

Statement the Permanent Representative of Germany to the United Nations, H.E. Ambassador Thomas Matussek

Informal Plenary of the General Assembly

**on the Question of Equitable Representation on and Increase in the Membership of
the Security Council and Other Matters Related to the Security Council**

22 May 2009

Mr. Chair,

let me begin by thanking you for providing us with your overview paper and for so expertly navigating us through this difficult negotiation process. The overview paper presents a useful step on the way to achieving progress in this second round of negotiations. The paper is a good basis for our work – not in spite of, but in fact because of the fact that no Member state is 100% happy with it. For all those delegations truly interested in reforming the Security Council, the task at hand now is to talk about our differences with a view to achieving a compromise.

Your paper can certainly help to focus and catalyze this exchange.

Before I address the topic of today's meeting, let me make a brief remark on one specific and important aspect of the overview paper. In para 14 c on regional representation the paper outlines remedies for the underrepresentation of specific regional and other groups. Article 23 of the Charter indeed mentions "equitable geographical distribution" as one criterion for the composition of the Security Council. The Charter, however, clearly identifies the "contribution of a Member to the maintenance of peace and security and the other purposes of the Organization" as the most relevant yardstick for membership. We should never lose sight of this benchmark in the further course of the discussion, and we would strongly appreciate it being included explicitly in future overview papers. I will come back to this point in our next exchange scheduled for June.

Mr. Chair,

let me now address today's topic, the review. Giving Member states the opportunity to assess the merits of the reform is an integral part of our position. A revision conference was included in the G4 proposal of 2005.

In order for a review to be effective and meaningful, the following aspects need to be taken into account:

- The reform must be in effect for a **significant period of time** before the review takes place. We judge a period of around 15 years to be ideal in order to give the Council enough time to adjust to its new structure. If the review took place significantly sooner, the new Council members would not have enough time to grow into their new role and to demonstrate to the fullest their valuable contributions to the work of the Council. New Council members – all other than those on the two-year seats – must be given some time until they are able to participate in the work of the Security Council on an equal basis. And this – having new equal players on the Council – marks the line between a true reform on one hand and mere enlargement on the other hand.
- For the same reason, there should not be too much change in the composition of the Council before the review. Of course, those occupying two-year seats would change every two years. All other members, however, should stay on the Council continuously until the review.

Mr. Chair,

that said, we could envisage a reform provision that allows for a **challenge**, of course in addition to – and not as an alternative to – a revision conference. 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 states' expectations. In return for the trust the membership placed into these new members, it is only fair that they could be voted off if it turns out that they do not merit that trust.

The instrument of a challenge needs to be constructed in a way that ensures its responsible and constructive use and guarantees the proper functioning of the Council. For that reason, a proposal to vote a Member state off the Council, for example, would have to gain the same qualified majority needed for electing a Council member in the first place.

Mr. Chair,

we consider the challenge as a more suitable instrument for the general membership to exert control over who serves on the Council than the instrument of **re-election**. A re-election model could have negative effects on the quality of work on the Council because having to stand for re-election might entice Council members to start campaigning from their very first day on the Council. What we rather need, however, are Council members who put the functioning of the organ and the interests of the UN as a whole before their own individual interests.

Mr. Chair,

before I close, let me underline what we consider to be crucial today and in the upcoming weeks. Based on your overview paper we need to continue to work on defining realistic and feasible reform options. It is our joint task to reach further clarification on which reform options can garner the widest possible support among Member states. That is our yardstick, and we must not lose sight of it.

Thank you.