



## General Assembly

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Sixtieth session  
Agenda item 120  
Follow-up to the outcome of the Millennium Summit

Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland: draft resolution

### Improving the working methods of the Security Council

*The General Assembly,*

*Reaffirming* that the States Members of the United Nations have conferred on the Security Council primary responsibility for the maintenance of international peace and security, acting on their behalf, as provided for by the Charter of the United Nations,

*Recalling* the provisions relating to the powers and functions of the General Assembly in matters pertaining to the maintenance of international peace and security, in particular Article 11, Article 12, paragraph 1, Article 15, paragraph 1 and Article 24, paragraph 3, of the Charter,

*Recalling* its authority under Article 10 of the Charter to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organ of the United Nations and to make recommendations to the Members of the United Nations and to the Security Council thereon,

*Stressing* the special responsibility of the permanent members of the Security Council to uphold the purposes and principles of the Charter and to give their full support to the actions of the Organization aimed at maintaining international peace and security,

*Noting with appreciation* the work carried out by the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council,

*Acknowledging* the significant steps taken by the Security Council to enhance inclusiveness and the representation of the general membership,

*Emphasizing* the need for further measures to ensure the accountability, transparency, inclusiveness and representativeness of the work of the Security Council, with a view to further enhancing its legitimacy and effectiveness,

*Reaffirming* its support for early reform of the Security Council as an essential element of the overall effort to reform the United Nations, as stated in the 2005 World Summit Outcome Document,<sup>1</sup>

*Acknowledging* that efforts to improve the working methods of the Security Council promote a comprehensive reform of the Security Council, including the increase in its membership,

1. *Invites* the Security Council to consider the measures contained in the annex to the present resolution in order to further enhance the accountability, transparency and inclusiveness of its work, with a view to strengthening its legitimacy and effectiveness;

2. *Further invites* the Security Council to report to the General Assembly, by the end of its sixtieth session, on action it has taken pursuant to its consideration of the present resolution.

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<sup>1</sup> See resolution 60/1.

**Annex****Measures on working methods suggested for consideration by the Security Council****Relationship with the General Assembly and other principal organs**

1. The members of the Security Council should engage in an informal, interactive discussion on the annual report of the Council when it is considered by the General Assembly.
2. The Security Council should submit, in accordance with Article 24, paragraph 3, of the Charter of the United Nations, special subject-oriented reports to the General Assembly for its consideration on issues of current international concern, including reports on topics such as termination of peacekeeping operations, imposition of sanctions and other enforcement measures, as well as other matters of relevance to the membership as a whole.
3. More substantive exchanges of views among the Security Council, the General Assembly and the Economic and Social Council should be held on a frequent basis and as a standard operating procedure. The procedures governing this interaction should be disseminated to the larger membership.
4. Regular and timely consultations between members and non-members of the Security Council should be established as part of the standard operating procedures of the Council.
5. The Security Council's tentative forecast of its programme of work for the coming month should be made available to Member States as soon as it is available to members of the Council. The incoming President of the Security Council should hold a briefing on the monthly forecast open to the larger membership of the United Nations.
6. Where decisions of the Security Council require implementation by all Member States, the Council should seek the views of the Member States and ensure that their ability to implement decisions is taken into account in the decision-making process.

**Implementation of decisions**

7. The Security Council should explore ways to assess the extent to which its decisions have been implemented. To this end, the Council should establish lessons learned groups to carry out the following tasks:
  - (a) Assessing whether Security Council decisions have been implemented;
  - (b) Analysing obstacles to implementation and reasons for non-implementation;
  - (c) Suggesting mechanisms or measures on the basis of best practices aimed at enhancing implementation.

**Subsidiary bodies**

8. The subsidiary bodies of the Security Council should include in their work, on a case-by-case basis, non-members with strong interest and relevant expertise.

Furthermore, Member States particularly affected by sanctions should, at their request, be given the possibility of participating in the meetings of the relevant sanctions committee.

9. The President of the Security Council and the Chairpersons of its subsidiary bodies should offer informal opportunities for Member States to provide substantive input to their work.

10. The Security Council should take steps to improve the quality and frequency of formal and informal reports on the work of all its subsidiary bodies. The Council should in particular explore ways to increase the transparency of the work of its sanctions committees, inter alia by announcing the meetings and agenda in the *Journal of the United Nations*, giving substantive briefings to non-members of the Council after the meeting, and making summary records more widely and promptly available.

11. The Security Council should give States confronted with special economic problems arising from preventive or enforcement measures imposed by the Council the opportunity to consult with the relevant sanctions committee on a timely, efficient and substantive basis, in accordance with Article 50 of the Charter.

12. Where sanctions involve lists of individuals or entities, sanctions committees should establish procedures, reflecting standards of due process, to review the cases of those claiming to have been incorrectly placed or retained on such lists.

#### **Use of the veto**

13. A permanent member of the Security Council using its veto should explain the reason for doing so at the time the relevant draft resolution is rejected in the Council and a copy of the explanation should be circulated as a Security Council document to all Members of the Organization.

14. No permanent member should cast a non-concurring vote in the sense of Article 27, paragraph 3, of the Charter in the event of genocide, crimes against humanity and serious violations of international humanitarian law.

#### **Operations mandated or carried out by the Security Council**

15. The Security Council should ensure that all Member States are fully and promptly informed of all developments regarding its missions, including their budgetary aspects.

16. The Security Council should enhance consultations with troop-contributing countries and other States that are especially engaged in United Nations field operations, in particular when they involve risks for the personnel deployed.

#### **Relationship with regional arrangements and agencies**

17. The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its cooperation and consultations on matters affecting the maintenance of international peace and security with the relevant regional arrangements and agencies, as appropriate.

**Integration of new Members of the Security Council**

18. The Security Council Affairs Division of the Department of Political Affairs of the Secretariat should be assigned the task of identifying best practices employed by members of the Security Council to consult with non-members with a view to incorporating those practices into the provisional rules of procedure of the Security Council and into briefings given to candidates for election to the Council as well as to newly elected members of the Council.

19. In order to facilitate the integration of newly elected members of the Security Council, the Secretariat should prepare and disseminate a detailed briefing packet on the procedures, practices and work of the Council.

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## S-5 Elements for Reflection

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Working methods of the Security Council are an integral part of Security Council reform and have been given increased attention over the past years. In 2006, the Security Council responded to a draft resolution submitted by the S-5 by adopting Presidential Note S/2006/507, which contained a number of measures aimed at improving its working methods. This note was welcomed by the S-5 and many others as a step in the right direction. However, implementation of S/2006/507 and of further proposals contained in S/2007/784 and their application has been selective and inconsistent. The Presidential Note never became part of the standard operating procedures, in line with the practice of working with Provisional Rules of Procedure. There is a continued strong need to improve the working methods of the Council, as was illustrated by the open debate the Security Council held on this topic in August 2008 (the first debate of this nature since 1994).

The S-5 are therefore submitting, in the context of the informal plenary discussions on size and working methods, another set of measures for consideration by the Security Council. This paper is complementary to previous efforts and does therefore not contain a complete list of measures the S-5 believe would be beneficial to enhance the legitimacy, accountability and transparency of the Council's work. It is meant for reflection by the UN membership and the members of the Council in particular – it could both inspire changes that the Security Council makes in its practice and those parts of a comprehensive text on Security Council reform that deal with working methods. While the S-5 will work towards the inclusion of strong language on working methods in a comprehensive resolution on Security Council reform, they will at the same time pursue their efforts to advance progress in this area irrespective of progress on enlargement.

The following measures are recommended for consideration:

### **Transparency and Access**

- **Briefings by UN officials** to the Security Council should as far as possible be made accessible to all member states, while consultations thereafter may be held in a private setting.
- **Consultations with non-members** should take place as part of the standard operating procedures (cf. articles 31 and 32 of the Charter). On matters discussed in private meetings, frequent, timely and substantive briefings should be offered to non-members.
- **Draft resolutions and presidential statements** should be made available to non-members of the Council as soon as they are introduced in informal consultations.
- The **tentative forecast** of the programme of work should be shared with the larger membership as soon as it is available and followed by a briefing by the incoming Presidency. Regular updates of the programme of work should be offered on the website of the Council.
- **Best practices of consultations** between the Council and non-members should be incorporated in briefings given to newly elected members of the Council.
- The quality and frequency of **formal and informal reports on the work of subsidiary bodies** should be improved.

- Non-members should be offered opportunities, upon their request, to provide **substantive input to the work of subsidiary bodies.**

### **Efficiency and Implementation**

- If non-members participate in a meeting of the Council, the Presidency should ensure the right to be heard by letting those with a direct interest in the outcome speak prior to members.
- **“Arria-formula” meetings** should be used more frequently in a more flexible manner for informal exchanges with member states, organisations or individuals.
- The Council should report to non-members in a timely manner and in detail on its **missions**, including their budgetary aspects.
- A **lessons-learned group** should be established with the mandate to:
  - Assess whether Security Council decisions have been implemented;
  - Analyze obstacles to implementation and reasons for non-implementation;
  - Suggest mechanisms or measures to enhance implementation.
- Where decisions of the Security Council require implementation by all member states, the Council should ensure that the **ability of member states to implement decisions** is taken into account in the decision-making process.
- **Key provisions of thematic resolutions** should be incorporated into country specific resolutions, where applicable.

### **Rule of Law**

- **Standards of due process and rule of law** should be fully taken into account in the decision-making.
- Where sanctions involve **lists of individuals or entities**, sanctions committees should establish fair and clear procedures for listing and delisting, reflecting standards of due process. These procedures should be shared with non-members.

### **Use of the Veto**

- A permanent member casting a non-concurring vote in the sense of article 27, paragraph 3 of the Charter **should explain** the reason for doing so at the time the relevant draft resolution is considered, and a copy of the explanation should be circulated as a Security Council document.
- Permanent members should commit themselves to not casting a non-concurring vote in the sense of article 27, paragraph 3 of the Charter in the event of **genocide, crimes against humanity and serious violations of international humanitarian law.**
- Permanent members of the Security Council, when casting a negative vote, could state that this is **not a non-concurring vote in the sense of article 27, paragraph 3 of the Charter.**

### **Peacekeeping operations**

- Regular and timely consultations should be held at all stages and on all aspects of decision-making with **countries contributing civilian or military personnel** or substantive financial resources, as well as other countries that are directly affected by a peacekeeping operation.

- Regular **strategic joint briefings**, both cross-cutting and on individual PKOs, should involve the DPKO/DFS, political-military experts of the Security Council and the troop-contributing countries.
- **Best practices for authorising new missions** should be developed, including a set of principles based on the Brahimi report, as well as drafting guidelines for resolutions.
- A **thorough lessons-learned study** on a peacekeeping operation after its termination (e.g. UNMEE) should be commissioned.
- **Mandates should have clear strategic political objectives** and key benchmarks which the Secretary General can report against and which the Council can base its evaluations on.
- Regular and timely dialogue with the Secretariat and TCCs on **the evaluation of operations** should be held to improve implementation thereof.
- **Smooth transition from peacekeeping to peacebuilding** should be facilitated through early and continued cooperation with the Peace Building Commission.

#### **Accountability - Relationship with the General Assembly**

- The President of the Security Council should hold **regular consultations with the President of the General Assembly**, and the latter should ensure the timely provision of notice and updates of such meetings to the membership.
- The annual report of the Security Council should provide an **evaluation of the work of the Council pursuant to articles 15, paragraph 1 and article 24, paragraph 3** of the Charter.
- **Informal ways to engage with non-members in an interactive discussion on the annual report**, in addition to the debate held by the General Assembly, should be established.
- **Special subject-oriented reports** should be submitted to the General Assembly, in accordance with article 24, paragraph 3 of the Charter of the United Nations, including following consultations between the Presidents of the two organs.

#### **Relationship with regional arrangements and agencies**

- The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its **cooperation and consultations** on matters affecting the maintenance of international peace and security **with the relevant regional arrangements and agencies**, as appropriate.



**Security Council**

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**Letter dated 31 December 2007 from the Permanent Representative of Slovakia to the United Nations addressed to the President of the Security Council**

As you are aware, I had the honour to convene and chair an Arria-formula meeting entitled "Enhancing and widening interaction and dialogue between the Security Council and other United Nations Member States, as part of the implementation of the 2005 World Summit Outcome Document", which was held on 13 December 2007.

The meeting was designed to facilitate an exchange of views related to the efforts to enhance the efficiency, openness and transparency of the work of the Council, as well as its dialogue and interaction with non-Council members.

The invited speakers were:

- Ambassador Anwarul K. Chowdhury, former Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (2002-2007) and former Permanent Representative of Bangladesh to the United Nations (1996-2001)
- Ambassador Colin Keating, Executive Director of Security Council Report and former Permanent Representative of New Zealand to the United Nations (1993-1996)
- Ambassador Peter Maurer, Permanent Representative of Switzerland to the United Nations

I believe the meeting was very interesting and useful. Please find attached a summary and recommendations of the meeting, which were prepared under my responsibility.

I should be grateful if you would have the present letter and its annex circulated among the members of the Security Council and issued as a document of the Security Council.

*(Signed)* Peter Burian  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative



**Annex to the letter dated 31 December 2007 from the Permanent Representative of Slovakia to the United Nations addressed to the President of the Security Council**

**Enhancing and widening interaction and dialogue between the Security Council and other United Nations Member States, as part of the implementation of the 2005 World Summit Outcome Document**

Arria-formula meeting convened by the delegation of Slovakia

13 December 2007

**Summary and recommendations**

1. The Arria-formula meeting was convened by Ambassador Peter Burian, Permanent Representative of Slovakia to the United Nations. Three panellists were invited to the meeting to present their opinions on the subject of the discussion: Ambassador Anwarul K. Chowdhury, former Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, and former Permanent Representative of Bangladesh to the United Nations (1996-2001); Ambassador Colin Keating, Executive Director of Security Council Report and former Permanent Representative of New Zealand to the United Nations (1993-1996); and Ambassador Peter Maurer, Permanent Representative of Switzerland to the United Nations. The meeting was attended by the members of the Security Council, the five newly elected non-permanent members of the Council for 2008-2009, as well as representatives of seven other Member States invited to take part in the meeting: Finland, Japan, Jordan, Liechtenstein, the Netherlands, Singapore and Switzerland. As observers, representatives of the Secretariat and Security Council Report, which is an independent not-for-profit organization affiliated with Columbia University, also took part in the meeting. The meeting was designed to facilitate an exchange of views related to the efforts to enhance the efficiency, openness and transparency of the work of the Council, as well as dialogue and interaction with non-Council members.
2. Participants welcomed the initiative to organize the meeting as an innovative opportunity to discuss this important topic. While welcoming the progress that the Council achieved to date regarding its working modalities and transparency procedures, the participants drew attention to a number of issues related to Council operating processes that could further enhance the openness and transparency of the Council, in particular in the context of interaction and dialogue between the Security Council and other Member States. It was also noted that these efforts remain a work in progress.
3. The following suggestions and recommendations for increasing the involvement of States not members of the Council were generated during the meeting:

### **Security Council internal issues**

- Better and more frequent use of Arria-formula meetings would be useful.
- Systematic implementation of the measures contained in the note by the President of the Security Council (S/2006/507) should be undertaken.
- The Council could assess the implementation of its decisions by establishing “lessons learned” groups.
- Establishing a position of spokesperson for the Security Council was suggested.

### **Role of the Council President**

- The rotating presidency of the Council has a major responsibility towards promoting openness and transparency.
- As a general rule, briefings should be given by the President.
- Communiqués issued by the President could be more substantive and informative.

### **Interaction with non-Council members and the General Assembly**

- Transparency and communication between the Council and the broader United Nations membership was highlighted as a key element. Enhancing and widening interaction and dialogue between the Council and other Member States is a matter not only of openness and transparency, but also of effectiveness.
- Greater involvement of non-members in the thematic issues debated by the Council, especially when there are decisions adopted following such debates.
- Consistent with Article 24, paragraph 3, of the Charter of the United Nations, the Council could submit special subject-oriented reports to the General Assembly on matters of importance to all Member States (e.g. sanctions and peacekeeping).
- There could be greater use of information technology in enhancing the interaction between the Council and non-members.
- The annual report of the Council to the General Assembly should be made more substantial and analytical. The Council could hold an interactive discussion with the General Assembly on the annual report.
- Monthly reports of the Council to the General Assembly could be instituted on the basis, for instance, of a monthly assessment of each outgoing presidency.
- Better access of the wider membership to the Council field missions and their conclusions was suggested.

### **Countries directly affected by Council action and troop-contributing countries**

- Regular consultations between members and non-members could be established as a standard procedure of the Council. Countries should be given the opportunity to participate in issues that are of their national interest. The Council should enhance cooperation with actors involved or directly affected

through an informal approach on issues concerning the mandate of Council missions. The Security Council should begin on a case-by-case basis and develop this practice over time. Informal and private meetings and use of subsidiary bodies to effectuate such a new formula would be preferable.

- The Council could include appropriate language in resolutions extending or ending the mandate of current Council missions, promoting wider dialogue with countries directly concerned.
- Forming Core Groups, Groups of Friends or Contact Groups could be promoted to enhance involvement of directly affected countries into the Council's decision-making processes.
- The Council should revitalize and enhance its consultations with troop-contributing countries. Special Representatives of the Secretary-General should be encouraged to participate in the meetings with troop-contributing countries and make substantive presentations. Troop-contributing country meetings should be organized at an early stage (not only on the day of Security Council consultations or public meetings). They should focus on policy choices by the Council, in addition to factual briefings.

#### **Regional and other groups**

- Institutional regional groups could enhance their interest and involvement in the work of the Council.
- Holding of informal meetings of the Security Council Informal Working Group on Documentation and Other Procedural Questions with interested Member States on a number of relevant issues was encouraged.

#### **Secretariat**

- Institutional involvement of the Secretariat, and particularly the Secretary-General, bringing long-term strategy into the process may contribute to enhancing interaction and dialogue between the Council and other bodies, especially the General Assembly.
- A stronger role for the Secretariat in implementing the measures contained in document S/2006/507 was suggested.
- Briefings by the Secretary-General and Special Representatives of the Secretary-General should in general be open.

#### **Economic and Social Council**

- An enhanced dialogue between the Council and the Economic and Social Council would be beneficial for both bodies.

#### **Interaction more broadly within the United Nations system**

- There could be frequent, more substantive "exchanges of views" between the Council, the General Assembly and the Economic and Social Council as a standard operating procedure.

Arrria-formula meeting of the Security Council  
December 13, 2007

*Enhancing and widening interaction and dialogue  
between the SC and UN Member States*

Speech of the S-5  
(Costa Rica, Jordan, Liechtenstein, Singapore, Switzerland)

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- I thank Ambassador Burian and his team for organizing this meeting. It is a pleasure for me to address the Council on behalf of the S-5, and to share our thoughts on Security Council Working Methods (SCWM).
- My intervention will focus on the external relationship of the Council, meaning the relationship of the Council with the membership at large. I will thus put aside those working methods that address the inner workings of the Council, even though they are equally important.
- SCWM are technical and therefore considered by many to be the less attractive part of Security Council reform. One of our colleagues once described this perception by saying that "Working Methods are for many the ugly duckling of Security Council reform". The S-5 do not share this perception. We believe that changes in the scope and nature of the work of the Council make a reform of Working Methods necessary and help to maintain and enhance the legitimacy and effectiveness of the Council in a changing environment.
- In 2006, when we discussed our resolution with Council members, we were asked by one delegation: *Why do you want to change something that is functioning well? Why do you want to repair a watch that is not broken?*
- While we certainly agree that the Council is one of the better working bodies in this house, we see several reasons why transparency and inclusiveness should be enhanced:
  - Firstly, since 1990, the Council has dramatically broadened its field of activity and adopted a record number of decisions. Just as an example: in 1990 the Council adopted 37 resolutions and 14 PRSTs. In 2006, this number increased to 87 for resolutions and 59 for PRSTs.
  - Secondly, there are more and more decisions by the Council which require active implementation by all members of the UN. The number of sanctions regimes, for example, has risen significantly and it has become costlier and more difficult for member states to implement them in a globalized world.
  - Thirdly, the upward trend in UN peacekeeping continues unabatedly. There are now 18 peacekeeping missions with an authorized personnel of 140'000. It is obvious that so many missions can only be maintained if there is a regular and meaningful dialogue with member states.
  - Fourthly, the financial consequences of UN peacekeeping are growing. In 2003, we had a peacekeeping budget of 2.7bn USD. In 2007, we stand at almost 7bn USD. Any national government would be grilled if it were to present a budget with

similar growth rates in parliament. It is no surprise, therefore, that national parliaments and taxpayers start to wonder where their money goes and if it has the desired effects.

- Finally, enhancing transparency and inclusiveness would make it in general easier for member states to convince parliaments and other relevant actors to provide the necessary support and resources needed for the implementation of Security Council decisions.
- Let me be very clear that it has never been our intention to denigrate or undermine the Council. Our goal is to contribute to a Council that is well connected, receives full cooperation and is fit to carry out its functions on behalf of the membership. It is evident to us that members and non-members of the Council have a common interest in a Security Council that is transparent, inclusive, accountable and therefore more credible and effective.
- Let me turn now to Presidential Note S/2006/507. This note represents a significant achievement and we commend Japan and the members of the Council for their hard work. At the same time, we see considerable room for improvement: Firstly, the presidential note could be more ambitious in its aims. Secondly, many provisions in the note are weakened by the words "as appropriate". And thirdly, implementation has been inconsistent over the last 16 months.
- For instance, many measures contained in the note have not been implemented to the full extent. The following come to mind:
  - The briefings of the Presidency to interested member states after closed consultations;
  - The review of subsidiary bodies' policy concerning access to documents;
  - The recourse to open meetings, particularly at the early stage of deliberations;
  - The substantive meetings with troop contributing countries at an early stage;
  - The distribution of statements by Council members in the Council Chamber;
  - The speaking order that allows non-members with a direct interest to speak prior to Council members;
  - The full participation of all members of the Council in the preparation of resolutions and PRSTs;
  - The systematic publication of the meeting schedules of subsidiary bodies in the UN Journal;
  - The timely adoption of the annual report in order to enable a meaningful debate in the GA;
- This enumeration illustrates the need for a more systematic implementation of the presidential note which brings me to the question asked in the informal concept paper for this meeting: *"What could be done to ensure greater implementation of the presidential note?"*
- The answer is relatively simple: on the one hand, all Security Council members must get serious about implementing the presidential note. Our impression up to now has been that the note was considered to be a menu to choose from, rather than applicable policy guidance. Council members should hence reaffirm their commitment to apply the note in its entirety. On the other hand, there is a need for a willingness of non-members of the Council to be proactive and to use the platforms of interaction that the Council offers. On the first point, we very much welcomed that one ambassador, during his presidency of the Council last summer, was carrying an

abridged version of the presidential note with him and was regularly using it as a practical guide for the conduct of his work. We hope the Council will encourage this behaviour by circulating this useful version of the presidential note as an official document of the Council.

- The informal concept paper asks for comments and food-for-thought for the future work of the working group. In our view, the Council should focus on the following steps:
  1. *Systematic implementation of the presidential note.* In addition to the commitment of all Council members, we believe that the chair of the WG on Documentation and the Security Council Affairs Division of the Secretariat should become the guardian angel of working methods and should remind those presidencies who are neglectful in implementing the note to be more forthcoming.
  2. *Giving non-members better access to the Security Council.* Articles 31 and 32 of the Charter give non-members the opportunity to participate in Council meetings. The Council should be generous in the application of these articles. Its credibility will be strengthened if it can claim to have listened to the arguments of all sides. Incidentally, it is not just about giving involved states a right to participate, but also informing them of this right early enough in order to allow them to adequately prepare for the meeting.
  3. *Holding more open meetings.* Briefings by the SG or SRSGs should in general be open. For example, if an SRSG briefs the Council on a particular UN mission, the meeting should be open to all, or at the very least be open to the countries concerned and to those who have military, police or civilian personnel on the ground. If the Council then needs to discuss an issue in private, it can convene closed consultations back-to-back.
  4. *Briefing non-members after closed consultations.* Such briefings often take place in the German lounge, but there are still too many exceptions. We therefore encourage the presidency to provide these briefings on a systematic basis, including for meetings of subsidiary organs, where appropriate.
  5. *Revitalizing the meetings with TCCs.* SRSGs should be encouraged to participate in meetings with TCCs and make substantive presentations. The meetings should be held in small rooms in an informal setting. They should be organized at an early stage, i.e. not only on the day of the adoption of a resolution.
  6. *Improving sanctions regimes, especially with regard to listing and de-listing.* We strongly believe that it would serve the credibility and legitimacy of the Council if listing and de-listing procedures were to reflect international standards of due process.
  7. *Improving the annual report.* The report should become a meaningful instrument for dialogue with the GA. As long as the introduction to the report only describes the activities and decisions of the Council, its added value is modest.
  8. *Monitoring the implementation of its decisions.* The Council should do more to assure the implementation of its measures. To this aim, it could establish follow-up mechanisms or lessons learned groups that come up with recommendations.
  9. *Basic rules for the use of veto.* We also encourage the Council to discuss the suggestion made in the High-level panel in 2005 to pledge to refrain from the use of the veto in cases of genocide and systematic violations of human rights and international humanitarian law.

In conclusion, we fully acknowledge the progress made in working methods over the last decade. But, with a growing need for troops, financial resources and cooperation from member states, the Council cannot stop there. More must be done. We simply cannot afford to wait until we have an urgent problem with regard to due process or the financing of peacekeeping operations.

Transparency, interaction and inclusiveness are not a one way street. It is the responsibility of members and non-members of the Council to fill these buzzwords with meaning. The Council should, however, not be discouraged if some of its measures only find limited interest at the beginning. Firstly, it may take some time until a new measure develops its full potential. Secondly, the application of improved Working Methods may not be required at all times. Their importance lies in the knowledge that they exist and can be relied upon, if needed. In this spirit, we encourage all Council members to be proactive and to seek the views of the membership at large. A public debate in the Council would be a good way to start this discussion.

Let me assure you, Mr. President, that the S-5 will be proactive and are ready to fully cooperate with you and the distinguished Council members.

Thank you Mr. President.



**THE LEAGUE OF ARAB STATES**

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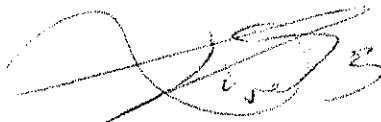
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Excellency

January 12, 2010

In my capacity as chairman of the Arab Group for the month of January 2010, and on behalf of the Members of the Arab Group, I have the honour to transmit herewith a letter dated January 12, 2010, addressed to you in your capacity as a chairman of the Intergovernmental Negotiations on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council, regarding the Arab position on the Security Council Reform.

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



Mohammed Aqeel Ba-Omar  
Charge d' Affaires, a.i.  
Deputy-Permanent Representative  
of the Sultanate of Oman to the United Nations  
Chairman of the Arab Group

H.E. Zahir Tanin  
Permanent Representative of Afghanistan  
to the United Nations  
New York  
Chairman of the Intergovernmental Negotiations

Cc: President of the General Assembly



## جامعة الدول العربية

مكتب الوفد الدائم لدى الأمم المتحدة

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12 يناير 2010م

المحترم

سعادة السفير/ زاهر تانين

مندوب أفغانستان الدائم لدى الأمم المتحدة، نيويورك  
رئيس المفاوضات الحكومية بشأن التمثيل العادل وزيادة  
العضوية في مجلس الأمن والمسائل الأخرى المتعلقة به

تحية طيبة وبعد،

أكتب إليكم اليوم، بصفتي رئيس المجموعة العربية، في بداية الجولة الرابعة من المفاوضات الحكومية في الجلسات الغير رسمية للجمعية العامة حول توسيع وإصلاح مجلس الأمن والمسائل الأخرى المتصلة بالمجلس، لكي أعرب لكم عن تقدير المجموعة العربية للجهود التي تبذلونها، بصفتكم رئيس المفاوضات الحكومية، وبهدف التوصل إلى نتيجة لعملية المفاوضات تحظى بأوسع قبول سياسي ممكن من جانب الدول الأعضاء، في أقرب وقت ممكن، على أساس مقرري الجمعية العامة رقمي 62/557 و 63/565.

تؤكد المجموعة العربية على ان إعداد ورقة تفاوضية يجب أن يشمل كافة المواقف والمقترحات التي تقدمت بها الدول الأعضاء، بما في ذلك موقف الدول الأعضاء في جامعة الدول العربية المطالب بتمثيل عربي دائم في أي توسيع مستقبلي في فئة المقاعد الدائمة في مجلس الأمن، الذي تم الإعراب عنه في الرسالة المؤرخة في 13 يونيو 2008م، الموجهة من مندوب موريتانيا الدائم لدى الأمم المتحدة، بصفته رئيس المجموعة العربية عن شهر يونيو 2008م، إلى رئيس الدورة الثانية والستين للجمعية العامة، والتي تم إرفاقها بالتالي في الملحق رقم (2) من تقرير الفريق العامل المفتوح العضوية حول إصلاح وتوسيع مجلس الأمن (A/62/47)، على أن يراعى في جميع الحالات أن الدول العربية تُشكل ما يزيد عن 11% من مجموع الدول الأعضاء في الأمم المتحدة.



## جامعة الدول العربية

مكتب الوفد الدائم لدى الامم المتحدة

866 United Nations Plaza, Suite 494, New York, NY 10017

وبناءً على ما تقدم، فإن الدول الأعضاء في جامعة الدول العربية تُجدد عزمها على المساهمة بإيجابية في المفاوضات الحكومية لتحقيق إصلاح حقيقي وشامل لمجلس الأمن بحيث يصبح أكثر ديمقراطية وعدالة وشفافية وتمثيلاً لمجموع العضوية في الأمم المتحدة، بشكل يعكس حقائق وقتنا الحاضر وتطلعات ومصالح جميع دول وشعوب العالم بما فيها ثلاثمائة مليون عربي.

وتفضلوا، سعادتكم، بقبول فائق التقدير والإحترام،،،

محمد بن عقيل باعمر

نائب مندوب سلطنة عُمان الدائم لدى الأمم المتحدة

والقائم بالأعمال بالإنابة

رئيس المجموعة العربية لشهر يناير 2010م

**THE LEAGUE OF ARAB STATES**  
Office of the Permanent Observer to the United Nations  
866 United Nations Plaza, Suite 494, New York, NY, 10017  
Tel: (212) 838-8700 Fax: (212) 355-3909

Unofficial Translation  
January 12, 2010

Ambassador Zahir Tanin  
Permanent Representative of Afghanistan to the United Nations  
Chairman of the Intergovernmental Negotiations on the Question of  
Equitable Representation on and Increase in the Membership of the  
Security Council and Related Matters

Excellency,

As the General Assembly begins the fourth round of the intergovernmental negotiations in informal plenary on the increase in the membership of the Security Council and reform of its working methods, allow me to express to you, in my capacity as chairman of the Arab group the appreciation of the Arab Group for your efforts aimed at seeking a solution that can garner the widest possible political acceptance by Member States as envisaged by GA Decisions 62/557 and 63/565.

The Arab Group stresses the need to include in the negotiating document all positions and proposals submitted by Member States, including Arab States. It should be noted that the Arab States – members of the LAS demanded a permanent Arab representation in any future expansion in the category of permanent membership of the Security Council. This position was expressed in the letter dated June 13, 2008 addressed by the Permanent Representative of Mauritania to the United Nations in his capacity as Chairman of the Arab Group, and was included as annex II of the report of the Open Ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and other Matters Related to the Security Council (A/62/47). It should be recalled here that Arab Member States represent 11% of the total UN membership.

In light of the above, Member States of the League of Arab States renew their commitment to contribute positively to the intergovernmental negotiations with a view to realizing a comprehensive and genuine reform of the Security Council. We will remain engaged in order to make the Council a more democratic and just Organ, one that is more representative of the entire membership of the United Nations, and more capable of reflecting the realities of our era, as well as the interests and aspirations of all the countries and peoples of the world, including those of over 300 million Arabs.

Rest assured, Sir of our highest esteem,



Mohamed Ben Akceel Ba Omar  
Charge d' Affaires, a.i.  
Deputy Permanent Representative  
of the Sultanate of Oman to the United Nations  
Chairman of the Arab Group

*"Uniting for Consensus"*  
*Focal Point*

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New York, 13 January 2010

*Excellency,*

in his letter of 24 December 2009, the President of the General Assembly stated that: "There is a genuine desire by Member States to achieve progress, building on the important work done during the previous session and continuing the negotiations within the framework of Decision 62/557." The Member States of the UfC fully subscribe to this statement, and take this occasion to express appreciation for your constructive role in facilitating the negotiation process with the goal of achieving a comprehensive reform of the Security Council along this line.

The UfC has learnt that you have received requests by Member States to present a draft document for consideration in the informal plenary of the General Assembly. In this context, as already stated in the last exchange of the informal plenary of the General Assembly held on 8 and 9 December 2009, UfC confirms its openness to a document for the continuation of the intergovernmental negotiations on Security Council reform,

This document should be elaborated in full conformity with Decisions 62/557 and 63/565, the only basis for negotiations. It must include inter-alia all the proposals and positions of Member States in their entirety and all the five key issues in a comprehensive fashion.

Moreover, we encourage you to consult widely with all Member States for the elaboration of such a document and to identify and agree the approach and structure of negotiations thereon. Clarity should be obtained on the methodology of the negotiations. This cannot be a process of elimination of positions: there would be no reason or incentive for their proponents to participate in the negotiations. On the contrary, it should be a process aimed at finding compromises among different positions, that will stay on the table while moving towards one another. In this regard, it may be useful to also identify in the document the compromise positions of various sides.

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H.E. Ambassador Zahir Tanin  
Chairman of the intergovernmental negotiations  
on Security Council reform  
The United Nations  
New York

cc.: - H.E. Dr. Ali Abdussalam Treki  
President of the 64th session of  
the General Assembly

- all Permanent Representatives to the United Nations

The UfC remains convinced that such an approach will allow a reform of the Security Council that garners the widest possible political acceptance of Member States.



The Permanent Representative of Italy to  
the United Nations  
Cesare Maria Ragolini

21 January 2010

English only

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**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 states<sup>1</sup>

Medium-sized States<sup>2</sup>

Africa

Asia

Group of Latin American and Caribbean States

Eastern European Group

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<sup>1</sup> 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.

<sup>2</sup> 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

*The Permanent Representative of the Slovak Republic  
to the United Nations*

New York, January 29, 2010  
Reference: 2132/2010-USSM1/MK

Excellency,

*On behalf of the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council, let me extend the genuine appreciation for your steadfast effort to promote a comprehensive reform of the UN Security Council. We do hope to see results sooner rather than later, and rest assure that you can totally rely on our cooperation.*

*In the spirit of a collective strive for the Security Council reform I have the honor to transmit hereby to you the attached position of the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council as enclosed in the document A/59/723 and reiterated on behalf of the States members of the Group by H. E. Ambassador Tiina Intelmann, Permanent Representative of Estonia to the United Nations, on February 21, 2007, with a kind request to appropriately take it into account while drafting the document that you intend to submit to the attention of the General Assembly for the next round of negotiations.*

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



Miloš Koterec

*Ambassador Extraordinary and Plenipotentiary*

*Enclosure: 3 pages*

*His Excellency*

**Mr. Zahir Tanin**

*Chair of the intergovernmental negotiations  
on the question of equitable representation on  
and increase in the membership of the Security Council  
and other matters related the Security Council*

*New York*

**General Assembly**Distr.: General  
3 March 2005

Original: English

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**Fifty-ninth session**

Agenda item 53

**Question of equitable representation on and increase in the membership of the Security Council and related matters****Identical letters dated 28 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General and the President of the General Assembly**

In my capacity as Chairman of the Group of Eastern European States for the month of February, I have the honour to forward to you herewith a letter from the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council in response to the recommendations of the High-level Panel on Threats, Challenge and Change concerning the enlargement of the Security Council, endorsed by the members of the Group (see annex).

In addition, as Chairman of the Group of Eastern European States for the month of February, I propose that the letter be circulated as a document of the fifty-ninth session of the General Assembly.

For informational purposes, please be advised that copies of the letter will be sent to the President of the General Assembly and to the Chairmen of the four regional groups.

*(Signed)* Ivan Nimac  
Chargé d'affaires a.i.

**Annex to the identical letters dated 28 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General and the President of the General Assembly**

**Letter from the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council in response to the recommendations of the High-level Panel on Threats, Challenge and Change concerning the enlargement of the Security Council**

1. The States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council thoroughly analysed the recommendations concerning the enlargement of the Security Council contained in the report of the High-level Panel on Threats, Challenge and Change, entitled "A more secure world: our shared responsibility".
2. These Member States wish to emphasize that the two models for the enlargement of the Security Council, as presented by the High-level Panel on Threats, Challenge and Change, do not meet their expectations.
3. These Member States further emphasize that existing regional groups should be maintained.
4. These Member States reiterate their view, stated in the joint position paper of May 1998 (see A/52/47, annex XXIII), that any increase in the non-permanent membership of the Security Council should ensure an enhanced representation of the Eastern European Group by the allocation to the said Group of at least one additional non-permanent seat in the enlarged Council. These Member States wish to emphasize the fact that, since 1991, the Eastern European Group has more than doubled its membership.
5. These Member States fully support the need to reform the Security Council in order to make it more representative and effective and are confident that the legitimate interests of the Eastern European Group will be fully taken into account in this process.

## Statement by Ambassador Tiina Intelmann on behalf of the Eastern European Group on the reform of the Security Council

21.02.2007

Madam Chair,

I have the honour to speak on behalf of the Member States of the Eastern European Group eligible for non-permanent membership of the Security Council.

I wish to thank you for convening these informal consultations to discuss the question of regional representation in the Security Council. We congratulate you, Madam Chair and other facilitators of this process for your appointments and look forward to closely working with you. We would also like to express our gratitude to the President of the General Assembly for her efforts to give the reform process of the Security Council a new impetus.

Madam Chair,

Better representation of the broader membership of the whole United Nations as well as equitable geographic representation should be the fundamental principles guiding the enlargement of the category of the non-permanent members of the Security Council. The Member States of the Eastern European Group eligible for non-permanent membership of the Security Council would reiterate their view, stated in the Joint position paper in May 1998 (UN document: A/52/47) and February 2005 (A/59/723) that any increase in the non-permanent membership of the Security Council should ensure an enhanced representation of the Eastern European Group by the allocation to the said Group of at least one additional non-permanent seat in the enlarged Security Council. Let me also recall the fact that, since 1991, the Eastern European Group has more than doubled its membership, including by the most recent admission of Montenegro to the UN.

Madam Chair,

Our leaders agreed at the 2005 World Summit on the need to make the Council more representative, efficient and transparent thereby enhancing its effectiveness, legitimacy and implementation of its decisions. Therefore, we are confident that the legitimate interests of our Group will be fully taken into account in this vital process.

I thank you, Madam Chair.