

Second Round of Talks on Security Council Reform Begins

16 June 2009

Following the end of the first round of negotiations on Security Council reform, and the subsequent release of the Chairman's overview of these proceedings, Member States met on 22 and 26 May and on 11 and 12 June to further narrow down the reform options in a second round of negotiations.

During the first round of intergovernmental negotiations on Security Council reform in March and April 2009, Member States presented their respective views and perspectives on how to reform the Council in a series of five meetings each dedicated to a specific key issue. The aim was not to reach any definite solution during the first round, but simply to lay out all available options on the table with a view to later narrow them down in subsequent negotiations rounds.

Nevertheless, as Member States delivered their statements, it appeared that several countries from the main factions, mainly the G4 (Germany, India, Brazil, Japan) and the Uniting for Consensus group (UfC), which among others consist of Italy, Turkey, Pakistan, South Korea, Canada, Mexico and Argentina, were actively rethinking their positions and potentially inching closer to some common ground for compromises.

For instance, the UfC, which for many years has proposed regional rotating permanent seats, stepped forward with a compromise proposal involving longer-term seats, and Germany reportedly replied that they could consider longer-term seats instead of the permanent ones they usually seek (see the Center's reports for a full coverage of the individual meetings).

After the end of the first round, the facilitator and Chairman of the negotiations, Ambassador Zahir Tanin of Afghanistan, released an overview of the deliberations on 19 May. The paper was an attempt to sum up the five meetings by describing the "main thrust of the productive exchanges of the first round," while also trying to narrow down the options as well as chart a course for further deliberations. As such, the overview was intended, as Ambassador Tanin wrote, to "serve as a point of departure and reference for the second round." (see the Center's report from 20 May).

On the size of a future reformed Council, the ambassador wrote in his overview that options range from between the low-twenties to the mid-twenties members. In the categories of membership, the principal options are new permanent members, new non-permanent members, or a new category of longer-term non-permanent members. On regional representation, the options range from adding seats from the current regional groups to some new regional configuration. On functions and powers, he notes various possible improvements in working methods as well as a some form of a reform of the veto.

On the way forward, the ambassador suggested that the second round of negotiations would consist of three focused meetings: 1. on the idea of a review or challenge. 2. on the composition of a reformed Council, and 3. on working methods. The idea is, as Ambassador Tanin said in his overview, "to advance in more in-depth and more comprehensive negotiations, before [...] continuing during the third round to seek a solution that can garner the widest possible political acceptance by Member States."

First Meeting on Review

Accordingly, Member States met on 22 and 26 May 2009 to discuss the issue of a review. In his opening statement Ambassador Tanin said, "During the first round, we have seen the first gestures from different sides. Now it is time to follow-through towards a breakthrough," and he noted that "this is the right time to really explore a concept that affects them all [the five key issues], namely a review or challenge mechanism – more specifically, its general nature, agenda, timing and frequency. Undeniably, the prospect of a future reassessment impacts what we decide in the present." And so, as Ambassador Tanin had already explained in his overview, a meeting on the review would be a logical entry point and a first meeting of the the second round. To many countries, the idea of a review or challenge is closely linked to the concept of an intermediary or interim reform model, in which the General Assembly would agree on a temporary reform now with a view to making it permanent or change it after a later review conference (this model was treated in depth by the Center in an article from 24 June 2008).

Upon taking the floor, however, many Member States first seized the opportunity to comment on Ambassador Tanin's overview and his proposed way forward before moving on to talk about the concept of a review or challenge. Among the statements made public, it appears that the Uniting for Consensus faction - usually opposing the creation of new permanent seats - were among the most critical towards the overview, whereas other groupings like the G4, the permanent members of the Council, and the African group seems to accept the paper as a basis for further negotiations, albeit with some caveats.

India, for instance, noted that although they accepted the overview as a starting point for the second round, they were concerned about "the preeminence the overview gives to the intermediate approach."

The countries of the UfC on the other hand were a bit more critical. Italy, a core UfC member, noted that the overview failed to reflect "the flexibility that Uniting for Consensus has shown," during the first round and that it had "a tendency to overstate steps forward." Italy also added that the overview apparently mixed "radically different proposals."

This viewpoint was largely shared by Turkey, another member of the UfC. "We believe that the 'overview' does not sufficiently reflect the nature of the discussion that took place during the first round of the negotiations," the Turkish ambassador said. "We feel that some of the language used in the paper may prejudice or preclude the positions of some Member States and Groups."

Russia stated that the overview omitted "the need to preserve intact prerogatives of the current permanent members of the Council, including veto power." And the ambassador added that "The issue of Security Council working methods should be removed from the list of major issues of the Security Council reform."

Nevertheless, although a few countries seemed to have minor misgivings with the overview, diplomats involved in the process indicated that the overall majority of states supported the document. As such, most statements made public after the meeting reflected a willingness to accept the overview and start debating the concept of a review. On this note, India said that it was important to institute a "robust process of review of the UNSC as part of the reforms" and consider a review process as suggested by the Ambassador Tanin. India proposed introducing "a review after 15 years from the date of entry into force of the amendments."

According to the Russian statement, “the review is an element of the 'interim' model” and therefore “it would be logical to address those issues directly after the Member States have made a fundamental choice in favor of the 'interim' model.”

Germany stated that a 'challenge' would give "Member States the power to vote those countries off the Council who gained their seats through the reform and whose performance does not meet Member State's expectations."

South Africa said that "any good system should have a review process," although the ambassador added that South Africa, in accordance with the common African position - the so-called Ezulwini consensus, was against an intermediary approach.

Reportedly, the US voiced their opposition to an intermediary model or any kind of reform which would not be permanent in nature.

France as well as the United Kingdom reiterated their strong support for new permanent and non-permanent members on the Council, especially Germany, Brazil, India and Japan, as well as some sort of an intermediary solution, which should include a review.

Singapore noted that while they support an expansion in both permanent and non-permanent categories, some sort of review could be practical. To this end, the ambassador suggested "that aspiring candidates must pass three reviews spaced, say, ten years apart. If they got through all three reviews, then they have perhaps clearly staked a solid claim for permanent membership."

Although the ambassador said that Singapore would be open to a compromise, he also noted that they have serious reservations with the idea of an intermediary model, "which proposes the creation of a new category of longer-term, renewable seats and which subjects aspiring countries to regular challenges without any prospect of them attaining a permanent seat."

"Given the lack of clarity on the intermediate approach, my delegation finds it rather disturbing that a few permanent members have been strongly pushing for it as a way forward," the Singapore ambassador said and asked: "It makes us wonder what their game plan is. Are they perhaps aiming for a 'quick fix' so that they can wash their hands of the question of UNSC reform?"

The meeting ended on 26 May 2009 after nearly two days of closed consultations. The length of the meeting suggests that a vast number of Member States talked.

Second Meeting on Composition

On 11 and 12 June Member States met again to discuss the second issue of the second round: the composition of the Security Council. The subject comprises the key issues of size, categories of membership and regional representation of a reformed Council.

In a letter to the membership dated 8 June 2009, Ambassador Tanin explained that "Questions like how many seats to add, what kind of seats and how to distribute them among the membership are intertwined and this exchange offers an opportunity to explore such connections..."

From the few statements made available to the public after the end of the hermetically closed meetings, it seems that Member States refrained from further criticizing Ambassador Tanin's overview and largely stayed on substance. For instance, France once again noted their support of an expansion in both categories of Council members: permanent and non-permanent. "In this respect, we support the accession of Germany, Brazil, India and Japan to permanent member status," the French ambassador said while adding that France also supported a presence of African countries on the Council. On size, France did not specify a number but did say that "the expansion of the Security Council should not be carried out to the detriment of the effectiveness of its actions and its credibility as the main organ responsible for international peace and security. The Security Council must therefore be kept to a reasonable size."

India said that they supported new permanent and non-permanent two year seats. "We have in the past tried the option of an expansion only in the non-permanent category – it has not worked," the ambassador said. "Further, only new permanent members, with their institutional memory and permanent presence, can ensure a real change in the power structure of the UNSC [United Nations Security Council], and ensure its accountability to the membership at large." As to the size, the ambassador remarked that India supports "an expanded UNSC of 25 seats, with 11 permanent and 14 non-permanent members, remains the most optimal option."

Denmark said that they support an expansion in both categories, although the right of veto should not be afforded to new permanent members. Ambassador Carsten Staur stated that Denmark "is furthermore, ready to look at interim solutions that would allow for the testing of various models, provided they contain a clear review-clause. One such option could be the introduction of a third category of seats." On the size of a future Council, he said that a solution somewhere in the mid-twenties seemed plausible.

Italy pronounced their opposition to the addition of any new permanent members, instead advocating for the addition of longer-term members. On size, Italian Ambassador Giulio Terzi di Sant'Agata said that a Council of 25 members could work.

South Africa said that the African position on composition is already well-known as the Ezulwini-consensus. "On size, we support an expansion of the Council that will result in twenty-six seats [...] in addition to the two permanent seats we have called for, Africa demands two additional non-permanent seats to augment the three non-permanent seats currently allocated to Africa." Furthermore, the ambassador noted that "we feel compelled to clarify that African does not ask for a regional seat or regional seats. It only demands that it be allowed to choose its own representative."

Singapore said that they have consistently supported an expansion of the Council in both its permanent and non-permanent categories. The ambassador was a bit more unclear in regards to the size, simply saying that "while there is a need to strike an optimal balance between size and effectiveness when expanding the Council, we should also bear in mind that size alone does not determine effectiveness."

Interestingly, the Philippines came forward with a draft resolution. Ambassador Hilario G. Davide urged Member States to take more concrete steps toward a reform, and the ambassador said that time had now come to move forward. "Thus, the only way forward is not to go back again and repeat, for the nth time, all such proposals. Rehashing them would not do us any good," he said. "The only way forward is now to give these proposals a life all their own by way of the appropriate resolution proposing amendments to Article 23 of the United Nations Charter," the ambassador said

and presented the text of a draft resolution that would amend the UN Charter and expand the membership of the Security Council from the present 15 Member States to 31.

The amendments would increase the number of permanent members from the present five to 13 and the elected members from 10 to 18. The first new permanent members will serve for a term of five years after which the regional groups would decide among themselves which Member States in their groups would succeed the retiring member and which would be permanent members. Should any group fail to do so, the successor will serve for a term of another five years, which would be the model until the region have decided on the Member State in the region that would serve as full permanent member.

The meeting ended on 12 June 2009. Again, with almost two full days of meetings, it must be assumed that a large number of Member States talked, however, as the general idea of the meeting was once again to simply hear the different perspectives no concrete result came out of it.

Way Forward

The third and final meeting of the second round is scheduled for 23 June 2009. Member States will discuss ways to reform the working methods of the Security Council.

Nothing has so far been revealed about the next round of negotiations, but based on proceedings during the first and second round it is likely that the reform options presented by Member States during the second round will continue to be further narrowed down during subsequent rounds. According to several diplomats involved in the proceedings, the process at moment is in a very positive and forward-moving phase. Nevertheless, as this is a very sensitive subject for most countries, it is, as some noted, a slow moving process and there are reportedly no expectations that there will be a reform during this General Assembly session.

Unless attributed to a specific source, all expressions of opinion are those of the author. The Center for UN Reform Education does not endorse any particular reform proposals.