



THE PRESIDENT  
OF THE  
GENERAL ASSEMBLY

11 June 2008

Excellency,

Please find enclosed the document entitled "Report of the Vice-Chairpersons to the President of the General Assembly on the Question of Equitable Representation on and Increase in the Membership of the Security Council" that was submitted to me on 9 June 2008.

I wish to take the opportunity to thank the four Vice-Chairpersons for their extensive consultations with Member States and for outlining the current situation and the options to move forward with the reform of the Security Council.

I would also like to further inform you that I will convene the third session of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council on Tuesday, 17 June, at 10 a.m. and 3 p.m. in the Economic and Social Council Chamber. I would appreciate to hear your comments and discuss next steps on Security Council reform.

Please accept, Excellency the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read "Srgjan Kerim".

Srgjan Kerim

All Permanent Representatives and  
Permanent Observers to the United Nations  
New York

REPORT OF THE VICE-CHAIRPERSONS TO THE PRESIDENT OF THE GENERAL ASSEMBLY ON THE QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL

I. INTRODUCTION

Since the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters held its last session, in April, 2008, the four Vice Chair-persons of the Task Force designated by the President of the General Assembly have consulted extensively with the membership. The purpose was to reach out to all Member States, through their regional groups, in major interest groups or individually, and to listen to their recommendations on how to move forward at this stage of the process of Security Council reform.

Many Member states have reaffirmed their original positions, while some have evolved or refined their stands, including through public statements at the highest political levels (see section III). All have expressed their disposition to enter intergovernmental negotiations, some expressing that their preferred positions could lead to compromise options but as an outcome of the eventual negotiations.

In general terms, there continues to be a common understanding that the Security Council in its current composition does not reflect international reality and thus needs to be adequately rebalanced. Status quo on present Security Council composition is judged as unrealistic. Both the expansion of the Security Council and the reform of its working methods are seen as important to the wide membership of the Organization. Also, reform of the Security Council is considered as an integral part of the overall UN reform process.

## II. FRAMEWORK AND MODALITIES

Numerous Member States have expressed their desire to clarify the framework and the modalities that would guide the eventual process of intergovernmental negotiations; that is, there is a demand by some to clarify the rules of the eventual negotiations.

In accordance with GA Resolution 48/26, the Open-Ended Working Group is the setting for considering all issues pertaining to Security Council reform, including the identification of the negotiables in order to move to intergovernmental negotiations. Decision 61/561 urged the OEWG to exert efforts during the present session "aimed at achieving general agreement among member States in the consideration of all issues relevant to the question" of Security Council reform. Whether "general agreement" on this matter is achieved or not, the General Assembly --being sovereign-- may decide at some point to shift the consideration of the reform process to the GA plenary. It is understood that any decision on Security Council reform should be taken by the General Assembly.

As far as the modalities are concerned, Member States have insisted upon and agreed that consultations and eventual intergovernmental negotiations should be conducted in an open, transparent and inclusive manner. Such an approach may take the form of further sessions of the OEWG, consultations with regional groups and major interest groups and other informal settings in the understanding that any decision on the matter must involve the whole of the membership of the General Assembly.

The seven principles or pillars proposed by the President of the General Assembly, and widely accepted by Member States, also constitute an integral part of the framework and modalities. Understanding that these seven pillars constitute an integrated whole, for procedural purposes, principles third and fourth should be recalled, respectively: that "the way forward ought to be accomplished through an objective and transparent process to first identify the negotiables in order to then move to the intergovernmental negotiations," and that "the Open Ended Working Group should carry out consultations on the framework and the modalities for

intergovernmental negotiations." The present paper seeks to advance decisively in this sense.

### III. THE PRESENT STATE OF PLAY

After intense rounds of consultations, the Task Force has concluded that none of the written contributions offered thus far gathers sufficient support as a basis to launch intergovernmental negotiations. Despite the apparent progress perceived in the Facilitators Reports of the sixty-first session (A/61/47), it should be recalled that paragraph (d) of resolution 61/561, adopted by consensus, states that "further concrete results may be achieved, including through intergovernmental negotiations, building on the progress achieved so far, particularly at the sixty-first session, as well as the positions of and proposals made by Member States." Positions among major interest groups have not moved significantly, despite stated expressions of disposition to act with flexibility and a general recognition that Security Council reform should necessarily require compromise.

#### A. Original Positions

The following options--in a summarized fashion-- have been presented by regional groups and major interest groups:

##### African Group (A/60/L.41):

Enlarge the Security Council in both the permanent and non-permanent categories and improve its working methods. Grant Africa two permanent seats, including the right of veto, and five non-permanent seats thus increasing Security Council membership from fifteen to twenty-six, with the eleven additional seats to be distributed as follows: a) Two permanent seats and two non-permanent seats for African States; b) Two permanent seats and one non-permanent seat for Asian States; c) One non-permanent seat for Eastern European States; d) One permanent seat and one non-permanent seat for Latin American and Caribbean States; and e) One permanent seat for Western European and other States.

G-4 (A/59/L.64):

Increase the membership of the Security Council from fifteen to twenty-five by adding six permanent and four non-permanent members, and improve the working methods of the Council. The six new permanent members of the Security Council shall be elected according to the following pattern: a) Two from African seats; b) Two from Asian States; c) One from Latin American and the Caribbean States; d) One from Western European and Other States.

The four new non-permanent members of the Security Council would be elected according to the following pattern: a) One from African States; b) One from Asian States; c) One from Eastern European States; d) One from Latin American and Caribbean States. The new permanent members would not exercise the right of veto until the question of the extension of the right of veto to new permanent members has been decided upon the framework of a review conference.

Uniting for Consensus (A/59/L.68):

The Security Council would be expanded to twenty-five Members, including the present five permanent members of the Security Council. The twenty non-permanent members of the Security Council would be elected according to the following pattern: six from African States; five from Asian States; four from Latin American and Caribbean States; three from Western European and other States; two from Eastern European States.

Each of the five existing geographical groups, as identified above, would decide on arrangements among its members for immediate re-election or rotation of its members on the seats allotted to the Group; those arrangements would also address, as appropriate, a fair sub regional representation. Also, improve the working methods of the Council.

Small Five (A/60/L.49):

Focused on working methods of the Security Council, this proposal invites the Council to consider the following measures to further enhance the accountability,

transparency and inclusiveness of its work, with a view to strengthening its legitimacy and effectiveness:

- More substantives exchanges of views among Security Council, the General Assembly and the Economic and Social Council.
- The Security Council should explore ways to assess the extent to which its decisions have been implemented.
- 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.
- A permanent member of the Security Council using its veto should explain the reason for doing so.
- The Security Council should ensure that all Member States are fully and promptly informed of all developments regarding its missions.
- 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.

#### Transitional approach

Under the present state of affairs, Member States, while retaining their initial positions, may wish to explore new and emerging ideas concerning a transitional approach to Security Council reform. A transitional approach assumes an intermediary arrangement and should have as an integral component a mandatory review to take place at a predetermined date. Within the transitional approach there are different options and variations that Member States could further explore.

As regards categories, the transitional approach, without prejudice to the prospect of creating new permanent seats, could explore the creation of new non-permanent seats as well as an intermediate category. Member States may wish to consider, among others, the following variations of an intermediate category;

- Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall.

- Extended seats, which would be for a longer period than the regular two years term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations.
- Extended seats, which would be for a longer period than the regular two years term, but without the possibility of re-election. The length of the term should be decided in the negotiations.
- Non permanent two years seats with the possibility of immediate re-election.

## B. New Inputs and Reaffirmed Views

### Uniting for Consensus - UFC (March 5, 2008):

- The UFC welcomes the seven principles of the President of the General Assembly and “well-considered efforts to launch an effective ‘joint venture’ of all Member States in order to advance the process aiming at a Security Council Reform.”
- Proposes to “reach general agreement on an ‘intermediate’ solution to Security Council reform on the basis of the variations outlined in para-9 of the Report of the 5 Facilitators at the 61<sup>st</sup> GA Session, and encompassing both the enlargement and working methods of the Council, without prejudice to the declared positions of all States/Groups.”
- For the next steps: Identify “negotiables” and elaborate a paper to serve as a basis for intergovernmental negotiations.

### African Group (letter by the Chairman, March 20, 2008)

- Supports the PGA’s efforts within the context of the OEWG and welcomes the seven principles laid out by the PGA.
- Following the African Union Assembly decision (January 31-February 2, 2008) Permanent Representatives in New York have been directed “to participate in the intergovernmental negotiations on the basis of Ezulwini Consensus and Sirte Declaration.”

- Continued readiness to work and cooperate with the PGA, addressing both the framework and modalities, that “could lead to intergovernmental negotiations which take into account the positions and aspirations of various stakeholders and lead to the widest possible agreement.”

Organization of the Islamic Conference (Final Communiqué of the Eleventh Session of the Islamic Summit Conference, 13-14 March, 2008):

- The Conference reaffirmed its decision that any reform proposal which neglects the adequate representation of the Muslim Ummah in any category of membership in an expanded UN Security Council will not be acceptable to the Muslim world.
- The Conference 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 in order to promote the comprehensive reform of the Security Council and to ensure the equitable representation of the OIC countries in all categories of the enlarged Security Council in proportion to their membership of the United Nations.
- The efforts at restructuring the Security Council should not be subjected to any artificial deadline and a decision on this issue should be made by consensus.

Draft presented by the Permanent Representative of Cyprus (March 20, 2008):

- Aims at giving a sense of direction for the future, on the basis of the report of the facilitators and other progress achieved during the 61<sup>st</sup> session of the General Assembly.
- “While the legitimate positions officially tabled in 2005 are retained by their proponents, their lack of realization potential at this juncture has pointed to an apparent willingness to negotiate on the basis of achieving intermediate reform, through the identification of the highest common denominator at this stage.”



- For the purpose of achieving such intermediate reform, the scope of the negotiation would be narrower, focusing on points of convergence in the short-term rather than divisive elements.
- The Security Council shall be enlarged to [22] members with different options of distribution of seats and categories.
- "The election of member States in all new seats will be subject to regular election procedures by two thirds majority at the General Assembly in accordance with Article 18 of the Charter."
- "Reform should include mandatory review after a fixed period of time, the exact duration of which must be determined before the reform comes into force and will form an integral part of the reform package."
- In addition to the enlargement, the General Assembly could simultaneously recommend concrete improvements on SC working methods, including those contained in S/2006/507.

Joint United Kingdom of Great Britain and Northern Ireland-France summit declaration  
(March 27, 2008):

- The United Kingdom of Great Britain and Northern Ireland and France will act to reform the United Nations Security Council (UNSC) which has primary responsibility for maintenance of international peace and security. In the same spirit of adapting institutions to the new realities of the world, the UNSC should be reformed to ensure that it better represents the world of today, while remaining capable to taking the effective action necessary to confront today's security challenges.
- Reform of the UNSC, both its enlargement and the improvement of its working methods, must therefore succeed. Reaffirm the support for the candidacies of Germany, Brazil, India and Japan for permanent membership, as well as for permanent representation for Africa on the Council.
- The United Kingdom of Great Britain and Northern Ireland and France regret that negotiations towards this goal remain in deadlock and are therefore ready to

consider an intermediate solution. This could include a new category of seats, with a longer term than those of elected members and those terms would be renewable at the end of an initial phase, it could be decided to turn these new types of seats into permanent ones.

- The United Kingdom of Great Britain and Northern Ireland and France will work with all their partners to define parameters of such a reform.
- UNSC reform requires a political commitment from the member states at the highest level. The United Kingdom of Great Britain and Northern Ireland and France will work in this direction in the coming months with a view to achieving effective reform.

#### Other P-5 perspectives

Despite a diversity of views among P-5 Member States regarding Security Council reform, there are some common elements which have been repeated to the Task Force or that have been expressed by high-level officials of their respective governments.

All P-5 have stated that the formula for increased membership of the Security Council should be based on a wide agreement and should not be divisive. China stresses the notion that any reform on the Council must be based on a "serious compromise." Likewise, H.E. the President of the Russian Federation, Dmitry Medvedev, stated recently: "The UN Security Council needs to be reformed on the basis of broad consensus between the UN member countries. We value Germany's commitment to looking for compromise solutions in this respect that would not cause division within the organization." (Berlin, June 5, 2008.) In the view of the United States, "no significant portion of the membership [should be] alienated by the result of [Security Council reform]." (Statement by the U.S. Deputy Permanent Representative, OEWG, April 10, 2008.) Several P-5 believe that the OEWG is the appropriate forum to discuss the topics related to Security Council reform.

China supports greater participation by small and developing countries in an enlarged SC. Some P-5 members have insisted that Security Council expansion must be

realistic or "modest" as regards size. According to the United States, "only a modest expansion will ensure the Council's continued effectiveness." (April 10, 2008). Some P-5 Members have underlined the importance of the qualifications contained in Article 23 paragraph 1 of the UN Charter for countries wishing to become members of the Council. The United States believes that "candidates for the longer-duration, whether intermediate seats or permanent members, must demonstrate a higher level of global leadership;" at the same time, it has insisted that any reform of the Council must be accompanied by increased effectiveness of the entire UN system.

Some P-5 members feel strongly that working methods of the Security Council is a matter that should be addressed by the Council itself, as a principal organ of the United Nations. And P-5 Members have reaffirmed their opposition to any Security Council reform that would "tamper" with the veto right of permanent members of the Council.

#### IV. NO REFORM OPTION

It should be recalled that deliberations aiming to reform the Security Council began in January 1994, and although the Working Group has made progress, particularly during its sixty-first session, positions as summarized above still remain far apart. Moreover, a sense of frustration surrounds the present stage.

We could eventually conclude, therefore, that there is simply not sufficient common ground to move the process forward toward fruitful intergovernmental negotiations. A possible outcome that member States should keep in mind is that the present deadlock would culminate, in practical terms, in an indefinite postponement of the Security Council reform effort (even though the OEWG might continue to meet).

Moving the process forward would require political willingness to compromise by engaging in intergovernmental negotiations based on sufficient elements to seek agreed solution as the outcome.

## V. SHIFTING THE PARADIGM

Recent consultations have shown that the main source of disagreement has centered on the category of seats. There are a number of Member States, as described above, which assert that an expanded Security Council should include new permanent members, accompanied by new non-permanent members, while others argue that the Council should be solely expanded through new non-permanent seats, eventually renewable.

Such a polarized discussion led, during the facilitation process in the sixty-first session of the GA, to the suggestion that Member States might wish to consider a transitional or intermediary approach including the creation of extended seats, of various durations, as a compromise option. However, many Member States have argued that such option could be the eventual *outcome* of an intergovernmental negotiation.

Instead of continuing along this track, Member States may wish to approach eventual negotiations from a **timeline perspective**; that is, to identify what may be achievable in the short term, during the remaining sixty-second session, or during the following one, and what would be left to revisit in a number of years through a **mandatory review** (in 10, 12 or 15 years, for example). Hence, no preferred position would be excluded a priori, no Member State or group would be obliged to forgo its position from the outset; but, with a sense of compromise, an effort would be made to negotiate that reform which would be achievable at the earliest possible date. That solution would keep avenues open to all preferred options to be reconsidered at an agreed moment in the future.

Thus, Member States may wish to address which of the negotiables --basically the five key issues--*categories of membership, the question of the veto, the question of regional representation, the size of an enlarged Council, and the working methods of the Security Council and the relationship between the Council and the General Assembly*— may be fully or partially resolved in a short time-span or may have to be postponed for the mandatory review.

For example, if an impasse would arise on the delicate question of the extension of veto in the near term negotiations, it would therefore be reasonable to refer it to the review. A meaningful review would seem to require an intervening period of between 10 to 15 years to allow for ratification and evaluation. Then the membership should be able to evaluate the Council's performance against the backdrop of structural trends in peace and security. The single defining characteristic of the timeline approach is the scheduling of a mandatory review, where the achievable arrangement would be evaluated and could be reshaped into a more permanent one, in the light of past experience.

## VI. TOWARD INTERGOVERNMENTAL NEGOTIATIONS

Security Council reform is at a crossroads. In order to move forward, compromise is needed and the clock is running. This paper has outlined the negotiables and options that member States may wish to consider with a view to intergovernmental negotiations.


We are convinced that a "big bang" and all-encompassing solution is not possible and only a realistic approach that allows agreement on what is achievable in the near term, without excluding any preferred option to be revisited at an agreed time through a mandatory review, is the way to move forward.

It should be noticed that despite differences, Member States agree on a number of issues. For example, all Member States and interest groups have favored an improvement in the **working methods** of the Security Council (if Member States were to agree on the launching of intergovernmental negotiations, they could use as a basis the working methods section of the Facilitators' Report of 19 April, 2007). Member States also seem to agree that Security Council expansion should contemplate **additional non-permanent seats**, in accordance with article 23 paragraph 2 of the Charter, particularly to accommodate the needs of small States (while it has also been suggested, through the Forum of Small States, that a provision should be considered which would prevent countries from presenting candidatures for both the new

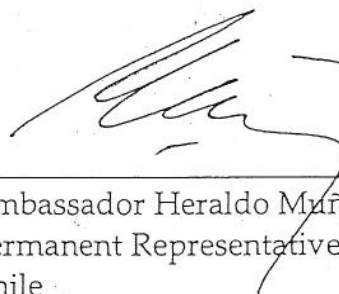
category--assuming a transitional approach--and the existing non-permanent category at the same time or in short intervals).

Lastly, in order to contribute to move the process forward, in the following Annex we have listed specific options on the category of seats, as well as their distribution, and the size of an enlarged Council, which Member States may want to consider.

June 9, 2008



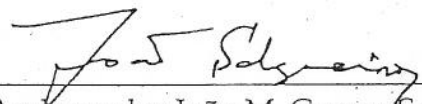
Ambassador Ismat Jahan  
Permanent Representative  
Bangladesh



Ambassador Heraldo Muñoz  
Permanent Representative  
Chile



Ambassador Roble Olhaye  
Permanent Representative  
Djibouti



Ambassador João M. Guerra Salgueiro  
Permanent Representative  
Portugal

## ANNEX

Since differences remain on the Category of Seats and the Size of an expanded Security Council, Member state may wish to consider the following options:

### **22 Members; of the seven new seats:**

- Two [Extended or Permanent] seats will be allocated to Member States of the African Group.
- Two [Extended or Permanent] seats will be allocated to Member States of the Asian Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Western European and Others Group, and
- One Non-Permanent seat will be allocated to member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].

### **23 Members; of the eight new seats:**

- Two [Extended or Permanent] seats will be allocated to Member States of the African Group.
- Two [Extended or Permanent] seats will be allocated to Member States of the Asian Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Western European and Others Group.
- One Non-Permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].
- One Non Permanent seat will be allocated to Member States of the African Group.

### **24 Members; of the nine new seats:**

- Two [Extended or Permanent] seats will be allocated to Member States of the African Group.
- Two [Extended or Permanent] seats will be allocated to Member States of the Asian Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.

- One [Extended or Permanent] seat will be allocated to Member States of the Western European and Others Group.
- One Non-Permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group).
- One Non-Permanent seat will be allocated to Member States of the African Group.
- One Non-Permanent seat will be allocated to Member States of the Asian Group.

**25 Members;** of the ten new seats:

- Two [Extended or Permanent] seats will be allocated to Member States of the African Group.
- Two [Extended or Permanent] seats will be allocated to Member States of the Asian Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Western European and Others Group.
- One Non-Permanent seat will be allocated to Member States of the Eastern European Group.
- One Non-Permanent seat will be allocated to Member States of the African Group.
- One Non-Permanent seat will be allocated to Member States of the Asian Group.
- One Non-Permanent seat will be allocated to Member States of the Latin American and Caribbean Group.

**26 Members;** of the eleven new seats:

- Two [Extended or Permanent] seats will be allocated to Member States of the African Group.
- Two [Extended or Permanent] seats will be allocated to Member States of the Asian Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [Extended or Permanent] seat will be allocated to Member States of the Western European and Others Group.
- Two Non-Permanent seats will be allocated to Member States of the African Group.
- One Non-Permanent seat will be allocated to Member States of the Eastern European Group.
- One Non-Permanent seat will be allocated to Member States of the Asian Group.
- One Non-Permanent seat will be allocated to Member States of the Latin American and Caribbean Group.



Evidently, Member States may wish consider an expansion of the Security Council that would add up to less than 22 members (no Member State or regional group has proposed a larger number than 26), taking into consideration factors such as work effectiveness and representation as well as the elements listed in article 23, paragraph 1 of the UN Charter.