



# BRAZIL

Meeting 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

Statement by Ambassador Maria Luiza Ribeiro Viotti,  
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New York, 2 September 2008

Mr. President,

I thank you for convening this meeting.

One cannot escape a feeling of deep frustration at the fact that we have not been able to implement last year's decision on Security Council reform. It has been disappointing to see that a whole session of the General Assembly has passed without any progress on the commencement of negotiations. Here we are, examining yet another draft report of the OEWG, with yet another decision designed to transfer the matter to the next session.

In studying the text circulated with your letter of 26 August, for which I thank you, my delegation was hoping to find at last a clear-cut expression of the desire of the vast majority of member States to commence negotiations without delay, on an inclusive basis. The series of consultations undertaken by member states and by the task force have led you to conclude that the conditions were ripe for negotiations to commence and that the starting point should contemplate all positions and proposals on the table.

Bearing those considerations in mind, my delegation was pleased to note that the draft decision presents one key positive aspect, which is the explicit reference to the positions of and proposals by Member States as part of the basis for negotiations. This is fully consistent with Decision 61/561 and anything other than that would run counter to such decision.

However, Mr. President, such positive aspect is sadly outweighed by other problematic elements in the draft decision. The first one regards the proposed objective of reaching general agreement. Such objective is directly mentioned in the preamble and in paragraph (c). It is also incorporated by reference to the seven principles in paragraph (d)(3). Our concern with such language is that it implies a political obligation to approve a reform by a majority larger than the 2/3 called for in the Charter. Subscribing to such notion would amount to accepting the imposition of legal and political conditionalities inexistent both in our founding document and in Decision 61/561. We need, therefore, to replace it with the language in Chapter XVIII of the Charter. For the same reason, we propose the deletion of the last phrase of paragraph (e).

The endorsement of the seven principles, Mr. President, is another difficult point for us. We have always seen them as your own, certainly well intended, contribution to the consultations during the 62<sup>nd</sup> Session. Incorporating them to a Decision of the General Assembly would require a thorough and complex discussion among Member States. For it would constitute the establishment of new and more restrictive conditions for the negotiations of the reform, apart from the fact that they are biased towards the positions of those that advocate a partial reform. On our part, we have a particular difficulty with principles 4, which calls for a sequencing that can be used for further dilatory purposes, and 5, which refers specifically to the objective of reaching general agreement. For all these

reasons, we respectfully request that references to the seven principles be eliminated from the draft decision, as well as indications, in paragraphs 8, 13 and 15 of the draft report, that they would have been accepted or approved by the Member States.

A third aspect of the text that needs improvement is the lack of a clear timeframe for the commencement of negotiations. The experience from the current session clearly shows that we need such an element in order to avoid precisely the situation of unwarranted delay in which we find ourselves. We propose that negotiations start a few weeks after the adoption of this decision, and no later than October.

Another difficult element for my delegation concerns the reference to regional representation in paragraph (d)(2) embraces a concept that is alien to the Charter and could bring additional confusion to the text and its eventual implementation. We favour its elimination. Alternatives that are consistent with the U.N. legal framework such as "equitable geographical distribution" could certainly be examined.

Lastly, the order of paragraphs in the draft decision is relevant, since it may affect the interpretation of the text and might be later used to create further obstacles to the negotiation. For this reason, we suggest that paragraph (f) be brought to where (d) now stands. By so doing, we would have a clearer sense of the future attributions of the OEWG.

Mr. President,

These are my delegation's main comments on the text under consideration today. As always, they are made with a constructive spirit and in good faith. They also show our determination to work with all delegations interested in a reform that is truly meaningful. We would prefer to have before our eyes a much more simple and straightforward text that would launch the negotiations and bring to an end this long period of consultations conducted in the OEWG. A negotiating process loaded with conditions and controls would hold us back in the same place that we are today. We should have the courage to move on and discuss squarely the contours of the reform that our leaders mandated us to negotiate.

Thank you.