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Working Group on Security Council Reform Meets to Discuss Way Forward

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On 14 December 2007, 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 met in a closed day-long meeting at the United Nations to discuss how to move the process forward towards intergovernmental negotiations. At the meeting the Chairman of the Working Group, H.E. Mr. Sgrjan Kerim, announced the formation of a four-person task-force, a time-table and the organization of work. Subsequently almost 40 Member States took the floor. The following is a summary of some of the key statements delivered.

Today's meeting was convened by the President of the General Assembly and Chairman of the Open-Ended Working Group, H.E. Mr. Sgrjan Kerim on the basis of November's General Assembly debate on Security Council reform as well as last session's efforts.

In his opening remarks Mr. Kerim noted that reforming the Council is an integral part of strengthening the United Nations, and must, therefore, "go hand in hand with the transformation of the wider United Nations system." He further stressed the primary ownership and responsibility of Member States for reshaping the Security Council, and urged countries to maintain the current momentum in a process that has been ongoing for over a decade. He added that since the last meeting in November, he had been in contact with over 120 Member States on their view on the future process.

The objective of the current process, Mr. Kerim added, should be "to move forward by identifying and reaching agreement on the various elements of the negotiables that could form the basis for intergovernmental negotiations," and should be guided by last year's report of the working group (A/61/47) as well as the positions and proposals of Member States.

To this end, Mr. Kerim emphasized the importance of the seven basic principles outlined in his November speech: "1. Security Council reform is an integral part of strengthening the UN; 2. Prudent and principle oriented guidance by the President of the General Assembly is required, though it must be based on a joint venture with Member States in good faith and mutual respect; 3. The way forward ought to be accomplished through an objective and transparent process to first identify the negotiables in order to then move to intergovernmental negotiations; 4. The Open-ended Working Group should carry out consultations on the framework and the modalities for intergovernmental negotiations; 5. Further steps must contain components and notions that will allow the membership to reach a general agreement on all aspects of Security Council reform, in particular on both the composition of the Council and its working methods; 6. The reform of the Security Council must accommodate the interests and concerns of all sides, especially those who are currently underrepresented; and 7. Member States should refrain from steps which could serve to undermine the current momentum and consensus to continue a process with the intention of achieving result oriented solutions."

In addition, the President announced the formation of a new Task-Force on Security Council Reform, made up of Ambassador Heraldo Muñoz of Chile, Ambassador João Manuel Guerra Salgueiro of Portugal and Ambassador Ismat Jahan of Bangladesh and Mr. Kerim himself. But, he stressed, although the task-force should serve as a focal point for communication, “it will be up to the membership to identify and put forward a document to the task force that could serve as a basis for further negotiations,” and he called on delegations to begin consultations among themselves in various settings during the following weeks.

Finally, Mr. Kerim noted that he planned to convene focused meetings during the months of February, April and June next year, although “this timetable is conditioned on progress made in our deliberations and consultations during the periods in between.”

Upon taking the floor, the German representative, Ambassador Thomas Matussek, once more stated his country’s firm support of the proposals of the Group of Four (G4). Furthermore, he stressed that no reform of the United Nations would be complete without a change in the membership of the Security Council, and talks should now concentrate on moving from “endless theoretical discussions to practical steps and results.”

To jumpstart this development, the Ambassador announced that Germany had decided to organize the formation of a so-called “Overarching Group.” The group, which had already held its first meeting on how to get organized, would be open to all Member States and would start work soon “on text elements to be considered for further negotiations in the following six categories: Size of the Security Council, categories of Membership, the question of veto, the election procedure for new members, review, and working methods.” Germany expressed hope that the exercise would result in some form of concrete text, and finally added, that they would not rule out a solution involving a two-step, or intermediary, approach.

While reaffirming their principled commitment to the Ezulwini-Consensus, Botswana, on behalf of the African Union, delivered a brief statement highlighting that Africa stood ready to begin negotiations as soon as possible with an aim to achieve concrete results during the 62nd session.

Pakistan stated that the aim of the process should be a general agreement based on consensus, not on a vote, and that the Working Group was the only legitimate place for negotiations on Security Council reform. In a pointed reference to the above noted German initiative, Ambassador Farukh Amil further said that, “we cannot therefore accept any attempt to circumvent or undermine the Working Group. Select gatherings and informal meetings organized by Permanent Missions, is their prerogative, and a practice that is understandable. What is not understandable is that any exclusive, unilateral or self-generated group could be allowed to determine a course of action or make proposals on behalf of the rest of the membership.” As such, the Ambassador urged President Kerim to strongly discourage such moves “as they undermine the process.”

From the perspective of Pakistan it is clear that Member States are not yet ready to initiate actual intergovernmental negotiations. First countries would have to agree on the basis, framework and modalities for the negotiations, and these consultations should take place in the Working Group. And in any case, the Ambassador remarked, basic negotiables were already laid down in the two reports of the Facilitators.

Furthermore, Pakistan stated their principled opposition to an addition of new permanent seats to the Council, and noted that the best solution would be a model based on regionally elected non-permanent seats. Finally, the Ambassador praised the intermediary approach as the best way forward.

Mexico also affirmed their opposition to any “unilateral, hasty actions,” and reiterated “that the only forum for consultations and for eventual negotiations is this Open-Ended Working Group.” In their view, the two Facilitators’ reports had already identified the different negotiables, and provided a viable negotiating framework. Ambassador Claude Heller further expressed Mexico's support of an expansion in the non-permanent category only, and that this could be achieved through an intermediary arrangement.

Switzerland stated their approval of an intermediary approach, and added that new long-term non-permanent members seemed the only logic solution. To this end, the Facilitators’ reports could serve as a basis for a possible way forward. Lastly, Ambassador Peter Maurer said that his delegation hoped that Mr. Kerim’s proposal would culminate in a document which could ultimately serve as a basis for future negotiations.

South Korean Ambassador Kim Hyun Chong said that the Working Group should be the only legitimate place for negotiations, and while alluding to the German initiative, noted that unilateral moves to establish other fora of negotiations should be avoided. According to South Korea, it would take a new resolution to establish such a forum. Finally, the Ambassador said that South Korea would be open to an intermediary approach, although not one favoring new permanent members.

The United States made four points in a brief comment: 1. The Working Group was the appropriate forum to discuss and negotiate; 2. The President’s seven principles were a good starting point for a debate; 3. An expansion should not be a goal in itself. Reforms of other parts of the United Nations system were equally or even more important; 4. The US supports a permanent Japanese seat as well as other permanent seats, but had yet to reach a decision on what countries that could be.

Japan stressed that an agreement involving new permanent members must be reached soon. In their view, a consolidating paper on negotiables was badly needed, and underlined that proposals emanating from Member States should form the basis of any negotiations. Japan expressed hope that a framework for negotiations could be found by January 2008, and that actual negotiations could begin the following month with a view to reach an agreement by the end of the 62nd session.

Finally, Japan stressed that the Working Group was not an appropriate forum and remarked that an informal plenary debate in the General Assembly would be better suited for intergovernmental negotiations.

The United Kingdom said that they continue to support the efforts of Germany, Brazil, India and Japan. On reform of the working methods of the Security Council, the UK lauded the work of the Slovakian ambassador in the “Informal Working Group on Documentation and Other Procedural Questions,” and added that the UK would work for the implementation of a 2006 internal Security Council agreement on reform of its working methods.

Iceland, on behalf of Denmark, Sweden, Finland and Norway, urged the membership to bring discussions forward. As such, the Nordic countries support an expansion of both non-permanent and permanent members, especially permanent seats with no veto for Germany, Japan, India and Brazil. Ambassador Hjalmar W. Hannesson said that the Nordic countries would be open to an intermediary approach as long as this contained a review-clause. Finally, the Ambassador noted that no reform would be complete without a change in the working methods of the Security Council, as improving the accessibility for small states remain a vital element of reform.

The Cypriote representative, Ambassador Andreas D. Mavroyiannis, put forward a personal contribution to the debate. In so doing, the Ambassador proposed a new formula for reform

which would expand the Council to 22 members, adding seven new seats, “six of them adhering to rules that are currently not foreseen in the Charter and one regular, two year, non-permanent seat.”

Ambassador Frank Majoor of the Netherlands noted that November’s debate clearly showed that Member States are ready to move forward towards reform, and he urged the membership to work out a so-called options paper outlining the different negotiables. Such an options paper should be centered on the intermediary approach and take especially two factors into careful consideration: Feasibility and flexibility. Further, the Ambassador noted that Member States would have to be willing to work “above and below” the Working Group, in order to get an options paper on the table by February 2008, so that intergovernmental negotiations could take place immediately thereafter.

Spain stated that the Working Group must be front and center of the current process. A framework for intergovernmental negotiations would have to be established before actual negotiations could begin. Ideally any process would be led by the Chairman, and parallel and unilateral moves, in reference to the German initiative, should be discouraged. Lastly, Spain affirmed their support for a solution involving only the addition of new non-permanent members as well as the efforts of the Small-Five (S5) to reform the working methods.

Colombia noted that the Working Group should be the only forum for negotiations, and that it seemed inappropriate to give a group of states the responsibility to draft resolutions, which was how they perceived the German efforts. In their view unilateral moves should be discouraged.

Russia hoped that any agreement would be based on consensus, and remarked that efforts had to be focused on the greater good of the United Nations. As such an eventual expansion should not be too large, as this would work counter to overall efficiency. Russia also noted that they stood ready to explore an intermediary approach. Finally, Russia stated that the initiative to reform the working methods of the Security Council should only come from within the Council. “It is the prerogative of the Security Council to work on its own working methods,” Russia said.

Ambassador Christian Wenaweser of Liechtenstein said that in his view, two options on how to bring negotiations forward were currently relevant: 1. All proposals ever to be discussed are back on the table; 2. Member States could work on a discussion paper outlining the negotiables and centered on the intermediary approach.

The Ambassador stated that he preferred the latter option, and noted that Liechtenstein had no particular views on how or in what forum such a paper could be produced, although it should ultimately go through a “vetting process” in the Task-Force. Relevant negotiables could include the question of size, category (although the delegate stated that they would only support an expansion of non-permanent members) and review clause. Finally, as part of the S5, Liechtenstein reaffirmed their commitment to a reform of the working methods.

India urged Member States to move expeditiously towards a reform, preferably one including new permanent members. Further, Ambassador Nirupam Sen remarked that intergovernmental negotiations could be held outside the Working Group, as this forum “remain buried in quagmire,” and he continued “the task now, Mr. President, is to harmonize negotiables in order to transform these into a text which can be the basis for negotiations.” A more fitting forum, the Ambassador noted, could be the overarching group suggested by Germany. As a basis for future negotiations, the delegate observed that perhaps the African Ezulwini-consensus position could be of help, although he also stressed the negotiable elements as laid out in the unsuccessful L69-draft proposal of last session: 1. Expansion in both categories; 2. Greater representation to developing countries; 3. Representation to developed and economy-in-transition countries; 4. Reform of the working methods; 5. Provision for a review.

Italy stated their opposition to any notion of an “overarching group.” In their view the Working Group is the centerpiece of negotiations of the issue and should remain so. Ambassador Marcello Spatafora noted that in his view, the only reason to launch an “overarching group” would be to derail the current process, and that the subliminal message behind the German initiative was that only a small group of states could achieve results. Lastly he stated that such a group was a an insult to the work of the President, and that Italy stood ready to negotiate in the Working Group.

While reaffirming their support of the Ezulwini-consensus, South Africa observed that negotiations seemed to be heading to a new stage, and asked President Kerim to establish a framework for further negotiations. Brazil, in a short statement, welcomed the German initiative to establish an “overarching group,” and reaffirmed their support of an expansion in both categories. China stated their support of the addition of more developing countries in a reformed Security Council, and said that the Working Group is an important and central platform for negotiations. France reaffirmed their support of permanent seats for Germany, India, Japan, Brazil and Africa, and urged the membership to begin negotiations. Romania stated their support of the German initiative, while Canada, Uruguay and Egypt stated their opposition. The latter also reaffirming their adherence to the African Ezulwini-consensus, while urging the membership to discuss on the basis of the Facilitators’ two reports.

In his concluding remarks, President Kerim thanked the membership for their support of his seven principles, and encouraged Member States to move forward towards intergovernmental negotiations, even via parallel efforts, “just don’t gallop through the process.” He said that the Working Group would continue its work until intergovernmental negotiations could begin, and finally, added that the next step would be communicated to the membership in due time.

**This update is meant to be a summary of some of the main ideas discussed during the meetings and does not represent a complete and official account of all positions expressed by Member States.*