter under consideration may be invited to participate in the discussion upon their request;

c. "Briefing": briefings are conducted, and only Council members may deliver statements following briefings;

d. "Adoption": Council members may or may not deliver statements before and/or after adopting, inter alia, resolutions and presidential statements; non-Council members may or may not be invited to participate in the discussion upon their request.

(b) Private meetings*(i) Functions*

To conduct discussion and/or take actions, e.g., recommendation regarding the appointment of the Secretary-General, without the attendance of the public or the press.

(ii) Presence and participation

The presence and participation of non-Council members in private meetings should take place in accordance with the provisional rules of procedure. The Council's practice, as described below, is understood as being in accordance

with the provisional rules of procedure, although it should not under any circumstances be understood as replacing or substituting for the provisional rules of procedure:

a. On a case-by-case basis, any Member of the United Nations which is not a member of the Security Council, members of the Secretariat and other persons may be invited to be present or to participate in the discussion, including for the purpose of giving briefings to the Council, in accordance with rule 37 or 39 of the provisional rules of procedure.

(iii) Descriptions in the provisional monthly programme of work

The members of the Security Council intend to continue to include the following formats for private meetings in the provisional monthly programme of work (calendar) when they plan to adopt, in general, the corresponding procedures:

a. "Private debate": briefings may be conducted, and Council members may deliver statements; any Member of the United Nations which is not a member of the Security Council, members of the Secretariat and other persons may be invited to be present or to participate in the discussion, upon their request, in accordance with rule 37 or 39 of the provisional rules of procedure;

b. "TCC meeting": briefings may be conducted, and Council members may deliver statements; parties prescribed in resolution 1353 (2001) are invited to participate in the discussion, in accordance with the resolution.

Distribution of statements

36. Texts of statements made in the meetings of the Security Council will, at the request of the delegation making the statement, be distributed by the Secretariat inside the Council Chamber to Council members and other Member States and permanent observers to the United Nations present at the meeting. A delegation requesting the distribution of its statement is encouraged to provide a sufficient number (200) of copies to the Secretariat in advance of the statement. Where a delegation does not provide to the Secretariat a sufficient number of copies of its statement, those copies will be placed outside the Council Chamber at the end of the meeting. Delegations are requested not to make statements otherwise available during the meeting.

VI. Programme of work

37. The members of the Security Council encourage the President of the Council to publish a streamlined tentative monthly forecast of the programme of work on the Council website as soon as it has been distributed to Council members.

38. The forecast should be made available in all official languages "for information only/not an official document", and there should be a footnote which reads:

"This tentative forecast of the programme of work of the Security Council has been prepared by the Secretariat for the President of the Council.

The forecast covers in particular those matters that may be taken up during the month pursuant to earlier decisions of the Council. The fact that a matter is or is not included in the forecast carries no implication that it will or will not be taken up during the month: the actual programme of work will be determined by developments and the views of members of the Council.”*

39. The members of the Council have agreed that the following reminder should be placed in the *Journal of the United Nations* each month:

“The monthly tentative forecast has been made available at the website of the Security Council, in accordance with the note by the President of the Security Council dated 19 July 2006 (S/2006/507). Copies of the tentative forecast have also been placed in the delegations’ boxes and may be collected at the delegations’ pick-up areas as of [date].”

40. The members of the Security Council agree that the President of the Council should update the provisional monthly programme of work (calendar) and make it available to the public through the Council website each time it is revised and distributed to Council members, with appropriate indication of the revised items.

VII. Resolutions and presidential statements

41. The members of the Security Council reaffirm that all members of the Security Council should be allowed to participate fully in the preparation of, inter alia, the resolutions, presidential statements and press statements of the Council. The members of the Security Council also reaffirm that the drafting of all documents such as resolutions and presidential statements as well as press statements should be carried out in a manner that will allow adequate participation of all members of the Council.

42. The members of the Security Council intend to continue to informally consult with the broader United Nations membership, in particular interested Member States, including countries directly involved or specifically affected, neighbouring States and countries with particular contributions to make, as well as with regional organizations and Groups of Friends, when drafting, inter alia, resolutions, presidential statements and press statements, as appropriate.

43. The members of the Security Council agree to consider making draft resolutions and presidential statements as well as other draft documents available as appropriate to non-members of the Council as soon as such documents are introduced within informal consultations of the whole, or earlier, if so authorized by the authors of the draft document.

44. The President of the Security Council should, when so requested by the Council members, and without prejudice to his/her responsibilities as President, draw the attention of representative(s) of the Member State(s), regional organizations and arrangements concerned to relevant statements to the press made by the President on behalf of Council members or decisions of the Council. The Secretariat should also continue to bring to the knowledge of those concerned, including non-State actors, through the relevant Special Representatives, Representatives and Envoys of the Secretary-General and United Nations Resident

* Recollected from previous note(s) by the President of the Security Council.

Coordinators, resolutions and presidential statements of the Security Council as well as statements to the press made by the President of the Council on behalf of the Council members, and ensure their promptest communication and widest possible dissemination. The Secretariat should further issue, as United Nations press releases, all statements to the press made by the President of the Security Council on behalf of Council members, upon clearance by the President.*

VIII. Subsidiary bodies

45. The members of the Security Council encourage the Chairs of all subsidiary bodies to continue to report to the Council on any outstanding issues, when necessary and in any event on a regular basis, in order to receive strategic guidance from the Council.

46. The members of the Security Council encourage subsidiary bodies of the Council to seek the views of Member States with strong interest in their areas of work. The members of the Security Council in particular encourage sanctions committees to seek the views of Member States that are particularly affected by the sanctions.

47. The members of the Security Council encourage Chairs of the subsidiary bodies of the Council to make the schedules of meetings of subsidiary bodies available to the public, when appropriate, through their websites and the *Journal of the United Nations*.

48. The members of the Security Council welcome the participation in the meetings of the Security Council Working Group on Peacekeeping Operations by the Secretariat, troop-contributing countries and other major stakeholders, and encourage this practice in order to foster closer cooperation between the Council and those actors.

IX. Matters of which the Council is seized*

49. The Security Council agrees to continue to delete, with the prior consent of the Member States concerned, matters which have not been considered by the Council in the preceding five years from the list of matters of which the Council is seized, in accordance with the following procedure:

(a) The annual summary statement issued in January of each year by the Secretary-General on matters of which the Council is seized will identify the items to be deleted from the list in the absence of any notification by a Member State by the end of February of the year in question;

(b) If a Member State of the United Nations notifies the Secretary-General that it wishes an item to remain on the list, that item will be retained;

(c) The notification will remain in effect for one year and can be renewed annually.

* Recollected from previous note(s) by the President of the Security Council.

X. Communication with the Secretariat and outside

50. The members of the Security Council intend to seek the views of Member States that are parties to a conflict and/or other interested and affected parties. For that purpose, the Security Council may, inter alia, utilize private meetings when public meetings are not appropriate, in which case invitations are also to be extended in accordance with rules 37 and 39 of the Council's provisional rules of procedure.

51. The Security Council intends to continue to maintain regular communication with the General Assembly and the Economic and Social Council for better coordination among the principal organs of the United Nations. To that end, the members of the Security Council encourage the President of the Council to continue holding meetings with the Presidents of the General Assembly and the Economic and Social Council on a regular basis.

52. The members of the Security Council intend to make the best use of all mechanisms available, as appropriate, to convey policy guidance to the Secretary-General, including dialogue, letters from the President, adoption of resolutions or presidential statements, or any other means deemed appropriate.

53. The members of the Security Council, through the Secretary-General, invite new Special Representatives of the Secretary-General to engage in dialogue with members of the Council before assuming their duties under new mandates, including in the field, in order to obtain Council members' views on the objectives and the mandates, whenever possible.

54. The members of the Security Council intend to utilize "Arria-formula" meetings as a flexible and informal forum for enhancing their deliberations. To that end, members of the Security Council may invite on an informal basis any Member State, relevant organization or individual to participate in "Arria-formula" informal meetings. The members of the Security Council agree to consider using such meetings to enhance their contact with civil society and non-governmental organizations, including local non-governmental organizations (NGOs) suggested by United Nations field offices. The members of the Security Council encourage the introduction of such measures as lengthening lead times, defining topics that participants might address and permitting their participation by video teleconference.

55. The members of the Security Council encourage Security Council missions to continue to avoid restricting their meetings to those with governmental interlocutors and interlocutors of conflict parties and to hold, as appropriate, meetings with local civil society leaders, NGOs and other interested parties.

XI. Annual report*

56. The Security Council will take the necessary action to ensure the timely submission of its report to the General Assembly. For that purpose:

(a) The Security Council will continue with the existing practice whereby the annual report is submitted to the General Assembly in a single volume. The

* Recollected from previous note(s) by the President of the Security Council.

period of coverage for the reports shall be from 1 August of one year to 31 July of the next;

(b) The Secretariat should continue to submit the draft report to the members of the Council no later than 31 August, immediately following the period covered by the report, so that it may be discussed and thereafter adopted by the Council in time for consideration by the General Assembly during the main part of the regular session of the General Assembly.

57. The report shall contain the following parts, as described below:

(a) An introduction;

(b) Part I shall contain a brief statistical description of the key activities of the Security Council in relation to all subjects dealt with by the Council during the period covered by the report, including a list of each of the following with symbol numbers, as appropriate:

(i) All decisions, resolutions, presidential statements and assessment reports issued by the individual monthly Presidencies of the Council on its work, annual reports of all sanctions committees and other documents issued by the Council;

(ii) Meetings of the Security Council, including key committees such as the Counter-Terrorism Committee, sanctions committees, working groups and meetings with troop-contributing countries;

(iii) Panels and monitoring mechanisms and their relevant reports;

(iv) Security Council missions undertaken and their reports;

(v) Peacekeeping operations established, functioning or terminated;

(vi) Reports of the Secretary-General prepared for the Security Council;

(vii) All communications issued as official documents of the Security Council;

(viii) Citations to relevant United Nations documents relating to financial expenditures in connection with Security Council activities during the period covered by the report, if available;

(ix) References to the summary statements by the Secretary-General on matters of which the Security Council was seized for the period covered by the report;

(x) Notes by the President of the Security Council and other documents issued by the Security Council for the further improvement of the work of the Council;

(c) Pursuant to paragraph (b) (i) above, the Secretariat will take the necessary steps to ensure the timely issuance by the month of September each year, of the publication *Resolutions and Decisions of the Security Council* under the symbol S/INF/[year of the General Assembly], containing the full text of all decisions, resolutions and presidential statements of the Council for the period covered by the report;

(d) Part II shall contain, in relation to each subject dealt with by the Security Council during the period covered by the report:

- (i) Factual data of the number of meetings and informal consultations;
- (ii) A list of the decisions, resolutions, presidential statements and all documents issued by the Council;
- (iii) A list of the relevant panels, monitoring mechanisms and their reports, as appropriate;
- (iv) A list of the Security Council missions undertaken and their reports, as appropriate;
- (v) A list of the peacekeeping operations established, functioning or terminated, as appropriate;
- (vi) A list of the reports of the Secretary-General prepared for the Security Council.

58. The report will continue to include an account of the other matters considered by the Council, the work of the Military Staff Committee and of the subsidiary bodies of the Security Council. The report shall also continue to include matters that were brought to the attention of the Council but not discussed during the period covered by the report.

59. In addition, the Secretariat should post the current annual report of the Security Council on the United Nations website. The relevant web page should be updated to provide the information as necessitated under future notes issued by the President of the Security Council with respect to the annual report.

60. The report will continue to be adopted at a public meeting of the Security Council where members of the Council who wish to do so could comment on the work of the Council for the period covered by the report. The President of the Council for the month in which the report is presented to the General Assembly will also make reference to the verbatim record of the Council's discussion prior to its adoption of the annual report.

XII. Newly elected members

61. The Security Council invites the newly elected members of the Council to attend all meetings of the Council and its subsidiary bodies and the informal consultations of the whole, for a period of six weeks immediately preceding their term of membership or as soon as they have been elected, if the election takes place less than six weeks prior to the beginning of their terms. The Security Council also invites the Secretariat to provide all relevant communications of the Council to the newly elected members during the above-mentioned period.

62. The members of the Security Council also agree that, if an incoming member will be assuming the Presidency of the Council in the first two months of its term on the Council, it will be invited to attend the informal consultations of the whole for the period of two months immediately preceding its term of membership (that is, with effect from 1 November).*

* Recollected from previous note(s) by the President of the Security Council.

63. The Security Council invites the Secretariat to continue to take appropriate measures to familiarize the newly elected members with the work of the Council and its subsidiary bodies, including by providing briefing materials and holding seminars before they begin to attend Council meetings.
