



## UN REFORM UPDATE

### DEBATE ON SECURITY COUNCIL REFORM CONTINUES

15 March 2007

*\*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.*

On 13 March 2007, Member States reconvened for a joint interactive debate on Security Council Reform under the guidance of the five facilitators appointed by the President of the GA Assembly. The meeting was chaired by H.E. Mr. Heraldo Muñoz of Chile.

Reportedly, Ambassador Muñoz explained that the five facilitators have carried out discussions with both individual Member States and interest groups, and that they will transmit their findings to the GA President. These will include the common elements that emerged during the open and bilateral consultations and some guiding principles on how to move forward in the process. He added that the [World Summit Outcome Document of 2005](#) opened a window of opportunity for Member States to finally address Security Council Reform effectively. However, if Member States do not take a creative approach, the window will be closing soon and there will be 10 more years of stalling (the Open Ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council has been meeting fruitlessly since 1993). The five facilitators confirmed that consensus is still far from within reach. During the debate, they did not express any official position and suggested that the debate was intended to be an informal and non-committal exercise.

Ambassador Muñoz confirmed that many delegations are willing to engage in a negotiating dialogue provided that all Member States are open to do the same.

Different expectations were expressed regarding the nature of the output of the five facilitators. Some States expect the facilitators to provide an assessment of where they found common ground in order for the membership to build on (Italy, Guinea Bissau among others); while others hoped to receive not only an assessment but also an indication of how to proceed forward (Germany).

#### **Size of an Enlarged Council and Categories of Membership**

As far as the size of an enlarged Council is concerned the facilitator, Ambassador Muñoz of Chile, confirmed that the issue of achieving better regional distribution still dominates the debate. He suggested that a good starting point would be to decide whether they want to enlarge the Council through a gradual and incremental process or through a “big bang” decision, i.e. reaching agreement

on a permanent solution at once. A gradual process would include reaching agreement on a binding review mechanism and on what categories should be enlarged within the Council.

Ambassador Spatafora of Italy noted that the only way to come to an agreement on Security Council reform is that of agreeing on a win-win solution, where nobody would have to give up their positions and aspirations and there would be no losers. The gradual approach might be amenable as it would not preclude anyone's positions and aspirations from realizing. An incremental and gradual approach could be ideal but Member States will have to work on all components of the picture.

Japan, Germany and India reiterated their wish to realize expansion in both categories. Ambassador Matussek of Germany asked the facilitators to confirm that the majority of the membership agrees to an increase in both categories of membership, permanent and non-permanent.

Ambassador Muñoz suggested that, in case of a gradual arrangement, Member States could consider inserting a provision that no more than 50% of the seats be renewable. Eliminating this limit would then require a simple change in the Charter.

Ambassador Maurer of Switzerland suggested that Member States need to move forward to real negotiations. He also noted that SC reform should not be looked at in a "black and white" perspective, big bang vs. gradual approach, as gradualism itself can have many shades of grey.

Ambassador Abdelaziz of Egypt noted that he would be willing to engage in negotiations at a regional level on a gradual approach proposal if the end product of such an approach was clear. If a gradual approach is taken, then it should be applied to all the different elements of the reform and Member States should evaluate its performance at all levels.

Ambassador Hachani of Tunisia, facilitator for the cluster on categories of membership, explained that the intention of the debate was for the facilitators to understand whether a gradual approach to the reform was something that Member States were willing to agree to in principle. If Member States agree to approach the reform gradually, then the facilitators could initiate talks on what options could be considered to that end.

Tanzania reminded Member States that discussions should include three categories: permanent, non-permanent and semi-permanent. The proposal of having semi-permanent seats is also on the table and Member States should not ignore it.

Ambassador Sen of India insisted that, first of all, Member States need to agree on a formula for enlargement, everything else will then fall in place. With respect to an interim arrangement, he added that it will be through the work of the facilitators and by looking at the underlining tendencies that Member States will be able to negotiate any interim solution.

As to the suggestion that Member States should consider a vote and, on the basis of the outcome, search for a compromise, Italy reacted by insisting that this could be extremely divisive, with the likely result of stalling negotiations indefinitely. Member States should go to a vote only when there is a political majority, as failure would be detrimental to the reform process.

Ambassador Wenaweser of Liechtenstein warned that Member States should be cautious with amending the Charter with the objective to achieve an interim arrangement. More will need to be agreed on, and there will need to be further amendments, thus an automatic review clause must be part of the package.

Ambassador Menon of Singapore confirmed that the majority of the smaller States is dissatisfied with the current state of affairs but that there is no agreement on how to change the situation. He added that smaller States do not have great aspirations for Security Council membership but would simply like to be able to sit on the Council "once in a blue moon." To this end, Member States should avoid agreeing on an interim solution that would hinder the interests of the smaller States. With an interim arrangement, big powers could easily dominate both non permanent and semi permanent categories. A mechanism to prevent big powers from "flip flopping" from one category to the other would need to be included. For example, it could be decided to block the renewal of seats from one category to the other for at least a couple of years.

### **Question of the Veto**

Ambassador Mavroyiannis of Cyprus, facilitator for the question of the veto, noted that there is profound disagreement regarding the veto. Member States need to find agreement on what action to take next. Do they want to work towards its elimination or its limitation?

The veto is an issue that needs to be resolved in order to be able to reach agreement on enlargement as some Member States condition their acceptance of new permanent members on whether or not they will have the veto.

He also asked Member States whether dropping the question of the veto for the sake of advancing overall reform could be an option they would be willing to consider. The question of the veto could then be reviewed at a later stage.

Germany noted that the creation of the veto was a terrible mistake and that Member States need to work around it now. He suggested that "parking it" momentarily, in order to achieve at least part of the reforms, is an idea that should be considered.

Some Member States underlined that most important of all is to find common ground on framing rules for the use of the veto, and this constitutes the only way to address the question of the use of the veto in a practical manner (Switzerland, Liechtenstein, Tanzania).

The Ambassador of Egypt wondered how graduality could be applied to the question of the veto. The African Group is asking for two permanent seats with veto power. Would a gradual approach see the new permanent members wait for a certain number of years before obtaining the veto power, provided that a framed use of the veto by the P5 is agreed upon? He also added that as long as veto power exists, the only way to change the current power structure is by granting veto power to the new permanent members.

It was pointed out that Security Council resolutions require 9 votes to be passed and, by abstaining, 9 States can block a resolution. Member States could discuss options to counterbalance the veto along these lines (Guinea Bissau).

Ambassador Wenaweser of Liechtenstein expressed doubts that Member States can agree on whether to give veto power to new permanent members or not. Instead, they should concentrate on finding a formula for limiting the use of veto.

Other Member States hinted at the possibility that once an enlargement formula is agreed to, the situation could gradually improve and the use of veto power might disappear progressively. (Guinea Bissau, India).

### **Question of Regional Representation**

Ambassador Mladineo of Croatia, facilitator for the question of regional representation, asked Member States to consider whether they favor the enlargement based on the existing regional framework or if they would rather revise the current regional distribution within the Council. In case Member States are satisfied with the current regional division, she suggested that they come forward with proposals on how to achieve better geographical representation within the existing framework.

She also hoped that Member States would come forward with suggestions on how to address the question of accountability, and how to operationalize it with the existing voting pattern, were they to decide that new seats on the Council should be assigned to regions rather than individual States.

Also, the question remains open of how to address smaller states' concerns within the context of regional representation.

Italy noted that, with respect to the proposal of having seats allotted to regions rather than to individual Member States, the Italian government has already made it clear that it is open to put its current Security Council seat at the disposal of the EU were Member States to come to an agreement and amend the Charter accordingly.

Some Member States pointed out that they should also discuss what is geographically equitable now. The existing framework of geographical distribution might not be current anymore (Italy, Japan, Guinea Bissau).

It was also noted that Member States should define whether they look at the concept of region in a geographical or political sense. For example, is Eastern Europe a region? Where does the EU start? Where does it end? Africa is easier to define as a region, but what is applicable for Africa does not work for others.

A number of Member States suggested that allotting a seat to regions would not be feasible because regional organizations, with the exception of Africa, do not have the necessary mechanisms to elect members to the Council (Japan, Singapore, Ireland).

### **Working Methods**

Ambassador Majoor of the Netherlands, facilitator for the working methods cluster, noted that enlargement, without looking at the broader issue of the working methods, would not be complete. However, working methods reform can be achieved independently and needs to be pursued even without an enlargement of the Council.

Ambassador Maurer of Switzerland underlined that working methods reform should be looked at as an ongoing reform and that it should be constantly improving.

Liechtenstein, along with Japan and Switzerland, confirmed that working methods are not inseparable from everything else as they can be improved without a Charter amendment. He suggested that Member States could even consider adopting two different resolutions, one on the enlargement of the Security Council, and one on the reform of its working methods.

Italy and Singapore stressed that the frustration of the smaller States due to the fact that they cannot impact on Security Council decisions when it concerns them directly, needs to be addressed properly. Better access to the Security Council should be achieved along with the assurance that their opinion is taken into consideration, substantially rather just formally.

Costa Rica insisted that Member States commence reform in those areas where they are close to reaching agreement. Costa Rica also pointed out that no valid reasons have been advanced for not discussing working methods before all other aspects. It is undeniable that the legitimacy of the Council will be improved by the reform of its working methods.

**For a background of the current discussions see:**

- [Informal Consultations on Security Council Reform at the General Assembly continued from 20-23 February 2007, 28 February 2007](#)
- [Update on the resumption of the discussions on Security Council Reform at the General Assembly, 9 February 2007](#)