



په ملگرو ملتوکی
د افغانستان اسلامي جمهوریت
دایمی نمایندگی - نیویارک

نماینده گی دایمی
جمهوری اسلامی افغانستان
در ملل متحد - نیویارک

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

16 April 2009

Excellency,

In strict conformity with the Work Plan elaborated by the President of the General Assembly and embraced by Member States during our successful 19 February launch of the Intergovernmental Negotiations on Security Council reform, I am herewith providing guidance to Member States on the path to decisive progress. Following our productive 7 and 8 April exchange on size of an enlarged Council and working methods of the Security Council, Member States on 20 April will address the relationship between the Council and the General Assembly, the last of the five key issues as enumerated in GA Decision 62/557. During the sixty-first session of the General Assembly, the membership addressed Security Council reform along such lines, be it at an entirely different stage of the process and in an entirely different forum. Given our common purpose to, in an open process, build on rather than repeat, inter alia, the outcome of that previous exercise, let me for your convenience recite this outcome as far as the relationship between the Council and the General Assembly is concerned, through a literal and integral excerpt from document A/61/47, defined in subparagraph iii of paragraph e of Decision 62/557 as part of the basis for the Intergovernmental Negotiations:

“Working methods of the Security Council and the relationship between the Security Council and the General Assembly

A wide majority of Member States felt that the working methods are an essential and integral part of Security Council reform. Some Member States were of the opinion that expansion and working methods should not be seen as inseparable. They argued that reform of the working methods, which would not require a Charter amendment, should be seen as a continuous process. Ultimately, a widely shared conclusion was that the working methods should be part of any reform package. If agreement on a package should prove not to be attainable, efforts to reform the working methods could and, in the eyes of many, should still be continued:

- Some Member States offered another perspective on the relationship between the working methods and expansion of the Security Council. Many (smaller) Member States serve relatively sporadically on the Council, and would do so even in the event that there is an expansion. For those Member States, improved working methods, and thus better access as non-Council members to the work of the Council, is of essential importance.*
- Member States alluded to the relationship of the Security Council to the General Assembly. Most Member States put this issue in the context of the so-called encroachment*



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of the Council on the Assembly. It was argued that this had much to do with the broadening definition of "security". Working with this broad definition, the Council was increasingly discussing subjects that would, arguably, fall under the competence of the Assembly. Most however felt that it was difficult to address this issue in the context of Security Council reform.

• As to the substance of the working methods, many Member States welcomed several initiatives that have recently been taken, such as the draft resolution by Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland (S-5) and the recent note by the President of the Security Council on working methods (S/2006/507). Many Member States saw as the central aim of improved working methods to ensure better access for non-Council members to the work of the Council. The access seemed to have distinct components: information, consultation and cooperation.

• With regard to access through information, Member States felt that timely and substantive information on the work of the Security Council would lead to more transparency. This would not only enable them to better follow the proceedings, but would also allow Member States to informally exert influence on the decision-making process. Concrete suggestions that were made by Member States included:

- Better notification to all Member States of all Council meetings, including unscheduled meetings, and early distribution of draft resolutions.*
- More frequent briefings by the President of the Security Council and by the chairmen of the subsidiary bodies. Distribution to all Member States of reports of the meetings of the subsidiary bodies.*
- Institutionalized periodic review of the implementation of Council mandates and decisions.*

• On better access through consultations, Member States indicated an interest to have direct, real access to the Security Council in cases where their interests were specially affected and, in particular, when they have an item on the agenda (both in open and private meetings). It was widely felt that this would increase the legitimacy of the Council's decisions without necessarily infringing on the prerogatives of the Council. The following suggestions were made:

- A mechanism should be established to ensure that Member States whose interests are specially affected will be heard upon request at private meetings of the Council, as well as in the work of the subsidiary bodies.*
- Consistent consultations with potential troop-contributing countries in the early phase of a new operation, with the participation of the host country, where appropriate, and regular substantive meetings during ongoing operations.*



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• As already stated, it was also argued that better access could be achieved by means of expanding on the mechanisms for interaction between United Nations bodies, most notably between the Security Council and General Assembly. The following suggestions were made:

- *The Security Council should issue special subject-oriented reports (Article 24.3 of the Charter) for discussion in the General Assembly. This could include reports on the understanding of the mandate of the Council, for example what is the definition of "international peace and security".*
- *In addition to increased cooperation between the Security Council and the General Assembly, a regularized, substantive dialogue should also be established with the Economic and Social Council, the Human Rights Council and the Peacebuilding Commission (also on the implementation of the respective mandates).*

As stated before, most Member States felt that measures described above should be part of a reform package that would eventually be voted on in the General Assembly. By and large, the permanent members indicated that they supported some level of reform of the working methods. Some of them stated that these measures should be adopted by the Security Council itself, and could not be "imposed" by the Assembly. This is a matter that would require further consultation."

Since the working methods of the Council were already addressed during our productive 7 and 8 April exchange, I kindly ask you to, to the extent possible, limit your remarks at the 20 April meeting to the issue under discussion, namely the relationship between the Council and the General Assembly.

The above excerpt from document A/61/47 should of course also be read in conjunction with, in particular, the new inputs and reaffirmed views as contained in document A/62/47, similarly defined in subparagraph iii of paragraph e of Decision 62/557 as part of the basis for the Intergovernmental Negotiations. Through his Work Plan, the President of the General Assembly has exhorted Member States to flesh out the substantive underpinning of the meetings, defined in subparagraphs i and iii of paragraph e of Decision 62/557, and to show the necessary flexibility. Accordingly, during our meetings so far, Member States with regard to the key issue under discussion clarified their original position where necessary and not seldom demonstrated flexibility on it, including through new proposals.

This way, Member States are injecting new life blood into the negotiations. For my part, as Chair of the Intergovernmental Negotiations, I will continue to promote the interactive nature of our meetings. Member States will thus again be given the opportunity to intervene twice, so they can react to and reciprocate the flexibility shown by their peers, but are also again urged to be concise and to limit their interventions to no longer than three minutes. I remain confident that the good



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faith and mutual respect in full display over the course of our negotiations hitherto will take us very far very fast.

In strict conformity with the Work Plan, the consideration of the relationship between the Council and the General Assembly will conclude the first round, with the second round to commence in May. While Member States have been generating considerable momentum, new steps forward will be necessary in the second round to sustain it. On my continued efforts to implement the Work Plan and to facilitate the achievement of decisive progress I will inform the membership well in advance.

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

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 and increase in the membership of the Security Council and other matters related to the Council