



په منگرو ملتوکی  
دافغانستان اسلامی جمهوریت  
دایمی نمایندگی - نیویارک

نماینده گی دایمی  
جمهوری اسلامی افغانستان  
در ملل متحد - نیویارک

**Permanent Mission of the Islamic  
Republic Afghanistan to the  
United Nations**

5 February 2010

Excellency,

Following our productive 19 and 20 January exchange, during which Member States united behind the need for a transparent text-based fifth round, I am herewith, as a Chair impartial to any of the positions yet partial to progress, providing guidance to Member States on the path to early reform of the Security Council.

In this regard, I have the honor to recall consensus decision 63/565 adopted on 14 September 2009 by the sixty-third session of the UN General Assembly under its agenda item 111 on the "Question of equitable representation on and increase in the membership of the Security Council and related matters", through which the Assembly decided to:

"...immediately continue intergovernmental negotiations on Security Council reform in informal plenary of the General Assembly at its sixty-fourth session as mandated by General Assembly decision 62/557 of 15 September 2008, building on the progress achieved during its sixty-third session, as well as the positions of and proposals made by Member States, while noting with appreciation the initiative and efforts of the President of the General Assembly and the Chairman in the process of a comprehensive reform of the Security Council."

Per consensus decision 62/557, the basis of the ongoing intergovernmental negotiations, which continue to be governed by the modus operandi as collectively embraced by Member States during the successful 19 February 2009 launch of the intergovernmental negotiations, consists of the following, enriched with the progress achieved during the sixty-third session in accordance with consensus decision 63/565:

- i. *The positions and proposals of Member States, regional groups and other Member States groupings;*
- 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;*



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- iii. *The following documents:* report of the Open-ended Working Group on its work during the sixty-first session of the General Assembly;<sup>1</sup> General Assembly decision 61/561 and the report of the Open-ended Working Group on its work during the sixty-second session of the General Assembly;<sup>2</sup>

Over the course of the first three rounds of negotiations, Member States looked at the interconnected five key issues, as set out in the abovementioned subparagraph ii, from all possible angles. The fourth round first saw a focus on the positions and proposals of Member States as mentioned in subparagraph i and then on the points of convergence between them.

The next step in the strict and good faith implementation of the negotiation mandate is to now move towards transparent text-based negotiations, as universally requested by Member States. Since per consensus decisions 62/557 and 63/565 their positions and proposals are at the heart of the negotiation process, Member States can put the Chair in a position to put together a negotiation text by submitting in writing, by way of input, their positions and proposals with regards to all of the interconnected five key issues, in language that is fit for negotiation purposes. Member States should feel free to do as a member of group and/or on individual basis.

In strict conformity with decision 63/565, Member States are urged to reflect progress achieved in the texts they submit. In order for the negotiation text to be as up-to-date as possible, only substantive input, including conference room papers, submitted in writing so far during the fourth round (see attached documents<sup>3</sup>) and until March 5 will be taken into account for the negotiation text. The Member States that submitted the attached documents of course have the option to revise those texts in light of the second exchange of the fourth round and in light of this letter.

As the guardian of the transparency of these negotiations, I am establishing a consultative process through which I will make myself available to any delegation or group of delegations seeking to exchange views with me on the content and/or conduct of the enterprise ahead of us. This consultative process shall remain in place both before and after March 5, when I assume my responsibility as Chair to assemble the negotiation text.

<sup>1</sup> *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47 (A/61/47)*

<sup>2</sup> *Official Records of the General Assembly, Sixty-second Session, Supplement No. 47 (A/62/47)*

<sup>3</sup> Also attached is a letter received from the focal point for the Uniting for Consensus group on 13 January 2010.



په ملگرو ملتوکی  
د افغانستان اسلامي جمهوریت  
دایمی نمایندگی - نیویارک

**Permanent Mission of the Islamic  
Republic Afghanistan to the  
United Nations**

نماینده گی دایمی  
جمهوری اسلامی افغانستان  
در ملل متحد - نیویارک

After its presentation, this open text – a paper of the Member States, by the Member States and for the Member States – will evolve in a membership-driven way, so as to blaze a trail towards early reform of the Security Council.

Zahir Tanin

Permanent Representative of the Islamic Republic of Afghanistan to the  
United Nations

Chair of the intergovernmental negotiations on the question of equitable  
representation on and increase in the membership of the Security Council and  
other matters related to the Security Council



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CD/COMM/1232

December 23, 2009

Excellency and dear Colleague,

I have the honour to refer to your letter of November 16, 2009 and to once again, address a letter to you on behalf of the African Group. I wish to express our sincere appreciation to you for your unwavering commitment and dedication to ensuring a smooth and successful conduct of the on-going Intergovernmental Negotiations in Informal Plenary of the General Assembly on the *Question of Equitable Representation and Increase in the Membership of the Security Council and Other Related Matters*. The African Group remains as steadfastly committed as ever to a speedy and meaningful reform of the Security Council within the context of the current geo-political realities of the global community vis-à-vis the imperatives of our collective interest for the maintenance of international peace and security.

We do concur with your strong determination to continue to engage this process within the framework of General Assembly decisions 62/557 and 63/565 as the most viable means of reaching the broadest possible agreement on the outcome we are all striving to achieve. We take note with interest the recent developments and the on-going initiative intended to encourage you to come forth with a paper or summation on the Intergovernmental Negotiations thus far in order to infuse a strong sense of urgency in reaching decisions capable of bridging the differences over sticky points of the process. The recent exchange of December 8 through 9 has also been very promising with respect to the direction member states want the process to assume.

In this regard, the aim of this correspondence is to refresh your mind about issues we have highlighted in previous interactions, exchanges and correspondence to ensure that any attempt at producing a paper or a summation as a basis for a more intense negotiation leading to trade-offs should take into account elements of the common African position as a way of redressing decades of historical injustice suffered by the continent while seeking to reform the Security Council to respond to the prevailing geo-political realities.

In your role as *'a Chair, impartial to any of the positions yet partial to progress, providing guidance to member states on the path to early reform of the Security Council'*,

We urge that any working paper to be crafted out of this process as a basis for progress and further negotiations must include among other things the following elements:

- i. On category, Africa favours expansion in both the permanent and non-permanent categories of the Security Council. This means the allocation no less than two permanent seats for Africa, with all the prerogatives and privileges of permanent membership to be extended to all permanent members and of a total of 5 non-permanent seats; with the selection of all such representatives to be done by the African Union for submission to the General Assembly for election;
- ii. On the cluster relating to the question of the veto, Africa strongly believes that the veto should be abolished but so long as it exists, it should be extended to all members of the permanent category of the Security Council, who must in this regard enjoy all the prerogatives and privileges of permanent membership in the permanent category including the right of the veto as a matter of common justice;
- iii. On the issue of regional representation, a reform that will ensure Africa's legitimate right to fair and equitable geographical representation in the Security Council, taking into account the principles, objectives and ideals of the UN Charter for a fairer world based on universalism, equity and regional balance within the UN system;
- iv. On the size of an enlarged Security Council, a more representative and inclusive Council should consist of a total of 26;
- v. On the Council's Working Methods, Africa favours a more accessible, democratic, representative, accountable and more effective Security Council responding to the exigencies of the time and accordingly deems it imperative, inter alia:
  - a. *To increase* the number of public meetings, in accordance with Articles 31 and 32 of the Charter, and that these meetings should provide real opportunities to take into account the views and contributions of the wider membership of the UN, particularly non-Council members whose affairs are under discussion of the Council;
  - b. *To allow* for briefings by the Special Envoys or Representatives of the Secretary-General and the UN Secretariat to take place in public meetings, unless in exceptional circumstances;
  - c. *To enhance* its relationship with the UN Secretariat and troop contributing countries (TCC), including through a sustained, regular and timely interaction. Meetings with TCCs should be held not only in the drawing up of mandates, but also in their implementation, when considering a change in, or renewal of, or completion of a mission mandate, or when there is a rapid deterioration of the situation on the

ground. In this context, the Security Council Working Group on Peacekeeping Operations should involve TOCs more frequently and intensively in its deliberations, especially in the very early stages of mission planning;

- d. *To uphold* the primacy of and respect for the Charter in connection with its functions and powers and in that regard to desist from the practice of engaging and initiating formal or informal discussions on the situation in any Member State of the United Nations or on any issue that does not constitute a threat to international peace and security, and contrary to the provisions of Article 24 of the Charter;
- e. *To establish* its subsidiary organs in accordance with the letter and spirit of the UN Charter, and that these organs should function in a manner that would provide adequate and timely information on their activities to the general UN membership;
- f. *To avoid* any attempts to use the Security Council to pursue national political agendas and *to ensure* the necessity of non-selectivity and impartiality in the work of the Council, and the need for the Council to strictly keep within the powers and functions accorded to it by the Member States under the UN Charter;
- g. *To refrain* from resorting to Chapter VII of the Charter as an umbrella for addressing issues that do not necessarily pose a threat to international peace and security, and to fully utilise the provisions of other relevant Chapters, where appropriate, including Chapters VI and VIII, before invoking Chapter VII which should be a measure of last resort, if necessary;
- h. *To Avoid* any recourse to the imposition or prolongation of sanctions or their extension by the Security Council against any State under the pretext or with the aim of achieving the political objectives of one or a few States, rather than in the general interest of the international community;
- i. *To formalise* the Rules of Procedure of the Security Council, which have remained provisional for more than 60 years, in order to improve on its transparency and accountability

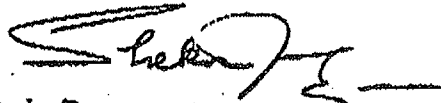
vi Relationship between the General Assembly and the Security Council: it is Africa's position that the two organs must work closely together within their respective spheres in the search for solutions to the plethora of challenges confronting the international community while seeking to foster harmonious interaction and ensuring cooperative relationship between Council and the

General Assembly without encroaching on each other's mandates as spelt out in the Charter and to preserve the constitutional balance between them, and further proposes the following, inter alia:

- a. To address the growing concerns by Member States of the gradual encroachment by the Security Council on and the erosion of the authority and mandate of the General Assembly by fully and speedily implementing the relevant provisions of General Assembly resolutions S/1/193, S/8/126 and S/9/313;
- b. Council's submission in keeping with Article 24(3) of the United Nations Charter, more comprehensive and analytical reports to the General Assembly, consisting among other things, of assessment of the work of the Council, views expressed by its members as well as the rationale for taking or not taking action on all issues before it;
- c. Council's submission in accordance with Articles 15 and 24 of the United Nations Charter, special subject-oriented reports to the General Assembly for its consideration and on issues of current international concern;
- d. Ensuring that members are fully informed of the nature and scope of Council's activities not only through full and informative press releases, but also by effectively communicating their views on issues of concern taken by Council in its informal consultations. Convening more formal meetings and informal consultations involving the interested parties prior to the adoption of decisions to allow for wider participation;
- e. The provision of effective and timely flow and exchange of information between the two organs particularly through frequent and regular consultations between the Presidents of the General Assembly and the Security Council to review work plans and consult on specific issues of mutual concern. Such meetings can enhance more direct and dynamic exchanges between the two organs;
- f. Ensuring that the role and authority of the General Assembly including on questions relating to international peace and security be respected and to also guarantee the unfettered application of Articles 10 - 14 and 35 of the Charter and where appropriate Rules 7 to 10 of the Rules of Procedure of the General Assembly, which enable the Assembly to take urgent action; all of which provide a strong basis for the General Assembly to assert itself and prevent the erosion of its powers by the Security Council.

While looking forward to a more interactive negotiation process with a renewed vigour, we remain committed to negotiating in good faith and with mutual trust. In wishing you a Happy Festive Season, please accept Excellency, the assurances of our highest consideration.

Shekou M. Touray



Ambassador/Permanent Representative  
Coordinator of the Committee of Ten

H.E. Mr. Zahir Tanin  
Permanent Mission of Afghanistan to  
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Excellency,

On behalf of the Member States of the Organization of the Islamic Conference (OIC), I have the honour to convey appreciation for your efforts, as Chair of the inter-governmental negotiations, being held in the informal plenary of the General Assembly, aimed at promoting the common objective of a comprehensive reform of the United Nations Security Council.

The position of the OIC on this issue is well known. It has been declared, at the highest political level at the 11<sup>th</sup> Session of the Islamic Summit Conference, held at Dakar from 13-14 March 2008, as continued in its Final Communiqué (paragraphs 71-73) and the Resolution No. 11/ P (IS) adopted by the summit on reform of the United Nations and expansion of the membership of the Security Council. The Conference, inter alia, reaffirmed its decision that any reform proposal which neglects the adequate representation of the Islamic Ummah in any category of membership in an expanded Security Council will not be acceptable to the Islamic World. The Conference reaffirmed that efforts aimed at restructuring the Security Council should not be subjected to any artificial deadline, and that a decision on this issue should be made by consensus. This position was conveyed to the President of the General Assembly in a letter dated 7 April 2008 from the Chair of the OIC and further reaffirmed by a letter dated 23 April 2009 conveyed to His Excellency Mr. Zahir Tanin, Chair of the Inter-Governmental Negotiations on Security Council Reform, from the Chair of the OIC.

Since then, the OIC position has been reaffirmed by the resolution adopted by the 36<sup>th</sup> Session of the Council of Foreign Ministers held in Damascus, Syrian Arab Republic, from 23-25 May 2009. A copy of the resolution (No. 20/ 36- POL) is attached herewith. The reform of the Security Council was also considered, during the OIC Foreign Ministers Annual Coordination Meeting in New York on 25 September 2009, whereby the position of the OIC was reaffirmed by the OIC

Foreign Ministers, of which the relevant paragraph (175- 185 of the Final Communiqué). These paragraphs are also attached with this letter, in the context of the ongoing inter-governmental negotiation in the informal plenary of the General Assembly.

Assuring you of our cooperation, the OIC members remain constructively engaged in our collective endeavor in accordance with the General Assembly decisions No. 63/565 and 62/557 in order to achieve a comprehensive reform of the Security Council in all its aspects that corresponds to the positions and interests of all Member States and Groups.

**Dr. Bashar Ja'afari**  
**Ambassador**  
**Permanent Representative of the Syrian Arab Republic**  
**Chair of the OIC Group in New York**

Encl: As above

**H.E. Mr. Zahir Tanin**  
**Permanent Representative of Afghanistan**  
**To the United Nations**  
**(Chair of the Inter- governmental Negotiations**  
**On Security Council Reform)**

Copy:       - H.E. Dr. Ali A. Treki,  
              President of the 64<sup>TH</sup> Session of the  
              United Nations General Assembly

              - All Permanent Representative  
              To the United Nations, New York

**RESOLUTION NO.20/36-POL**  
**ON**  
**REFORM OF THE UNITED NATIONS**  
**AND EXPANSION OF UN SECURITY COUNCIL'S MEMBERSHIP**

*The Thirty-Sixth Session of the Council of Foreign Ministers (Session of Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic from 28 Jamadul Awal – 1 Jamadul Thani 1430 H (23-25 May 2009);*

**Recalling** all Resolutions adopted by the Islamic Summit and Foreign Ministers Conference on the subject;

**Also recalling** previous OIC resolutions, in particular Resolution 17/34-P adopted at the Thirty-fourth Session of the ICFM in Islamabad from 15-17 May 2007, resolution 19/35-P adopted at the Thirty fifth Session of the CFM held in Kampala from 18-20 June 2008, and resolution 11/11-P (IS) adopted at the Eleventh OIC Summit at Dakar from 13-14 March 2008;

**Bearing in mind** the provisions of paragraphs No. 145 to 152 of final communiqué of the Annual Coordination Meeting of the Ministers of Foreign Affairs of the OIC Member States at the UN Headquarters in New York on 26 September 2008;

**Recalling** also Paragraphs 64 to 75 of the Final Document of XII NAM Summit in Durban adopted on 3 September 1998, the paragraphs related to the Security Council reform in the Declaration adopted at the 32nd Session of the Summit of the Heads of State and Government of the Organization of African Unity, held in Harare in June 1997 as well as in the Working Paper of the Arab Group adopted by the Arab Foreign Ministers in New York on 29 September 1997;

**Mindful** of the objectives and principles enshrined in the Charter of the Organization of the Islamic Conference, especially the objectives of promoting Islamic solidarity among Member States and strengthening their capacity to safeguard their security, sovereignty and independence,

**Reaffirming** that the United Nations is an indispensable and irreplaceable global mechanism for the promotion of a shared vision of a more secure and prosperous world, and has the central role in the maintenance of international peace and security and the promotion of international cooperation,

**Stressing** the significant importance of multilateralism in addressing the common threats and challenges facing the common destiny of Human kind in our increasingly interconnected and globalizing world.

**Expressing** grave concern over the policies which have prevented the UN Security Council from performing its main duty based on justice and thus undermining its credibility;

## RES.20/36-POL

**Rejecting** the dominant interventionist paradigm and tendencies which constitutes a real threat to the world community and maintenance of international peace and security;

**Stressing** that any reform of the United Nations, including Security Council reform, should be carried out in accordance with the provisions of the UN Charter;

**Rejecting** any preventive and pre-emptive action in international relations as a clear violation of international law;

**Affirming** also the importance of regular consultations with OIC Member States to advance their interests in this process;

**Emphasizing** the importance of transparency and all-inclusiveness of deliberations on UN reform;

**Stressing** that the OIC's demand for adequate representation in the Security Council is in keeping with the significant demographic and political weight of the OIC Member States, which bears particular importance, not only from the perspective of increased efficiency, but also to ensure the representation of the main forms of civilization in the Security Council;

**Reaffirming its principled position** that any reform of the Security Council must ensure adequate representation of the OIC Member States in any category of membership in an expanded Security Council;

1. **Affirms** the importance of the ongoing process of UN reform and stresses that the OIC Member States have a direct and vital interest in determining the outcome of UN reform, therefore calls on all OIC Member States to actively and effectively take part in the UN Security Council reform process, in accordance with the relevant declarations, statements and resolutions issued by the OIC.
2. **Notes** the progress in the UN reform process including in particular the establishment of the Peace-building Commission and the Human Rights Council and encourages the OIC Member States of these bodies to protect and promote the interests of the Islamic world in the work of these bodies.
3. **Reaffirms** the irreplaceable role of the United Nations and the necessity of ensuring the equal participation of all Member States in its activities, in a transparent and multilateral manner, guided by the UN Charter and founded on universally recognized principles.
4. **Underlines** the need, in UN reform, for evolving common perceptions and agreed approaches to address both the new and existing threats to international peace and security in the context of multilateralism.

## RES.20/36-POL

5. **Stresses** that the UN Security Council reform must be comprehensive in all its aspects and have to take into account the views of the United Nations membership, including that of the OIC Member States.
6. **Emphasizes** the importance of enhancing the transparency, accountability, representativeness and democratization of the Security Council through the improvement of its working methods and legitimacy of its decision-making process.
7. **Supports** the expansion of the Security Council's membership, in accordance with the relevant UNGA resolutions, sovereign equality of all States and adequate representation of major civilizations.
8. **Reiterates** the need for the full observance of the Charter of the United Nations and the unrestricted application of all the principles and the achievement of the purposes that it enshrines, and underscores the need to preserve and promote the centrality, inviolability and sanctity of the Charter's principles and purposes, in particular the principles of respect for the sovereignty, territorial integrity and non-interference in the internal affairs of other States, in any drive for the UN reform.
9. **Expresses its deep concern** that certain recommendations and concepts, such as the responsibility to protect, new interpretation of Article 51 of UN Charter in terms of authorizing anticipatory attacks, lack of focus on nuclear disarmament as well as discriminatory restrictions on peaceful use of nuclear technology are inconsistent with UN Charter, in contradiction with the provisions of international law and against the internationally recognized principles.
10. **Rejects** any recommendation or initiative, in the process of UN reform, which may, in one way or another, violate the principles and purposes of the UN Charter or contradict the Member States sovereignty, political independence and the principle of non-interference.
11. **Emphasizes** that the process of United Nations reform should evolve on the basis of all relevant inputs, particularly that of the OIC Member States' view points and concerns.
12. **Stresses** that the UNSC should act in full transparency and accountability and should be accountable for its unlawful decisions as well as its repeated failure with regard to issues related to the Muslim Ummah
13. **Expresses** its deep concern that the issues pertaining to the threats of clash, militarism and the propensity to use force have to be assessed and properly addressed and emphasizes that in addressing a new consensus on collective security the concept of dialogue, particularly the need to the paradigm of "dialogue among civilizations", already approved by the UN General Assembly as the most efficient means to tackle the growing threat of clash, should be given the high priority.
14. **Emphasizes** the necessity of representation of major civilizations in the UN Security Council and, taking into account the fact that the OIC is the largest institution after the UN, which brings together one-fifth of the world population.

## RES.20/36-POL

15. **Reaffirms** its decision that any reform proposal which neglects the adequate representation of the Islamic Ummah in any category of membership in an extended Security Council will not be acceptable to the Islamic World.
16. **Underlines** the significant importance of achieving the expansion of UN Security Council with the broadest possible agreement, through initiation of constructive negotiation between all UN Member States, based on the points of convergence such as the need to enlarge the Council, to increase the representation of developing countries, and to improve the working methods and transparency of the Council's work, and stresses in that regard the importance of further constructive consultations between all UN Member States to agree on a common basis and framework for further progress;
17. **Welcomes** in this regard the start on intergovernmental negotiations on the question of equitable representation on and increase in the membership of the Security Council and related matters in the informal plenary of the General Assembly from 19 February 2009.
18. **Notes** that the position of the OIC on the reform of the Security Council has been reiterated and conveyed by the OIC Chair to the chair of the negotiations process through his letter of 23 April 2009, and requests the Permanent Representatives of the OIC countries in New York to promote and advance the OIC position in the negotiations.
19. **Reiterates** that the UN Security Council should stick to its Charter-based mandate and refrain to address issues which do not fall within its function and powers, and *opposes* attempts by the Security Council against any State with the aim of achieving the political objectives of one or a few States, rather than in the general interest of the international community.
20. **Reaffirms** that both reform and expansion of the membership of the Security Council, including the question of the veto and the working methods of the Security Council, should be considered as integral parts of a common and comprehensive package, taking into account the principle of sovereign equality of States and equitable geographical distribution.
21. **Further reaffirms** that efforts at the restructuring of the Security Council shall not be subjected to any artificial deadlines, and that a decision on this issue should be made by consensus.
22. **Reaffirms** the resolve of the Member States to continue contributing actively and constructively to the consideration of the UN reform.
23. **Requests** the OIC open-ended Contact Group on UN Reform and Expansion of the Security Council at the United Nations Headquarters in New York to continue to closely coordinate the positions of the OIC Member States promoting the comprehensive reform of the Security Council on the above basis and to ensure equitable representation for OIC countries in any category in the enlarged Security Council in proportion to their membership of the United Nations.
24. **Requests** the Secretary-General to submit a report thereon to the 37<sup>th</sup> Session of the Council of Foreign Ministers.

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**FINAL COMMUNIQUE  
OF THE ANNUAL COORDINATION MEETING OF  
MINISTERS OF FOREIGN AFFAIRS OF  
THE OIC MEMBER STATES  
UNITED NATIONS HEADQUARTERS  
NEW YORK**

**25 SEPTEMBER 2009**

169. The Meeting took note of the Security Council Press Statement SC/9389 of 8 July 2008 and the Statement of the President of the Security Council S/PRST/2008/32 of 21 August 2008 condemning the terrorist attacks that took place in Pakistan and expressed deep sympathies and condolences to victims of these heinous attacks and the Government of Pakistan.
170. The Meeting emphasized the importance to address the use of internet by terrorists and cyber-terrorism and requested all countries to take the necessary measures to combat such use.
171. The Meeting welcomed with appreciation the initiative of President Zine El Abidine Ben Ali, President of the Republic of Tunisia, calling for an international conference under the auspices of the United Nations, to devise an international strategy to combat terrorism, address its causes and to prepare a code of conduct in this regard, drawing upon the content of the final communiqué of the international conference on terrorism: dimensions, threats and countermeasures, held in Tunisia from 15 to 17 November 2007.
172. The Meeting urged Member States, who have not yet done so, to sign, ratify and enforce the provisions of the "OIC Convention on Combating International Terrorism". It urged all Member States to continue working with other nations to bolster the international community's efforts under UN auspices to combat international terrorism in a transparent and integral way consistent with the Organization's Charter principles and with the relevant international agreements and mechanisms.
173. The Meeting invited the 13-Member Committee appointed by the Kuala Lumpur 2002 meeting and assigned to study the issues linked to combating terrorism, to meet as soon as possible and work out appropriate recommendations on combating international terrorism and promoting a better understanding of the Islamic faith and its principles, and to coordinate between the OIC on the one hand and other regional and international organizations, on the other.
174. The Meeting strongly condemned the perpetrators of those heinous terrorist crimes, who pretend to act in the name of Islam or under any other pretext, including the crime of hijacking and unlawful acts against the safety and security of civil aviation. It called upon all States not to grant asylum to terrorists, and to take all necessary measures to help bring them to justice in accordance with national laws and regulations.

## UN REFORM

175. The Meeting supported a comprehensive reform of the United Nations Organization to respond to the challenges facing humanity. The Meeting reiterated the need for evolving common perceptions and agreed approaches to address both the new and existing threats to international peace and security in the context of multilateralism. The Meeting also reiterated the OIC's stance in support of the principle of the United Nations reform, including the expansion of the Security Council's membership, in accordance with the relevant UN General Assembly resolutions, and taking into consideration the principles of sovereign equality of all States and the need to ensure equitable geographic distribution.
176. The Meeting emphasized that the question of reform and expansion of the UN Security Council continues to be the primary preoccupation of the UN membership, including all OIC Member States for whom this is a matter of direct and vital interest. It, therefore, called on its Member States to actively and constructively take part in the UN reform process in accordance with the relevant declarations,



requested the OIC Member States to consider providing financial contributions to the OIC Secretary General such that they may be transferred as the Organization's contribution to the Fund.

183. The Meeting requested the OIC open-ended Contact Group on UN Reform and Expansion of the Security Council at the United Nations Headquarters in New York to continue to closely coordinate the positions of the OIC Member States promoting the comprehensive reform of the Security Council on the above basis and to ensure equitable representation for OIC countries in the enlarged Security Council in proportion to their membership of the United Nations.
184. The Meeting agreed that the General Assembly representing universal membership in accordance with the United Nations Charter, must be enabled to exercise its authority in addressing all major issues, including peace and security, development and human rights. The Meeting further called for halting and reversing the encroachment by the Security Council on the Assembly's prerogatives and functions.
185. The Meeting recognized the importance of revitalizing the OIC Working Group on UN Reform in New York and reiterated the earlier decision that the Group should enhance the frequency of its meetings with a view to coordinating unified positions, in accordance with the relevant resolutions at the Summit in Dakar and the CFM in Damascus, during the forthcoming critical phase of the ongoing discourse on UN Reform.

## HUMAN RIGHTS AND FREEDOMS

186. The Meeting expressed deep concern over the growing intolerance, negative stereotyping, racial profiling and discrimination against Muslim communities in non-OIC Member States, particularly in the West, including the promulgation and oppressive application of restrictive laws and other measures. It emphasized that all Islamophobic practices constitute an infringement of human dignity and contradict international human rights law.
187. The Meeting affirmed that freedoms have to be exercised with responsibility and with due regard for the fundamental rights of others and, in this context, condemned in the strongest possible terms, all blasphemous acts against Islamic principles, symbols and sacred personalities, in particular, publication of offensive caricatures of Prophet Mohammad (PBUH), all abhorrent and irresponsible statements about Islam and its sacred personalities, and the screening of a defamatory documentary about the Holy Quran and dissemination of this hate material under the pretext of freedom of expression and opinion.
188. The Meeting emphasized the need to develop, at the United Nations, including the Human Rights Council, a legally binding international instrument to promote respect for all religions and cultural values and prevent intolerance, discrimination and the instigation of hatred against any group or followers of any religion.
189. The Meeting expressed appreciation and full satisfaction for the laudable collective efforts of the OIC Group in New York and Geneva to coordinate, harmonize and streamline the positions of the OIC Member States in line with the OIC Charter, resolutions and Summit declarations as well as to deploy collective and intensive efforts to pursue the Human Rights Council to pronounce itself in an objective and forthright manner on all human rights issues.



PERMANENT REPRESENTATIVE  
OF THE REPUBLIC OF SINGAPORE  
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7 January 2010

His Excellency Dr Zahir Tanin  
Ambassador and Permanent Representative  
Permanent Mission of Afghanistan to the United Nations  
and Chair of the Intergovernmental Negotiations  
on the Question of Equitable Representation on and  
Increase in the Membership of the Security Council  
and other Matters Related to the Security Council  
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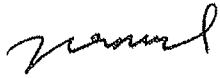
Excellency

I have the pleasure of writing to you on behalf of the S-5 (comprising Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland). In the letter of 23 December 2009 addressed to you in your capacity as Chair of the Intergovernmental Negotiations, 138 signatories had requested that you present to Member States, before the second exchange of the 4<sup>th</sup> round, a text with options to serve as a basis for negotiations, as well as the positions of and proposals made by Member States.

As you know, the S-5 has consistently highlighted the importance of improving the working methods of the Security Council and the need to treat working methods with the same urgency as the enlargement of the Council. We would like to further emphasise the need for this area of reform to be included in the text that you have been requested to prepare and recall the several written submissions made by the S-5 on the working methods of the Security Council, most recently in a non-paper of April 2009 entitled "S-5 Elements for Reflection".

The S-5 thanks you for your leadership and assures you of our full support for your efforts as we move forward on this important exercise.

Please accept, Excellency, the assurances of my highest consideration.



**VANU GOPALA MENON**  
Ambassador and Permanent Representative

cc H.E. Dr Ali Abdussalam Treki  
President of the 64<sup>th</sup> Session of the  
United Nations General Assembly  
Room C-204, United Nations  
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His Excellency Mr Jorge Urbina  
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Permanent Mission of Costa Rica to the United Nations  
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## Security Council

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### Note by the President of the Security Council

1. In efforts to enhance the efficiency and transparency of the Council's work, as well as interaction and dialogue with non-Council members, the members of the Security Council are committed to implementing the measures described in the annex to the present note.
2. The annex is intended to be a concise and user-friendly list of the recent practices and newly agreed measures, which will serve as guidance for the Council's work. In this regard, some existing measures are recollected herein for the convenience of users, which are so indicated throughout the annex.
3. The present note enriches and further develops notes and statements by the President of the Security Council relating to documentation and procedure listed in the note by the President of the Security Council of 7 February 2006 (S/2006/78), by supplementing and in some cases superseding them. Working methods regarding sanctions committees and troop-contributing countries will continue to be governed by the notes and statements by the President of the Security Council listed in the above-mentioned note unless otherwise addressed in the present note.
4. The members of the Council will continue their consideration of the Council's documentation and other procedural questions in the Informal Working Group on Documentation and Other Procedural Questions and other subsidiary bodies of the Council. The present note covers only the work done by the above-mentioned Working Group.



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\* Recollected from previous note(s) by the President of the Security Council. Most of the provisions under the other headings are newly agreed by the Security Council.

## I. Agenda\*

1. The provisional agenda for formal meetings of the Council should be included in the *Journal of the United Nations* provided that it has been approved in informal consultations.
2. The members of the Council recall the desirability, whenever possible, of using descriptive formulations of agenda items at the time of their initial adoption to avoid having a number of separate agenda items on the same subject. When such a descriptive formulation exists, consideration may be given to subsuming earlier agenda items on the same subject under the descriptive formulation.

## II. Briefings

3. The members of the Security Council agree that the President of the Council or his or her designate should provide substantive and detailed briefings to Member States in a timely manner. Such briefings should take place shortly after informal consultations of the whole. The members of the Security Council encourage the President of the Council to provide the attending Member States with copies of statements that he or she makes to the media following the informal consultations, if appropriate.
4. The members of the Security Council encourage the President of the Council to hold an informal briefing on the programme of work open to all Member States, after its adoption by the Council.
5. The members of the Security Council invite Chairs of the subsidiary bodies of the Security Council or their designates to give, on a regular basis, informal briefings, when appropriate, on their activities to interested Member States. The members of the Security Council agree that the time and place of such briefings should be published in the *Journal of the United Nations*.
6. The members of the Security Council intend to continue to consider requesting the Secretariat to give an ad hoc briefing at Security Council meetings in cases in which an emergent situation which justifies a briefing arises.
7. The members of the Security Council intend to request the Secretariat to give ad hoc briefings at informal consultations on a daily basis, if necessary, when a situation justifies such briefings.
8. The members of the Security Council invite the Secretariat to continue its practice of circulating the briefing texts at "Briefings".
9. The members of the Security Council invite the Secretariat, as a general rule, to provide a printed fact sheet, presentation materials and/or any other relevant reference materials, whenever possible, to Council members on the day prior to the consultations, when briefings in the Security Council consultations room are not given on the basis of a written report.

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\* Recollected from previous note(s) by the President of the Security Council.

### III. Documentation

10. The members of the Security Council intend to intensify their efforts to publicize decisions and other relevant information of the Council and its subsidiary bodies to the Member States and other organizations through correspondence, websites, outreach activities and other means, when appropriate. The members of the Security Council intend to continue to examine ways to enhance its activities in this regard. The members of the Security Council encourage subsidiary bodies of the Council to continue to review periodically policies concerning access to their documents, as appropriate.

11. The members of the Security Council agree that reports of the Secretary-General should be circulated to Council members and made available in all official languages of the United Nations at least four working days before the Council is scheduled to consider them. The members of the Security Council also agree that the same rule should apply to making such reports available to relevant participants in Council meetings in which those reports are discussed, including the distribution of the reports on peacekeeping missions to all participants in meetings of troop-contributing countries.

12. The members of the Security Council agree to consider setting a six-month interval as the standard reporting period, unless the situation provides reason for shorter or longer intervals. The members of the Security Council also agree to define reporting intervals as clearly as possible when adopting resolutions. The members of the Security Council further agree to request oral reporting, which does not require submission of a written report, if the members of the Council consider that it would serve the purpose satisfactorily, and to indicate that request as clearly as possible.

13. The members of the Security Council encourage the Secretary-General to include a section in his reports where all recommendations are listed, when presenting recommendations to the Council regarding the mandate of a United Nations mission.

14. The members of the Security Council encourage the Secretary-General to make reports as concise as possible, particularly for shorter reporting periods.

15. The members of the Security Council intend to request the Secretary-General to include policy recommendations on long-term strategy in his reports, if appropriate.

16. Reports of the Secretary-General will specify the date on which the document is physically and electronically distributed in addition to the date of signature by the Secretary-General.\*

17. The Security Council agrees to cooperate with other organs of the United Nations in synchronizing reporting obligations of the Secretariat on the same subject, if appropriate, while putting priority on the effective work of the Council.

18. The members of the Security Council request the Secretariat to update the Council towards the end of each month on the progress in the preparation of the reports of the Secretary-General to be issued the following month. The members of

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\* Recollected from previous note(s) by the President of the Security Council.

the Security Council also request the Secretariat to communicate with the Council immediately if it expects reports to be delayed beyond their deadlines or if reports that have not been requested by the Council are expected to be issued.

19. The members of the Security Council invite the Secretariat to send all information currently sent to Council members by fax also by e-mail.

#### **IV. Informal consultations**

20. The members of the Security Council encourage the President of the Council to suggest, through consultations with interested members and/or the Secretariat, as appropriate, a few areas for Council members and the Secretariat to focus on at the Council's next informal consultations, without the intention of prescribing the scope of discussion, at least one day before the consultations are to be held.

21. The members of the Security Council intend, where they agree with a previous speaker, in part or in whole, to express that agreement without repeating the same content.

22. The members of the Security Council agree that, as a general rule, the President of the Council should adhere to the prescribed speakers' list. The members of the Security Council encourage the President to facilitate interaction by inviting any participant in the consultations to speak at any time, irrespective of the order of the prescribed speakers' list, when the discussion requires it.

23. The members of the Security Council encourage speakers to direct their questions not only to the Secretariat, but also to other members.

24. The members of the Security Council do not discourage each other from taking the floor more than once, in the interest of making consultations more interactive.

25. The members of the Security Council invite the Secretariat to continue its practice of circulating all press statements issued by the Secretary-General or by the Secretary-General's spokesperson in connection with matters of concern to the Security Council, both in informal consultations and by e-mail.

#### **V. Meetings**

##### **Conduct of meetings**

26. In order to increase the transparency of its work, the Security Council reaffirms its commitment to increase recourse to open meetings, particularly at the early stage in its consideration of a matter.

27. The Security Council encourages, as a general rule, all participants, both members and non-members of the Council, in Council meetings to deliver their statements in five minutes or less. The Security Council also encourages each briefer to limit initial remarks to 15 minutes, unless otherwise decided by the Council.

28. The Security Council encourages participants in Council meetings to express agreement without repeating the same content, if they agree, in part or in whole, with the content of a previous statement.



29. The Security Council agrees that, when non-members are invited to speak to the Council, those who have a direct interest in the outcome of the matter under consideration may speak prior to Council members, if appropriate.

30. In line with paragraph 170 (a) of the 2005 World Summit Outcome (General Assembly resolution 60/1) and Security Council resolution 1631 (2005), the members of the Security Council agree to continue to expand consultation and cooperation with regional and subregional organizations, including by inviting relevant organizations to participate in the Council's public and private meetings, when appropriate.

31. In order to further encourage substantive discussions with troop-contributing countries, in accordance with Security Council resolution 1353 (2001), the members of the Security Council encourage the attendance of appropriate military and political officers from each participating mission. The members of the Security Council emphasize the importance of meeting with troop-contributing countries at the early stages of consideration of a matter. The members of the Security Council encourage the President of the Council to provide sufficient time for the meetings.

32. The President of the Security Council will in public meetings introduce agenda items by specifying the agenda item/issue for consideration, unless otherwise agreed in the Council's prior consultations, and refer to all speakers at political and ambassadorial level by name and title. These names will, however, not have to be included in the official records or in advance in the briefing notes prepared by the Secretariat for the Presidency.\*

33. When non-members of the Security Council are invited to speak at its meetings, they will be seated at the Council table on alternate sides of the President, with the first speaker seated on the President's right.\*

#### **Notification**

34. The members of the Security Council invite the Secretariat to notify Member States of unscheduled or emergency meetings not only by the telephone recorded message service but also through the Council website.

#### **Format**

35. In an effort further to advance the resolution of a matter under consideration, the members of the Security Council agree to use a range of meeting options from which they can select the one best suited to facilitate specific discussions. Recognizing that the provisional rules of procedure of the Security Council and their own practice provide them with considerable flexibility in choosing how best to structure their meetings, members of the Council agree that meetings of the Council could be structured according to, but not limited to, the following formats:

##### **(a) Public meetings**

###### *(i) Functions*

To take action and/or hold, inter alia, briefings and debates.

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\* Recollected from previous note(s) by the President of the Security Council.

*(ii) Presence and participation*

The presence and participation of non-Council members in public meetings should take place in accordance with the provisional rules of procedure. The Council's practice, as described below, is understood as being in accordance with the provisional rules of procedure, although it should not under any circumstances be understood as replacing or substituting for the provisional rules of procedure:

a. Any Member of the United Nations that is not a member of the Security Council may be present at its delegation's designated seats in the Council Chamber;

b. On a case-by-case basis, any Member of the United Nations that is not a member of the Security Council, members of the Secretariat and other persons may be invited to participate in the discussion, including for the purpose of giving briefings to the Council, in accordance with rule 37 or 39 of the provisional rules of procedure.

*(iii) Descriptions in the provisional monthly programme of work*

The members of the Security Council intend to continue to include the following formats for public meetings in the provisional monthly programme of work (calendar) when they plan to adopt, in general, the corresponding procedures:

a. "Open debate": briefings may or may not be conducted, and Council members may deliver statements; non-Council members may also be invited to participate in the discussion upon their request;

b. "Debate": briefings may be conducted, and Council members may deliver statements; non-Council members that are directly concerned or affected or have special interest in the matter under consideration may be invited to participate in the discussion upon their request;

c. "Briefing": briefings are conducted, and only Council members may deliver statements following briefings;

d. "Adoption": Council members may or may not deliver statements before and/or after adopting, *inter alia*, resolutions and presidential statements; non-Council members may or may not be invited to participate in the discussion upon their request.

**(b) Private meetings***(i) Functions*

To conduct discussion and/or take actions, e.g., recommendation regarding the appointment of the Secretary-General, without the attendance of the public or the press.

*(ii) Presence and participation*

The presence and participation of non-Council members in private meetings should take place in accordance with the provisional rules of procedure. The Council's practice, as described below, is understood as being in accordance



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Sixtieth session

Agenda item 120

Follow-up to the outcome of the Millennium Summit

Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland: draft resolution

### Improving the working methods of the Security Council

*The General Assembly,*

*Reaffirming* that the States Members of the United Nations have conferred on the Security Council primary responsibility for the maintenance of international peace and security, acting on their behalf, as provided for by the Charter of the United Nations,

*Recalling* the provisions relating to the powers and functions of the General Assembly in matters pertaining to the maintenance of international peace and security, in particular Article 11, Article 12, paragraph 1, Article 15, paragraph 1 and Article 24, paragraph 3, of the Charter,

*Recalling* its authority under Article 10 of the Charter to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organ of the United Nations and to make recommendations to the Members of the United Nations and to the Security Council thereon,

*Stressing* the special responsibility of the permanent members of the Security Council to uphold the purposes and principles of the Charter and to give their full support to the actions of the Organization aimed at maintaining international peace and security,

*Noting with appreciation* the work carried out by 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,

*Acknowledging* the significant steps taken by the Security Council to enhance inclusiveness and the representation of the general membership,

*Emphasizing* the need for further measures to ensure the accountability, transparency, inclusiveness and representativeness of the work of the Security Council, with a view to further enhancing its legitimacy and effectiveness,

63. The Security Council invites the Secretariat to continue to take appropriate measures to familiarize the newly elected members with the work of the Council and its subsidiary bodies, including by providing briefing materials and holding seminars before they begin to attend Council meetings.

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- (i) Factual data of the number of meetings and informal consultations;
- (ii) A list of the decisions, resolutions, presidential statements and all documents issued by the Council;
- (iii) A list of the relevant panels, monitoring mechanisms and their reports, as appropriate;
- (iv) A list of the Security Council missions undertaken and their reports, as appropriate;
- (v) A list of the peacekeeping operations established, functioning or terminated, as appropriate;
- (vi) A list of the reports of the Secretary-General prepared for the Security Council.

58. The report will continue to include an account of the other matters considered by the Council, the work of the Military Staff Committee and of the subsidiary bodies of the Security Council. The report shall also continue to include matters that were brought to the attention of the Council but not discussed during the period covered by the report.

59. In addition, the Secretariat should post the current annual report of the Security Council on the United Nations website. The relevant web page should be updated to provide the information as necessitated under future notes issued by the President of the Security Council with respect to the annual report.

60. The report will continue to be adopted at a public meeting of the Security Council where members of the Council who wish to do so could comment on the work of the Council for the period covered by the report. The President of the Council for the month in which the report is presented to the General Assembly will also make reference to the verbatim record of the Council's discussion prior to its adoption of the annual report.

## **XII. Newly elected members**

61. The Security Council invites the newly elected members of the Council to attend all meetings of the Council and its subsidiary bodies and the informal consultations of the whole, for a period of six weeks immediately preceding their term of membership or as soon as they have been elected, if the election takes place less than six weeks prior to the beginning of their terms. The Security Council also invites the Secretariat to provide all relevant communications of the Council to the newly elected members during the above-mentioned period.

62. The members of the Security Council also agree that, if an incoming member will be assuming the Presidency of the Council in the first two months of its term on the Council, it will be invited to attend the informal consultations of the whole for the period of two months immediately preceding its term of membership (that is, with effect from 1 November).\*

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\* Recollected from previous note(s) by the President of the Security Council.

period of coverage for the reports shall be from 1 August of one year to 31 July of the next;

(b) The Secretariat should continue to submit the draft report to the members of the Council no later than 31 August, immediately following the period covered by the report, so that it may be discussed and thereafter adopted by the Council in time for consideration by the General Assembly during the main part of the regular session of the General Assembly.

57. The report shall contain the following parts, as described below:

(a) An introduction;

(b) Part I shall contain a brief statistical description of the key activities of the Security Council in relation to all subjects dealt with by the Council during the period covered by the report, including a list of each of the following with symbol numbers, as appropriate:

(i) All decisions, resolutions, presidential statements and assessment reports issued by the individual monthly Presidencies of the Council on its work, annual reports of all sanctions committees and other documents issued by the Council;

(ii) Meetings of the Security Council, including key committees such as the Counter-Terrorism Committee, sanctions committees, working groups and meetings with troop-contributing countries;

(iii) Panels and monitoring mechanisms and their relevant reports;

(iv) Security Council missions undertaken and their reports;

(v) Peacekeeping operations established, functioning or terminated;

(vi) Reports of the Secretary-General prepared for the Security Council;

(vii) All communications issued as official documents of the Security Council;

(viii) Citations to relevant United Nations documents relating to financial expenditures in connection with Security Council activities during the period covered by the report, if available;

(ix) References to the summary statements by the Secretary-General on matters of which the Security Council was seized for the period covered by the report;

(x) Notes by the President of the Security Council and other documents issued by the Security Council for the further improvement of the work of the Council;

(c) Pursuant to paragraph (b) (i) above, the Secretariat will take the necessary steps to ensure the timely issuance by the month of September each year, of the publication *Resolutions and Decisions of the Security Council* under the symbol S/INF/[year of the General Assembly], containing the full text of all decisions, resolutions and presidential statements of the Council for the period covered by the report;

(d) Part II shall contain, in relation to each subject dealt with by the Security Council during the period covered by the report:

## X. Communication with the Secretariat and outside

50. The members of the Security Council intend to seek the views of Member States that are parties to a conflict and/or other interested and affected parties. For that purpose, the Security Council may, inter alia, utilize private meetings when public meetings are not appropriate, in which case invitations are also to be extended in accordance with rules 37 and 39 of the Council's provisional rules of procedure.

51. The Security Council intends to continue to maintain regular communication with the General Assembly and the Economic and Social Council for better coordination among the principal organs of the United Nations. To that end, the members of the Security Council encourage the President of the Council to continue holding meetings with the Presidents of the General Assembly and the Economic and Social Council on a regular basis.

52. The members of the Security Council intend to make the best use of all mechanisms available, as appropriate, to convey policy guidance to the Secretary-General, including dialogue, letters from the President, adoption of resolutions or presidential statements, or any other means deemed appropriate.

53. The members of the Security Council, through the Secretary-General, invite new Special Representatives of the Secretary-General to engage in dialogue with members of the Council before assuming their duties under new mandates, including in the field, in order to obtain Council members' views on the objectives and the mandates, whenever possible.

54. The members of the Security Council intend to utilize "Arria-formula" meetings as a flexible and informal forum for enhancing their deliberations. To that end, members of the Security Council may invite on an informal basis any Member State, relevant organization or individual to participate in "Arria-formula" informal meetings. The members of the Security Council agree to consider using such meetings to enhance their contact with civil society and non-governmental organizations, including local non-governmental organizations (NGOs) suggested by United Nations field offices. The members of the Security Council encourage the introduction of such measures as lengthening lead times, defining topics that participants might address and permitting their participation by video teleconference.

55. The members of the Security Council encourage Security Council missions to continue to avoid restricting their meetings to those with governmental interlocutors and interlocutors of conflict parties and to hold, as appropriate, meetings with local civil society leaders, NGOs and other interested parties.

## XI. Annual report\*

56. The Security Council will take the necessary action to ensure the timely submission of its report to the General Assembly. For that purpose:

(a) The Security Council will continue with the existing practice whereby the annual report is submitted to the General Assembly in a single volume. The

\* Recollected from previous note(s) by the President of the Security Council.

Coordinators, resolutions and presidential statements of the Security Council as well as statements to the press made by the President of the Council on behalf of the Council members, and ensure their promptest communication and widest possible dissemination. The Secretariat should further issue, as United Nations press releases, all statements to the press made by the President of the Security Council on behalf of Council members, upon clearance by the President.\*

### VIII. Subsidiary bodies

45. The members of the Security Council encourage the Chairs of all subsidiary bodies to continue to report to the Council on any outstanding issues, when necessary and in any event on a regular basis, in order to receive strategic guidance from the Council.

46. The members of the Security Council encourage subsidiary bodies of the Council to seek the views of Member States with strong interest in their areas of work. The members of the Security Council in particular encourage sanctions committees to seek the views of Member States that are particularly affected by the sanctions.

47. The members of the Security Council encourage Chairs of the subsidiary bodies of the Council to make the schedules of meetings of subsidiary bodies available to the public, when appropriate, through their websites and the *Journal of the United Nations*.

48. The members of the Security Council welcome the participation in the meetings of the Security Council Working Group on Peacekeeping Operations by the Secretariat, troop-contributing countries and other major stakeholders, and encourage this practice in order to foster closer cooperation between the Council and those actors.

### IX. Matters of which the Council is seized\*

49. The Security Council agrees to continue to delete, with the prior consent of the Member States concerned, matters which have not been considered by the Council in the preceding five years from the list of matters of which the Council is seized, in accordance with the following procedure:

(a) The annual summary statement issued in January of each year by the Secretary-General on matters of which the Council is seized will identify the items to be deleted from the list in the absence of any notification by a Member State by the end of February of the year in question;

(b) If a Member State of the United Nations notifies the Secretary-General that it wishes an item to remain on the list, that item will be retained;

(c) The notification will remain in effect for one year and can be renewed annually.

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\* Recollected from previous note(s) by the President of the Security Council.



The forecast covers in particular those matters that may be taken up during the month pursuant to earlier decisions of the Council. The fact that a matter is or is not included in the forecast carries no implication that it will or will not be taken up during the month: the actual programme of work will be determined by developments and the views of members of the Council.”\*

39. The members of the Council have agreed that the following reminder should be placed in the *Journal of the United Nations* each month:

“The monthly tentative forecast has been made available at the website of the Security Council, in accordance with the note by the President of the Security Council dated 19 July 2006 (S/2006/507). Copies of the tentative forecast have also been placed in the delegations’ boxes and may be collected at the delegations’ pick-up areas as of [date].”

40. The members of the Security Council agree that the President of the Council should update the provisional monthly programme of work (calendar) and make it available to the public through the Council website each time it is revised and distributed to Council members, with appropriate indication of the revised items.

## VII. Resolutions and presidential statements

41. The members of the Security Council reaffirm that all members of the Security Council should be allowed to participate fully in the preparation of, inter alia, the resolutions, presidential statements and press statements of the Council. The members of the Security Council also reaffirm that the drafting of all documents such as resolutions and presidential statements as well as press statements should be carried out in a manner that will allow adequate participation of all members of the Council.

42. The members of the Security Council intend to continue to informally consult with the broader United Nations membership, in particular interested Member States, including countries directly involved or specifically affected, neighbouring States and countries with particular contributions to make, as well as with regional organizations and Groups of Friends, when drafting, inter alia, resolutions, presidential statements and press statements, as appropriate.

43. The members of the Security Council agree to consider making draft resolutions and presidential statements as well as other draft documents available as appropriate to non-members of the Council as soon as such documents are introduced within informal consultations of the whole, or earlier, if so authorized by the authors of the draft document.

44. The President of the Security Council should, when so requested by the Council members, and without prejudice to his/her responsibilities as President, draw the attention of representative(s) of the Member State(s), regional organizations and arrangements concerned to relevant statements to the press made by the President on behalf of Council members or decisions of the Council. The Secretariat should also continue to bring to the knowledge of those concerned, including non-State actors, through the relevant Special Representatives, Representatives and Envoys of the Secretary-General and United Nations Resident

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\* Recollected from previous note(s) by the President of the Security Council.

with the provisional rules of procedure, although it should not under any circumstances be understood as replacing or substituting for the provisional rules of procedure:

a. On a case-by-case basis, any Member of the United Nations which is not a member of the Security Council, members of the Secretariat and other persons may be invited to be present or to participate in the discussion, including for the purpose of giving briefings to the Council, in accordance with rule 37 or 39 of the provisional rules of procedure.

*(iii) Descriptions in the provisional monthly programme of work*

The members of the Security Council intend to continue to include the following formats for private meetings in the provisional monthly programme of work (calendar) when they plan to adopt, in general, the corresponding procedures:

a. "Private debate": briefings may be conducted, and Council members may deliver statements; any Member of the United Nations which is not a member of the Security Council, members of the Secretariat and other persons may be invited to be present or to participate in the discussion, upon their request, in accordance with rule 37 or 39 of the provisional rules of procedure;

b. "TCC meeting": briefings may be conducted, and Council members may deliver statements; parties prescribed in resolution 1353 (2001) are invited to participate in the discussion, in accordance with the resolution.

**Distribution of statements**

36. Texts of statements made in the meetings of the Security Council will, at the request of the delegation making the statement, be distributed by the Secretariat inside the Council Chamber to Council members and other Member States and permanent observers to the United Nations present at the meeting. A delegation requesting the distribution of its statement is encouraged to provide a sufficient number (200) of copies to the Secretariat in advance of the statement. Where a delegation does not provide to the Secretariat a sufficient number of copies of its statement, those copies will be placed outside the Council Chamber at the end of the meeting. Delegations are requested not to make statements otherwise available during the meeting.

**VI. Programme of work**

37. The members of the Security Council encourage the President of the Council to publish a streamlined tentative monthly forecast of the programme of work on the Council website as soon as it has been distributed to Council members.

38. The forecast should be made available in all official languages "for information only/not an official document", and there should be a footnote which reads:

"This tentative forecast of the programme of work of the Security Council has been prepared by the Secretariat for the President of the Council.

*Reaffirming* its support for early reform of the Security Council as an essential element of the overall effort to reform the United Nations, as stated in the 2005 World Summit Outcome Document,<sup>1</sup>

*Acknowledging* that efforts to improve the working methods of the Security Council promote a comprehensive reform of the Security Council, including the increase in its membership,

1. *Invites* the Security Council to consider the measures contained in the annex to the present resolution in order to further enhance the accountability, transparency and inclusiveness of its work, with a view to strengthening its legitimacy and effectiveness;

2. *Further invites* the Security Council to report to the General Assembly, by the end of its sixtieth session, on action it has taken pursuant to its consideration of the present resolution.

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<sup>1</sup> See resolution 60/1.

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**Annex****Measures on working methods suggested for consideration by the Security Council****Relationship with the General Assembly and other principal organs**

1. The members of the Security Council should engage in an informal, interactive discussion on the annual report of the Council when it is considered by the General Assembly.
2. The Security Council should submit, in accordance with Article 24, paragraph 3, of the Charter of the United Nations, special subject-oriented reports to the General Assembly for its consideration on issues of current international concern, including reports on topics such as termination of peacekeeping operations, imposition of sanctions and other enforcement measures, as well as other matters of relevance to the membership as a whole.
3. More substantive exchanges of views among the Security Council, the General Assembly and the Economic and Social Council should be held on a frequent basis and as a standard operating procedure. The procedures governing this interaction should be disseminated to the larger membership.
4. Regular and timely consultations between members and non-members of the Security Council should be established as part of the standard operating procedures of the Council.
5. The Security Council's tentative forecast of its programme of work for the coming month should be made available to Member States as soon as it is available to members of the Council. The incoming President of the Security Council should hold a briefing on the monthly forecast open to the larger membership of the United Nations.
6. Where decisions of the Security Council require implementation by all Member States, the Council should seek the views of the Member States and ensure that their ability to implement decisions is taken into account in the decision-making process.

**Implementation of decisions**

7. The Security Council should explore ways to assess the extent to which its decisions have been implemented. To this end, the Council should establish lessons learned groups to carry out the following tasks:
  - (a) Assessing whether Security Council decisions have been implemented;
  - (b) Analysing obstacles to implementation and reasons for non-implementation;
  - (c) Suggesting mechanisms or measures on the basis of best practices aimed at enhancing implementation.

**Subsidiary bodies**

8. The subsidiary bodies of the Security Council should include in their work, on a case-by-case basis, non-members with strong interest and relevant expertise.

Furthermore, Member States particularly affected by sanctions should, at their request, be given the possibility of participating in the meetings of the relevant sanctions committee.

9. The President of the Security Council and the Chairpersons of its subsidiary bodies should offer informal opportunities for Member States to provide substantive input to their work.

10. The Security Council should take steps to improve the quality and frequency of formal and informal reports on the work of all its subsidiary bodies. The Council should in particular explore ways to increase the transparency of the work of its sanctions committees, inter alia by announcing the meetings and agenda in the *Journal of the United Nations*, giving substantive briefings to non-members of the Council after the meeting, and making summary records more widely and promptly available.

11. The Security Council should give States confronted with special economic problems arising from preventive or enforcement measures imposed by the Council the opportunity to consult with the relevant sanctions committee on a timely, efficient and substantive basis, in accordance with Article 50 of the Charter.

12. Where sanctions involve lists of individuals or entities, sanctions committees should establish procedures, reflecting standards of due process, to review the cases of those claiming to have been incorrectly placed or retained on such lists.

#### **Use of the veto**

13. A permanent member of the Security Council using its veto should explain the reason for doing so at the time the relevant draft resolution is rejected in the Council and a copy of the explanation should be circulated as a Security Council document to all Members of the Organization.

14. No permanent member should cast a non-concurring vote in the sense of Article 27, paragraph 3, of the Charter in the event of genocide, crimes against humanity and serious violations of international humanitarian law.

#### **Operations mandated or carried out by the Security Council**

15. The Security Council should ensure that all Member States are fully and promptly informed of all developments regarding its missions, including their budgetary aspects.

16. The Security Council should enhance consultations with troop-contributing countries and other States that are especially engaged in United Nations field operations, in particular when they involve risks for the personnel deployed.

#### **Relationship with regional arrangements and agencies**

17. The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its cooperation and consultations on matters affecting the maintenance of international peace and security with the relevant regional arrangements and agencies, as appropriate.

**Integration of new Members of the Security Council**

18. The Security Council Affairs Division of the Department of Political Affairs of the Secretariat should be assigned the task of identifying best practices employed by members of the Security Council to consult with non-members with a view to incorporating those practices into the provisional rules of procedure of the Security Council and into briefings given to candidates for election to the Council as well as to newly elected members of the Council.

19. In order to facilitate the integration of newly elected members of the Security Council, the Secretariat should prepare and disseminate a detailed briefing packet on the procedures, practices and work of the Council.

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## S-5 Elements for Reflection

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Working methods of the Security Council are an integral part of Security Council reform and have been given increased attention over the past years. In 2006, the Security Council responded to a draft resolution submitted by the S-5 by adopting Presidential Note S/2006/507, which contained a number of measures aimed at improving its working methods. This note was welcomed by the S-5 and many others as a step in the right direction. However, implementation of S/2006/507 and of further proposals contained in S/2007/784 and their application has been selective and inconsistent. The Presidential Note never became part of the standard operating procedures, in line with the practice of working with Provisional Rules of Procedure. There is a continued strong need to improve the working methods of the Council, as was illustrated by the open debate the Security Council held on this topic in August 2008 (the first debate of this nature since 1994).

The S-5 are therefore submitting, in the context of the informal plenary discussions on size and working methods, another set of measures for consideration by the Security Council. This paper is complementary to previous efforts and does therefore not contain a complete list of measures the S-5 believe would be beneficial to enhance the legitimacy, accountability and transparency of the Council's work. It is meant for reflection by the UN membership and the members of the Council in particular – it could both inspire changes that the Security Council makes in its practice and those parts of a comprehensive text on Security Council resolution that deal with working methods. While the S-5 will work towards the inclusion of strong language on working methods in a comprehensive resolution on Security Council reform, they will at the same time pursue their efforts to advance progress in this area irrespective of progress on enlargement.

The following measures are recommended for consideration:

### **Transparency and Access**

- **Briefings by UN officials** to the Security Council should as far as possible be made accessible to all member states, while consultations thereafter may be held in a private setting.
- **Consultations with non-members** should take place as part of the standard operating procedures (cf. articles 31 and 32 of the Charter). On matters discussed in private meetings, frequent, timely and substantive briefings should be offered to non-members.
- **Draft resolutions and presidential statements** should be made available to non-members of the Council as soon as they are introduced in informal consultations.
- The **tentative forecast** of the programme of work should be shared with the larger membership as soon as it is available and followed by a briefing by the incoming Presidency. Regular updates of the programme of work should be offered on the website of the Council.
- **Best practices of consultations** between the Council and non-members should be incorporated in briefings given to newly elected members of the Council.
- The quality and frequency of **formal and informal reports on the work of subsidiary bodies** should be improved.

- Non-members should be offered opportunities, upon their request, to provide **substantive input to the work of subsidiary bodies.**

### Efficiency and Implementation

- If non-members participate in a meeting of the Council, the Presidency should ensure the right to be heard by letting those with a direct interest in the outcome speak prior to members.
- “**Arria-formula**” meetings should be used more frequently in a more flexible manner for informal exchanges with member states, organisations or individuals.
- The Council should report to non-members in a timely manner and in detail on its **missions**, including their budgetary aspects.
- A **lessons-learned group** should be established with the mandate to:
  - Assess whether Security Council decisions have been implemented;
  - Analyze obstacles to implementation and reasons for non-implementation;
  - Suggest mechanisms or measures to enhance implementation.
- Where decisions of the Security Council require implementation by all member states, the Council should ensure that the **ability of member states to implement decisions** is taken into account in the decision-making process.
- **Key provisions of thematic resolutions** should be incorporated into country specific resolutions, where applicable.

### Rule of Law

- **Standards of due process and rule of law** should be fully taken into account in the decision-making.
- Where sanctions involve **lists of individuals or entities**, sanctions committees should establish fair and clear procedures for listing and delisting, reflecting standards of due process. These procedures should be shared with non-members.

### Use of the Veto

- A permanent member casting a non-concurring vote in the sense of article 27, paragraph 3 of the Charter **should explain** the reason for doing so at the time the relevant draft resolution is considered, and a copy of the explanation should be circulated as a Security Council document.
- Permanent members should commit themselves to not casting a non-concurring vote in the sense of article 27, paragraph 3 of the Charter in the event of **genocide, crimes against humanity and serious violations of international humanitarian law.**
- Permanent members of the Security Council, when casting a negative vote, could state that this is **not a non-concurring vote in the sense of article 27, paragraph 3 of the Charter.**

### Peacekeeping operations

- Regular and timely consultations should be held at all stages and on all aspects of decision-making with **countries contributing civilian or military personnel** or substantive financial resources, as well as other countries that are directly affected by a peacekeeping operation.



- Regular **strategic joint briefings**, both cross-cutting and on individual PKOs, should involve the DPKO/DFS, political-military experts of the Security Council and the troop-contributing countries.
- **Best practices for authorising new missions** should be developed, including a set of principles based on the Brahimi report, as well as drafting guidelines for resolutions.
- A **thorough lessons-learned study** on a peacekeeping operation after its termination (e.g. UNMEE) should be commissioned.
- **Mandates should have clear strategic political objectives** and key benchmarks which the Secretary General can report against and which the Council can base its evaluations on.
- Regular and timely dialogue with the Secretariat and TCCs on **the evaluation of operations** should be held to improve implementation thereof.
- **Smooth transition from peacekeeping to peacebuilding** should be facilitated through early and continued cooperation with the Peace Building Commission.

#### **Accountability - Relationship with the General Assembly**

- The President of the Security Council should hold **regular consultations with the President of the General Assembly**, and the latter should ensure the timely provision of notice and updates of such meetings to the membership.
- The annual report of the Security Council should provide an **evaluation of the work of the Council pursuant to articles 15, paragraph 1 and article 24, paragraph 3** of the Charter.
- **Informal ways to engage with non-members in an interactive discussion on the annual report**, in addition to the debate held by the General Assembly, should be established.
- **Special subject-oriented reports** should be submitted to the General Assembly, in accordance with article 24, paragraph 3 of the Charter of the United Nations, including following consultations between the Presidents of the two organs.

#### **Relationship with regional arrangements and agencies**

- The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its **cooperation and consultations** on matters affecting the maintenance of international peace and security **with the relevant regional arrangements and agencies**, as appropriate.

**Security Council**

Distr.: General  
4 January 2008

Original: English

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**Letter dated 31 December 2007 from the Permanent Representative of Slovakia to the United Nations addressed to the President of the Security Council**

As you are aware, I had the honour to convene and chair an Arrria-formula meeting entitled "Enhancing and widening interaction and dialogue between the Security Council and other United Nations Member States, as part of the implementation of the 2005 World Summit Outcome Document", which was held on 13 December 2007.

The meeting was designed to facilitate an exchange of views related to the efforts to enhance the efficiency, openness and transparency of the work of the Council, as well as its dialogue and interaction with non-Council members.

The invited speakers were:

- Ambassador Anwarul K. Chowdhury, former Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (2002-2007) and former Permanent Representative of Bangladesh to the United Nations (1996-2001)
- Ambassador Colin Keating, Executive Director of Security Council Report and former Permanent Representative of New Zealand to the United Nations (1993-1996)
- Ambassador Peter Maurer, Permanent Representative of Switzerland to the United Nations

I believe the meeting was very interesting and useful. Please find attached a summary and recommendations of the meeting, which were prepared under my responsibility.

I should be grateful if you would have the present letter and its annex circulated among the members of the Security Council and issued as a document of the Security Council.

*(Signed)* Peter Burian  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative



**Annex to the letter dated 31 December 2007 from the Permanent Representative of Slovakia to the United Nations addressed to the President of the Security Council**

**Enhancing and widening interaction and dialogue between the Security Council and other United Nations Member States, as part of the implementation of the 2005 World Summit Outcome Document**

Arria-formula meeting convened by the delegation of Slovakia

13 December 2007

**Summary and recommendations**

1. The Arria-formula meeting was convened by Ambassador Peter Burian, Permanent Representative of Slovakia to the United Nations. Three panellists were invited to the meeting to present their opinions on the subject of the discussion: Ambassador Anwarul K. Chowdhury, former Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, and former Permanent Representative of Bangladesh to the United Nations (1996-2001); Ambassador Colin Keating, Executive Director of Security Council Report and former Permanent Representative of New Zealand to the United Nations (1993-1996); and Ambassador Peter Maurer, Permanent Representative of Switzerland to the United Nations. The meeting was attended by the members of the Security Council, the five newly elected non-permanent members of the Council for 2008-2009, as well as representatives of seven other Member States invited to take part in the meeting: Finland, Japan, Jordan, Liechtenstein, the Netherlands, Singapore and Switzerland. As observers, representatives of the Secretariat and Security Council Report, which is an independent not-for-profit organization affiliated with Columbia University, also took part in the meeting. The meeting was designed to facilitate an exchange of views related to the efforts to enhance the efficiency, openness and transparency of the work of the Council, as well as dialogue and interaction with non-Council members.
2. Participants welcomed the initiative to organize the meeting as an innovative opportunity to discuss this important topic. While welcoming the progress that the Council achieved to date regarding its working modalities and transparency procedures, the participants drew attention to a number of issues related to Council operating processes that could further enhance the openness and transparency of the Council, in particular in the context of interaction and dialogue between the Security Council and other Member States. It was also noted that these efforts remain a work in progress.
3. The following suggestions and recommendations for increasing the involvement of States not members of the Council were generated during the meeting:

**Security Council internal issues**

- Better and more frequent use of Arria-formula meetings would be useful.
- Systematic implementation of the measures contained in the note by the President of the Security Council (S/2006/507) should be undertaken.
- The Council could assess the implementation of its decisions by establishing "lessons learned" groups.
- Establishing a position of spokesperson for the Security Council was suggested.

**Role of the Council President**

- The rotating presidency of the Council has a major responsibility towards promoting openness and transparency.
- As a general rule, briefings should be given by the President.
- Communiqués issued by the President could be more substantive and informative.

**Interaction with non-Council members and the General Assembly**

- Transparency and communication between the Council and the broader United Nations membership was highlighted as a key element. Enhancing and widening interaction and dialogue between the Council and other Member States is a matter not only of openness and transparency, but also of effectiveness.
- Greater involvement of non-members in the thematic issues debated by the Council, especially when there are decisions adopted following such debates.
- Consistent with Article 24, paragraph 3, of the Charter of the United Nations, the Council could submit special subject-oriented reports to the General Assembly on matters of importance to all Member States (e.g. sanctions and peacekeeping).
- There could be greater use of information technology in enhancing the interaction between the Council and non-members.
- The annual report of the Council to the General Assembly should be made more substantial and analytical. The Council could hold an interactive discussion with the General Assembly on the annual report.
- Monthly reports of the Council to the General Assembly could be instituted on the basis, for instance, of a monthly assessment of each outgoing presidency.
- Better access of the wider membership to the Council field missions and their conclusions was suggested.

**Countries directly affected by Council action and troop-contributing countries**

- Regular consultations between members and non-members could be established as a standard procedure of the Council. Countries should be given the opportunity to participate in issues that are of their national interest. The Council should enhance cooperation with actors involved or directly affected

through an informal approach on issues concerning the mandate of Council missions. The Security Council should begin on a case-by-case basis and develop this practice over time. Informal and private meetings and use of subsidiary bodies to effectuate such a new formula would be preferable.

- The Council could include appropriate language in resolutions extending or ending the mandate of current Council missions, promoting wider dialogue with countries directly concerned.
- Forming Core Groups, Groups of Friends or Contact Groups could be promoted to enhance involvement of directly affected countries into the Council's decision-making processes.
- The Council should revitalize and enhance its consultations with troop-contributing countries. Special Representatives of the Secretary-General should be encouraged to participate in the meetings with troop-contributing countries and make substantive presentations. Troop-contributing country meetings should be organized at an early stage (not only on the day of Security Council consultations or public meetings). They should focus on policy choices by the Council, in addition to factual briefings.

#### **Regional and other groups**

- Institutional regional groups could enhance their interest and involvement in the work of the Council.
- Holding of informal meetings of the Security Council Informal Working Group on Documentation and Other Procedural Questions with interested Member States on a number of relevant issues was encouraged.

#### **Secretariat**

- Institutional involvement of the Secretariat, and particularly the Secretary-General, bringing long-term strategy into the process may contribute to enhancing interaction and dialogue between the Council and other bodies, especially the General Assembly.
- A stronger role for the Secretariat in implementing the measures contained in document S/2006/507 was suggested.
- Briefings by the Secretary-General and Special Representatives of the Secretary-General should in general be open.

#### **Economic and Social Council**

- An enhanced dialogue between the Council and the Economic and Social Council would be beneficial for both bodies.

#### **Interaction more broadly within the United Nations system**

- There could be frequent, more substantive "exchanges of views" between the Council, the General Assembly and the Economic and Social Council as a standard operating procedure.

Arria-formula meeting of the Security Council  
December 13, 2007

*Enhancing and widening interaction and dialogue  
between the SC and UN Member States*

Speech of the S-5  
(Costa Rica, Jordan, Liechtenstein, Singapore, Switzerland)

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- I thank Ambassador Burian and his team for organizing this meeting. It is a pleasure for me to address the Council on behalf of the S-5, and to share our thoughts on Security Council Working Methods (SCWM).
- My intervention will focus on the external relationship of the Council, meaning the relationship of the Council with the membership at large. I will thus put aside those working methods that address the inner workings of the Council, even though they are equally important.
- SCWM are technical and therefore considered by many to be the less attractive part of Security Council reform. One of our colleagues once described this perception by saying that "Working Methods are for many the ugly duckling of Security Council reform". The S-5 do not share this perception. We believe that changes in the scope and nature of the work of the Council make a reform of Working Methods necessary and help to maintain and enhance the legitimacy and effectiveness of the Council in a changing environment.
- In 2006, when we discussed our resolution with Council members, we were asked by one delegation: *Why do you want to change something that is functioning well? Why do you want to repair a watch that is not broken?*
- While we certainly agree that the Council is one of the better working bodies in this house, we see several reasons why transparency and inclusiveness should be enhanced:
  - Firstly, since 1990, the Council has dramatically broadened its field of activity and adopted a record number of decisions. Just as an example: in 1990 the Council adopted 37 resolutions and 14 PRSTs. In 2006, this number increased to 87 for resolutions and 59 for PRSTs.
  - Secondly, there are more and more decisions by the Council which require active implementation by all members of the UN. The number of sanctions regimes, for example, has risen significantly and it has become costlier and more difficult for member states to implement them in a globalized world.
  - Thirdly, the upward trend in UN peacekeeping continues unabatedly. There are now 18 peacekeeping missions with an authorized personnel of 140'000. It is obvious that so many missions can only be maintained if there is a regular and meaningful dialogue with member states.
  - Fourthly, the financial consequences of UN peacekeeping are growing. In 2003, we had a peacekeeping budget of 2,7bn USD. In 2007, we stand at almost 7bn USD. Any national government would be grilled if it were to present a budget with

similar growth rates in parliament. It is no surprise, therefore, that national parliaments and taxpayers start to wonder where their money goes and if it has the desired effects.

- Finally, enhancing transparency and inclusiveness would make it in general easier for member states to convince parliaments and other relevant actors to provide the necessary support and resources needed for the implementation of Security Council decisions.
- Let me be very clear that it has never been our intention to denigrate or undermine the Council. Our goal is to contribute to a Council that is well connected, receives full cooperation and is fit to carry out its functions on behalf of the membership. It is evident to us that members and non-members of the Council have a common interest in a Security Council that is transparent, inclusive, accountable and therefore more credible and effective.
- Let me turn now to Presidential Note S/2006/507. This note represents a significant achievement and we commend Japan and the members of the Council for their hard work. At the same time, we see considerable room for improvement: Firstly, the presidential note could be more ambitious in its aims. Secondly, many provisions in the note are weakened by the words "as appropriate". And thirdly, implementation has been inconsistent over the last 16 months.
- For instance, many measures contained in the note have not been implemented to the full extent. The following come to mind:
  - The briefings of the Presidency to interested member states after closed consultations;
  - The review of subsidiary bodies' policy concerning access to documents;
  - The recourse to open meetings, particularly at the early stage of deliberations;
  - The substantive meetings with troop contributing countries at an early stage;
  - The distribution of statements by Council members in the Council Chamber;
  - The speaking order that allows non-members with a direct interest to speak prior to Council members;
  - The full participation of all members of the Council in the preparation of resolutions and PRSTs;
  - The systematic publication of the meeting schedules of subsidiary bodies in the UN Journal;
  - The timely adoption of the annual report in order to enable a meaningful debate in the GA;
- This enumeration illustrates the need for a more systematic implementation of the presidential note which brings me to the question asked in the informal concept paper for this meeting: *"What could be done to ensure greater implementation of the presidential note?"*
- The answer is relatively simple: on the one hand, all Security Council members must get serious about implementing the presidential note. Our impression up to now has been that the note was considered to be a menu to choose from, rather than applicable policy guidance. Council members should hence reaffirm their commitment to apply the note in its entirety. On the other hand, there is a need for a willingness of non-members of the Council to be proactive and to use the platforms of interaction that the Council offers. On the first point, we very much welcomed that one ambassador, during his presidency of the Council last summer, was carrying an

abridged version of the presidential note with him and was regularly using it as a practical guide for the conduct of his work. We hope the Council will encourage this behaviour by circulating this useful version of the presidential note as an official document of the Council.

- The informal concept paper asks for comments and food-for-thought for the future work of the working group. In our view, the Council should focus on the following steps:
  1. *Systematic implementation of the presidential note.* In addition to the commitment of all Council members, we believe that the chair of the WG on Documentation and the Security Council Affairs Division of the Secretariat should become the guardian angel of working methods and should remind those presidencies who are neglectful in implementing the note to be more forthcoming.
  2. *Giving non-members better access to the Security Council:* Articles 31 and 32 of the Charter give non-members the opportunity to participate in Council meetings. The Council should be generous in the application of these articles. Its credibility will be strengthened if it can claim to have listened to the arguments of all sides. Incidentally, it is not just about giving involved states a right to participate, but also informing them of this right early enough in order to allow them to adequately prepare for the meeting.
  3. *Holding more open meetings.* Briefings by the SG or SRSGs should in general be open. For example, if an SRSG briefs the Council on a particular UN mission, the meeting should be open to all, or at the very least be open to the countries concerned and to those who have military, police or civilian personnel on the ground. If the Council then needs to discuss an issue in private, it can convene closed consultations back-to-back.
  4. *Briefing non-members after closed consultations:* Such briefings often take place in the German lounge, but there are still too many exceptions. We therefore encourage the presidency to provide these briefings on a systematic basis, including for meetings of subsidiary organs, where appropriate.
  5. *Revitalizing the meetings with TCCs:* SRSGs should be encouraged to participate in meetings with TCCs and make substantive presentations. The meetings should be held in small rooms in an informal setting. They should be organized at an early stage, i.e. not only on the day of the adoption of a resolution.
  6. *Improving sanctions regimes, especially with regard to listing and de-listing:* We strongly believe that it would serve the credibility and legitimacy of the Council if listing and de-listing procedures were to reflect international standards of due process.
  7. *Improving the annual report.* The report should become a meaningful instrument for dialogue with the GA. As long as the introduction to the report only describes the activities and decisions of the Council, its added value is modest.
  8. *Monitoring the implementation of its decisions:* The Council should do more to assure the implementation of its measures. To this aim, it could establish follow-up mechanisms or lessons learned groups that come up with recommendations.
  9. *Basic rules for the use of veto:* We also encourage the Council to discuss the suggestion made in the High-level panel in 2005 to pledge to refrain from the use of the veto in cases of genocide and systematic violations of human rights and international humanitarian law.



In conclusion, we fully acknowledge the progress made in working methods over the last decade. But, with a growing need for troops, financial resources and cooperation from member states, the Council cannot stop there. More must be done. We simply cannot afford to wait until we have an urgent problem with regard to due process or the financing of peacekeeping operations.

Transparency, interaction and inclusiveness are not a one way street. It is the responsibility of members and non-members of the Council to fill these buzzwords with meaning. The Council should, however, not be discouraged if some of its measures only find limited interest at the beginning. Firstly, it may take some time until a new measure develops its full potential. Secondly, the application of improved Working Methods may not be required at all times. Their importance lies in the knowledge that they exist and can be relied upon, if needed. In this spirit, we encourage all Council members to be proactive and to seek the views of the membership at large. A public debate in the Council would be a good way to start this discussion.

Let me assure you, Mr. President, that the S-5 will be proactive and are ready to fully cooperate with you and the distinguished Council members.

Thank you Mr. President.

**THE LEAGUE OF ARAB STATES**  
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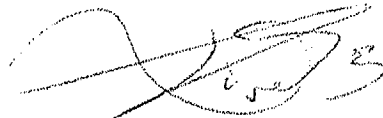
AL/08/10

Excellency

January 12, 2010

In my capacity as chairman of the Arab Group for the month of January 2010, and on behalf of the Members of the Arab Group, I have the honour to transmit herewith a letter dated January 12, 2010, addressed to you in your capacity as a chairman of the Intergovernmental Negotiations on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council, regarding the Arab position on the Security Council Reform.

Please, accept, Excellency the assurances of my highest consideration.



Mohammed Aqeel Ba-Omar  
Charge d' Affaires, a.i.  
Deputy-Permanent Representative  
of the Sultanate of Oman to the United Nations  
Chairman of the Arab Group

H.E. Zahir Tanin  
Permanent Representative of Afghanistan  
to the United Nations  
New York  
Chairman of the Intergovernmental Negotiations

Cc: President of the General Assembly



## جامعة الدول العربية

مكتب الوفد الدائم لدى الامم المتحدة  
866 United Nations Plaza, Suite 494, New York, NY 10017

12 يناير 2010م

المحترم

سعادة السفير/ زاهر تانينــــن  
مندوب أفغانستان الدائم لدى الأمم المتحدة، نيويورك  
رئيس المفاوضات الحكومية بشأن التمثيل العادل وزيادة  
العضوية في مجلس الأمن والمسائل الأخرى المتعلقة به

تحية طيبة وبعد،

أكتب إليكم اليوم، بصفتي رئيس المجموعة العربية، في بداية الجولة الرابعة من المفاوضات الحكومية في الجلسات الغير رسمية للجمعية العامة حول توسيع وإصلاح مجلس الأمن والمسائل الأخرى المتصلة بالمجلس، لكي أعرب لكم عن تقدير المجموعة العربية للجهود التي تبذلونها، بصفتكم رئيس المفاوضات الحكومية، وبهدف التوصل إلى نتيجة لعملية المفاوضات تحظى بأوسع قبول سياسي ممكن من جانب الدول الأعضاء، في أقرب وقت ممكن، على أساس مقرري الجمعية العامة رقمي 62/557 و 63/565.

تؤكد المجموعة العربية على ان إعداد ورقة تفاوضية يجب أن يشمل كافة المواقف والمقترحات التي تقدمت بها الدول الأعضاء، بما في ذلك موقف الدول الأعضاء في جامعة الدول العربية المُطالب بتمثيل عربي دائم في أي توسيع مستقبلي في فئة المقاعد الدائمة في مجلس الأمن، الذي تم الإعراب عنه في الرسالة المؤرخة في 13 يونيو 2008م، الموجهة من مندوب موريتانيا الدائم لدى الأمم المتحدة، بصفته رئيس المجموعة العربية عن شهر يونيو 2008م، إلى رئيس الدورة الثانية والستين للجمعية العامة، والتي تم إرفاقها بالتالي في الملحق رقم (2) من تقرير الفريق العامل المفتوح العضوية حول إصلاح وتوسيع مجلس الأمن (A/62/47)، على أن يراعى في جميع الحالات أن الدول العربية تُشكل ما يزيد عن 11% من مجموع الدول الأعضاء في الأمم المتحدة.



## جامعة الدول العربية

مكتب الوفد الدائم لدى الامم المتحدة

866 United Nations Plaza, Suite 494, New York, NY 10017

وبناءً على ما تقدم، فإن الدول الأعضاء في جامعة الدول العربية تُجدد عزمها على المساهمة بإيجابية في المفاوضات الحكومية لتحقيق إصلاح حقيقي وشامل لمجلس الأمن بحيث يصبح أكثر ديمقراطية وعدالة وشفافية وتمثيلاً لمجموع العضوية في الأمم المتحدة، بشكل يعكس حقائق وقتنا الحاضر وتطلعات ومصالح جميع دول وشعوب العالم بما فيها ثلاثمائة مليون عربي.

وتفضلوا، سعادتكم، بقبول فائق التقدير والإحترام،،،

محمد بن عقيل باعمر

نائب مندوب سلطنة عُمان الدائم لدى الأمم المتحدة

والقائم بالأعمال بالإنابة

رئيس المجموعة العربية لشهر يناير 2010م

**THE LEAGUE OF ARAB STATES**  
Office of the Permanent Observer to the United Nations  
866 United Nations Plaza, Suite 494, New York, NY, 10017  
Tel: (212) 838-8700 Fax: (212) 355-3909

Unofficial Translation  
January 12, 2010

Ambassador Zahir Tanin  
Permanent Representative of Afghanistan to the United Nations  
Chairman of the Intergovernmental Negotiations on the Question of  
Equitable Representation on and Increase in the Membership of the  
Security Council and Related Matters

Excellency,

As the General Assembly begins the fourth round of the intergovernmental negotiations in informal plenary on the increase in the membership of the Security Council and reform of its working methods, allow me to express to you, in my capacity as chairman of the Arab group the appreciation of the Arab Group for your efforts aimed at seeking a solution that can garner the widest possible political acceptance by Member States as envisaged by GA Decisions 62/557 and 63/565.

The Arab Group stresses the need to include in the negotiating document all positions and proposals submitted by Member States, including Arab States. It should be noted that the Arab States – members of the LAS demanded a permanent Arab representation in any future expansion in the category of permanent membership of the Security Council. This position was expressed in the letter dated June 13, 2008 addressed by the Permanent Representative of Mauritania to the United Nations in his capacity as Chairman of the Arab Group, and was included as annex II of the 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 (A/62/47). It should be recalled here that Arab Member States represent 11% of the total UN membership.

In light of the above, Member States of the League of Arab States renew their commitment to contribute positively to the intergovernmental negotiations with a view to realizing a comprehensive and genuine reform of the Security Council. We will remain engaged in order to make the Council a more democratic and just Organ, one that is more representative of the entire membership of the United Nations, and more capable of reflecting the realities of our era, as well as the interests and aspirations of all the countries and peoples of the world, including those of over 300 million Arabs.

Rest assured, Sir of our highest esteem,



Mohamed Ben Akcel Ba Omar  
Charge d' Affaires, a.i.  
Deputy Permanent Representative  
of the Sultanate of Oman to the United Nations  
Chairman of the Arab Group

*"Uniting for Consensus"*  
*Focal Point*

New York, 13 January 2010

*Excellency,*

in his letter of 24 December 2009, the President of the General Assembly stated that: "There is a genuine desire by Member States to achieve progress, building on the important work done during the previous session and continuing the negotiations within the framework of Decision 62/557." The Member States of the UfC fully subscribe to this statement, and take this occasion to express appreciation for your constructive role in facilitating the negotiation process with the goal of achieving a comprehensive reform of the Security Council along this line.

The UfC has learnt that you have received requests by Member States to present a draft document for consideration in the informal plenary of the General Assembly. In this context, as already stated in the last exchange of the informal plenary of the General Assembly held on 8 and 9 December 2009, UfC confirms its openness to a document for the continuation of the intergovernmental negotiations on Security Council reform.

This document should be elaborated in full conformity with Decisions 62/557 and 63/565, the only basis for negotiations. It must include inter-alia all the proposals and positions of Member States in their entirety and all the five key issues in a comprehensive fashion.

Moreover, we encourage you to consult widely with all Member States for the elaboration of such a document and to identify and agree the approach and structure of negotiations thereon. Clarity should be obtained on the methodology of the negotiations. This cannot be a process of elimination of positions: there would be no reason or incentive for their proponents to participate in the negotiations. On the contrary, it should be a process aimed at finding compromises among different positions, that will stay on the table while moving towards one another. In this regard, it may be useful to also identify in the document the compromise positions of various sides.

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H.E. Ambassador Zahir Tanin  
Chairman of the intergovernmental negotiations  
on Security Council reform  
The United Nations  
New York

cc.: - H.E. Dr. Ali Abdussalam Treki  
President of the 64th session of  
the General Assembly

- all Permanent Representatives to the United Nations

The UfC remains convinced that such an approach will allow a reform of the Security Council that garners the widest possible political acceptance of Member States.



The Permanent Representative of Italy to  
the United Nations  
Cesare Maria Ragaglini



21 January 2010

English only

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**Sixty-fourth session**

Agenda item 119

**Question of equitable representation on and increase in the membership of the Security Council and related matters****Security Council reform**

As Chair of the intergovernmental negotiations on equitable representation on and increase in the membership of the Security Council and related matters, I have the honour to submit the following conference room paper, which was presented by the delegations of Colombia and Italy during the intergovernmental negotiations and is issued at their request:

1. Since the last amendment of the Charter of the United Nations in 1963, which increased the number of non-permanent members of the Security Council, world realities have continued to change. Adapting the Council's structure and working methods to these realities is an urgent priority.
2. Any reform of the Security Council should have as its objective the establishment of a more democratic, more equitably representative, more transparent, more effective and more accountable Council, one that respects the diversity and pluralism of the contemporary international community. Such a reform would need to pay particular attention to the substantial increase in the number of developing countries within the United Nations membership since the last expansion of the Council, as well as the legitimate interests of small and medium-sized States with respect to serving on the Council.
3. The preservation of democratic principle lies at the heart of the legitimacy of any reform of the Security Council. The discipline of regular elections is irreplaceable in ensuring an accountable, accessible Council, one in which membership is earned as a privileged responsibility, not granted as a permanent right. Only an expansion in the number of elected seats can ensure the preservation of that democratic principle; the authority, through it, of the General Assembly; and, ultimately, the long-term legitimacy of reform.
4. The subject of Security Council reform is one of the most contentious issues in the United Nations. The review conference envisaged by Article 109 of the Charter of the United Nations never materialized. In the 63 years of its existence, there has been only one successful attempt to change the composition of the Council. The current reform process has been going on for the last 14 years without the reaching

of any agreement. Therefore, it is extremely important that the reform of the Council be comprehensive, including an increase in the size of the membership and an improvement in the working methods.

## I. Categories, terms and mandate

### Additional seats

1. The exact number of seats will depend on the total size of the expansion and the distribution of those seats among various regions, taking into account equitable geographical distribution.

#### *Longer-term seats*

- Seats allocated to the regional groups, as follows:

Africa

Asia

Asia/Africa (on a rotational basis)

Group of Latin American and Caribbean States

Western European and Others Group/Eastern European Group (on a rotational basis)

Alternative options for duration of terms:

(a) A term of from three to five years without possibility of immediate re-election; or

(b) A term of two years with the possibility of up to two immediate re-elections. To be eligible to run afresh, Member States will have to give a break equivalent to the consecutive period served on the Council.

#### *Regular non-permanent seats*

- Seats for a two-year term without the possibility of immediate re-election, as follows:

Small states<sup>1</sup>

Medium-sized States<sup>2</sup>

Africa

Asia

Group of Latin American and Caribbean States

Eastern European Group

<sup>1</sup> Population below 1 million, that is, 42 countries, of which 37 have never been elected to the Security Council. Of the 37 never elected: 4 are from Africa; 11 are from Group of Latin American and Caribbean States; 15 are from Asia; 1 is from Eastern European Group; 6 are from Western European and Others Group.

<sup>2</sup> Population between 1 million and 10 million, that is, 71 countries, of which 27 have never been elected to the Security Council.

2. Arrangements for representation in respect of the seats, including re-election and rotation, should be decided by the respective regional groups.

## II. Majority required for Security Council decisions and the question of the veto

- *Majority required for adoption of substantive decisions in an enlarged Security Council, in accordance with Article 27 of the Charter of the United Nations:*
  - Present ratio, that is, 3/5 (60 per cent) of the total Security Council membership, or a greater ratio
- *Options on the question of the veto:*
  - Abolition of the veto
  - Limitations in respect of the scope of the veto: inter alia, application of the veto only on Chapter VII-related matters

## III. Working methods and procedures

1. Enhancement of transparency in the work of the Security Council, including through:
  - Better access to information through open briefings
  - Holding of Security Council meetings in an open format and keeping to a minimum closed meetings and informal consultations as the exception that they were meant to be
  - Timely availability to non-Security Council members of draft resolutions and presidential statements
  - Frequent, timely and qualitative briefings for non-Security Council members on the matters discussed in Council informal consultations and in the subsidiary bodies
2. Enhancement of access and participation of non-Security Council members in the work of the Council, including through:
  - Full and more vigorous implementation of Articles 31 and 32 of the Charter of the United Nations within the context of the work of the Security Council and its subsidiary bodies
  - Interaction of the Security Council with all interested and concerned parties, particularly in the decision-making process
  - Timely decision on the format of meetings to allow the membership sufficient preparation
  - Establishing mechanisms to ensure that views and interests of Member States affected or concerned by any matter in the agenda, including troop-contributing countries and host countries, are heard and taken into account

- Expansion of consultation and cooperation of the Security Council with regional organizations and countries in the region concerned
- 3. Adoption of formal rules of procedure of the Security Council, after appropriate consultation with the general membership.
- 4. Review of the implementation of decisions of the Security Council.

#### **IV. Relationship between the Security Council and the General Assembly**

- Enhancement of the accountability of the Security Council to the general membership
- Submission of substantive and analytical annual reports and, when necessary, of special reports of the Security Council to the General Assembly, pursuant to Articles 15 (1) and 24 (3), of the Charter of the United Nations
- Strengthening of the interrelationship among the Security Council and other United Nations principal organs, including through regular and institutionalized consultations, cooperation and adequate exchange of information

#### **V. Review mechanism**

- Review after 10-12 years or after 15-16 years, taking into account the terms for the seats
- Comprehensive reassessment, including the composition and working methods of the Council

*The Permanent Representative of the Slovak Republic  
to the United Nations*

New York, January 29, 2010  
Reference: 2132/2010-USSM1/MK

Excellency,

*On behalf of the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council, let me extend the genuine appreciation for your steadfast effort to promote a comprehensive reform of the UN Security Council. We do hope to see results sooner rather than later, and rest assure that you can totally rely on our cooperation.*

*In the spirit of a collective strive for the Security Council reform I have the honor to transmit hereby to you the attached position of the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council as enclosed in the document A/59/723 and reiterated on behalf of the States members of the Group by H. E. Ambassador Tiina Intelmann, Permanent Representative of Estonia to the United Nations, on February 21, 2007, with a kind request to appropriately take it into account while drafting the document that you intend to submit to the attention of the General Assembly for the next round of negotiations.*

*Please accept, Excellency, the assurances of my highest consideration.*



Miloš Koterec  
Ambassador Extraordinary and Plenipotentiary

Enclosure: 3 pages

His Excellency  
**Mr. Zahir Tanin**  
Chair of the intergovernmental negotiations  
on the question of equitable representation on  
and increase in the membership of the Security Council  
and other matters related the Security Council

New York

**General Assembly**Distr.: General  
3 March 2005

Original: English

**Fifty-ninth session**

Agenda item 53

**Question of equitable representation on and increase in the membership of the Security Council and related matters****Identical letters dated 28 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General and the President of the General Assembly**

In my capacity as Chairman of the Group of Eastern European States for the month of February, I have the honour to forward to you herewith a letter from the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council in response to the recommendations of the High-level Panel on Threats, Challenge and Change concerning the enlargement of the Security Council, endorsed by the members of the Group (see annex).

In addition, as Chairman of the Group of Eastern European States for the month of February, I propose that the letter be circulated as a document of the fifty-ninth session of the General Assembly.

For informational purposes, please be advised that copies of the letter will be sent to the President of the General Assembly and to the Chairmen of the four regional groups.

*(Signed)* Ivan Nimac  
Chargé d'affaires a.i.

**Annex to the identical letters dated 28 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General and the President of the General Assembly**

**Letter from the States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council in response to the recommendations of the High-level Panel on Threats, Challenge and Change concerning the enlargement of the Security Council**

1. The States members of the Group of Eastern European States eligible for non-permanent membership of the Security Council thoroughly analysed the recommendations concerning the enlargement of the Security Council contained in the report of the High-level Panel on Threats, Challenge and Change, entitled "A more secure world: our shared responsibility".
2. These Member States wish to emphasize that the two models for the enlargement of the Security Council, as presented by the High-level Panel on Threats, Challenge and Change, do not meet their expectations.
3. These Member States further emphasize that existing regional groups should be maintained.
4. These Member States reiterate their view, stated in the joint position paper of May 1998 (see A/52/47, annex XXIII), that any increase in the non-permanent membership of the Security Council should ensure an enhanced representation of the Eastern European Group by the allocation to the said Group of at least one additional non-permanent seat in the enlarged Council. These Member States wish to emphasize the fact that, since 1991, the Eastern European Group has more than doubled its membership.
5. These Member States fully support the need to reform the Security Council in order to make it more representative and effective and are confident that the legitimate interests of the Eastern European Group will be fully taken into account in this process.

# Statement by Ambassador Tiina Intelmann on behalf of the Eastern European Group on the reform of the Security Council

21.02.2007

Madam Chair,

I have the honour to speak on behalf of the Member States of the Eastern European Group eligible for non-permanent membership of the Security Council.

I wish to thank you for convening these informal consultations to discuss the question of regional representation in the Security Council. We congratulate you, Madam Chair and other facilitators of this process for your appointments and look forward to closely working with you. We would also like to express our gratitude to the President of the General Assembly for her efforts to give the reform process of the Security Council a new impetus.

Madam Chair,

Better representation of the broader membership of the whole United Nations as well as equitable geographic representation should be the fundamental principles guiding the enlargement of the category of the non-permanent members of the Security Council. The Member States of the Eastern European Group eligible for non-permanent membership of the Security Council would reiterate their view, stated in the Joint position paper in May 1998 (UN document: A/52/47) and February 2005 (A/59/723) that any increase in the non-permanent membership of the Security Council should ensure an enhanced representation of the Eastern European Group by the allocation to the said Group of at least one additional non-permanent seat in the enlarged Security Council. Let me also recall the fact that, since 1991, the Eastern European Group has more than doubled its membership, including by the most recent admission of Montenegro to the UN.

Madam Chair,

Our leaders agreed at the 2005 World Summit on the need to make the Council more representative, efficient and transparent thereby enhancing its effectiveness, legitimacy and implementation of its decisions. Therefore, we are confident that the legitimate interests of our Group will be fully taken into account in this vital process.

I thank you, Madam Chair.