



## Member States Balk at Latest Report on Security Council Reform

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*Member States met on Tuesday, 2 September 2008, to discuss a recently published draft report on the current status and future of the Open-Ended Working Group on Security Council Reform. During the all-day meeting, a vast number of countries delivered statements (available documents in blue), with many challenging both the contents of the draft report and the proposed way forward. The report - usually adopted by consensus - is expected to be redrafted and redistributed to Member States shortly; however, with several disgruntled interest groups concurrently planning their next move, rumors of a looming vote on the future of the Working Group are quickly spreading among delegates.*

The report was distributed to Member States on 26 August 2008 by General Assembly President Sgrjan Kerim, and drafted by his task force - the ambassadors of Bangladesh, Chile, Djibouti and Portugal - after recent consultations with the British, Egyptian, Japanese and Pakistani delegations. The approval of the report or at least an approval of a continued mandate of the Open-ended Working Group by the membership is crucial in placing the Working Group on the agenda of next General Assembly.

Besides listing all of the meetings and consultations held by the Working Group since September 2008, the report proposes to move the issue of Security Council reform to the 63rd GA Session, by commencing “(c)...intergovernmental negotiations, in good faith, with mutual respect and in an open, inclusive and transparent manner, on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council, with the objective of seeking a solution that can garner the widest possible agreement among Member States.”

According to section (d) of the report, these negotiations should be based on “(i) The positions and proposals of Member States: African Union, Group of Four, League of Arab States, L.69 group, Organization of the Islamic Conference, the proposal of the Overarching Group, the Perspectives of the permanent members of the Security Council, Small Five States (S-5) and Uniting for Consensus;” (ii) The five key issues; categories of membership, the question of the veto, regional representation, size of an enlarged Council and working methods of the Security Council; and the relationship between the Council and the General Assembly,” as well as “(iii) The following documents: 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 [61st GA session]; General Assembly decision 61/561; 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 on its work during the sixty-second session of the General Assembly; and the seven principles proposed by the President of the General Assembly (A/62/PV.51).”

### **The Meeting**

Three main groups usually take center stage at the meetings of the Working Group: Uniting for Consensus (UfC) consists of some 30-40 states such as Argentina, Canada, Italy, Mexico, Pakistan, South Korea and Spain and vocally opposes new permanent members. The members of the Group of Four (or simply G4: Brazil, Germany, India and Japan) all vying for permanent seats without the right of veto, while the African group demands permanent seats for Africa with the right of veto. Other sub-groups exist, including a group of Arab states, the Organization of the Islamic Conference and the Eastern European group. However, these latter groups usually support one of the above major factions, depending on circumstances.

As was the case during the 61st GA session, few countries could fully agree to the language of the report and its recommendations, and like last year the controversy primarily centered on the proposed way forward. Especially UfC and G4 led the charge against the GA President and his report. Although a few individual African countries, such as Mauritius, expressed serious reservations, Guinea, speaking on behalf of the African group, announced that they were still in the middle of internal consultations and therefore had no common position on the report.

In general, the main issues dividing UfC and G4 reportedly were:

[1] Section (d) paragraph (iii): Basing intergovernmental negotiations on the Seven Principles of the President of the General Assembly: The UfC supports the idea of basing future negotiations on the principles. The group especially favors - as mentioned in the fifth principle - a solution reached through "...a general agreement." This notion is usually understood as consensus. On the other hand, the members of the G4 have stated several times that they do not support and accept the principles as a basis for negotiations. Instead, they favor the wording; "...the widest possible agreement," which could open the door to a possible vote.

[2] Section (d) paragraph (ii): The notion of regional representation: G4 favors a reform based on an equitable geographical distribution of new permanent seat, while UfC favors new rotating non-permanent seats based on regional representation.

[3] Section (e): Commencement of intergovernmental negotiations: UfC demands that as a first step towards intergovernmental negotiations, the membership should reach a general agreement on both modalities and framework. G4 feels that preconditions for launching intergovernmental negotiations have already been met - for instance with the Cypriot proposal - and that negotiations should begin expeditiously.

[4] Section (e): Time frame: Germany suggested to insert a precise time frame "...to commence intergovernmental negotiations by the end of October 2008..." UfC are against artificial deadlines.

## **Next Step**

Tuesday's meeting continued to demonstrate the controversial nature of the issue, and with fierce resistance from two major interest groups, the report is now expected to be withdrawn, redrafted and resubmitted to the membership early next week. The Working Group will meet shortly thereafter to once again consider the contents.

While the GA President probably hopes for a speedy and consensual solution that would carry the mandate of the Working Group towards intergovernmental negotiations during the 63rd General Assembly session, several indicators instead point towards increased tensions. Traditionally, the final reports have almost always been a cause of heated discussions - last year resulted in an almost total breakdown - however; some wonder whether this year might finally end the Working Group.

Rumors are apparently circulating among Member States that India and Germany were particularly angered by Kerim's decision not to consult with them on his report. Diplomats close to the process revealed before the meeting that India could present an updated version of last year's L69 draft if the GA President's report failed to meet their expectations, and Indian Ambassador Nirupam Sen's colorful statement at the meeting did little to repress these concerns. In fact, Ambassador Sen specifically called for a more powerful draft resolution as he requested "...mandate negotiations to commence within one week of the adoption of the draft Decision, in an informal plenary of the GA..." German Ambassador Matussek also spoke in strong language, as he told Kerim in no

uncertain terms that Germany saw no need to continue with the Working Group if the redrafted report failed to specifically set a deadline for the start of intergovernmental negotiations.

As always, much depends on the African group. That they did not come out with a common position could indicate some willingness to negotiate on their part. With the membership of the African group numbering some 50 countries, they form a powerful bloc that could alter the outcome of an eventual vote. If Africa throws their lot in with the Indians, who are apparently courting the group at the moment, they might be able to muster a two-thirds majority, although it would be a tight squeeze. Can India also sway the Arab and Islamic blocs, who are also striving for permanent representation, the Indians might be able to reach the majority needed. Winning a vote in the GA would not necessarily mean that reform of the Security Council is imminent - much could still happen - but it could force a decision to initiate intergovernmental negotiations by October 2008, which would be an important step towards reform.

Nevertheless, because of the internal struggles within the African group (at the moment South Africa and Senegal seem to be top contenders for permanency, although their regional rivals are actively seeking to frustrate this), nothing is given at this point.

*\*This article is meant as an analysis and update of some of the main ideas discussed during the meeting and does not represent a complete and official account of all positions expressed by Member States. Unless attributed to a specific source, all expressions of opinion in this analysis are those of the author. The Center for UN Reform Education does not endorse any particular reform proposals.*