



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

3 May 2017

Excellency,

Further to my letter dated 1 May 2017 communicating the letter from the Co-Chairs of the Intergovernmental Negotiation on Security Council reform (IGN), H.E. Mr. Ion Jinga, Permanent Representative of Romania and H.E. Mr. Mohamed Khaled Khiari, Permanent Representative of Tunisia, dated 28 April 2017, I have the honour to transmit the revised version of “*food for thought elements*”, as indicated in the abovementioned IGN Co-Chairs’ letter, to be discussed in the interactive session of the IGN meeting on 9 May 2017.

I look forward to your active participation in the next meetings of the IGN.

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

A handwritten signature in black ink, appearing to read 'Peter Thomson'.

Peter Thomson

To All Permanent Representatives
to the United Nations
New York

**ELEMENTS OF COMMONALITY
AND ISSUES FOR FURTHER CONSIDERATION**

Food for thought on the question of equitable representation and increase in the membership of the Security Council and related matters

IGN GA71 session, 8-9 May 2017

Following the IGN GA71 meetings of 6-7 February, 7-8 March 2017 and 3-4 April 2017, the following commonalities and issues for further consideration related to all five clusters (relations between the SC and the GA, size of an enlarged SC and working methods of the Council, categories of membership; the question of the veto; regional representation) have been identified:

I. Commonalities

1. General

- a) There is widespread agreement that the reform of the United Nations Security Council is in the interest of Member States and the United Nations system as a whole.
- b) The intergovernmental negotiations on Security Council reform are resumed in informal plenary in the GA 71 session, as mandated by GA decision 62/557 and subsequent decisions, *“building on the informal meetings held during its 70th session, as well as the positions of and proposals made by Member States, reflected in the text and its annex circulated on 31 July 2015 and using the elements of convergence circulated on 12 July 2016.”* (GA Decision 70/559 of July 27, 2016).
- c) The reform of the Security Council is a Member States driven process.
- d) The objective of reform is to make the Council more *“broadly representative, efficient and transparent and thus to enhance its effectiveness and the legitimacy and implementation of its decisions”* (The World Summit Outcome Document of October 24, 2005).
- e) To improve prospects for reform, a continued and enhanced engagement is of utmost importance.
- f) All five clusters are strongly interconnected and therefore negotiations should be based on the principle: *“nothing is agreed until everything is agreed”*.

2. Relationship between the Security Council and the General Assembly

The previous deliberations of the AHWG on the revitalization of the work of the GA, including the GA resolution 70/1003 on the revitalization of the GA, and the current debates of the AHWG on the revitalization of the work of the General Assembly,

established by resolution 70/305 of 13 September 2016, might be taken into consideration when updating the progress on this issue.

3. Size of an enlarged Council and working methods of the Council

- a) There is a general agreement that the reform of the Security Council should lead to an expansion of the Council.
- b) Member States acknowledged the linkages to ensuring an increase in membership that would allow for equitable regional representation, as well as cross-regional balances, while maintaining the effective and operational character of the Council.

4. Categories of membership

- a) Expansion, in an enlarged SC, of the category of 2 year term non-permanent members is accepted by all Member States.
- b) The Security Council's expansion in other categories than the 2 year term non-permanent members - permanent category, non-permanent category based on longer term seats, including transitional options - remains to be convened by the Member States.

5. The question of veto

No commonalities have been currently identified in relation to the question of veto.

6. Regional representation

- a) Member States are in agreement that the enlargement of the Council should serve to improve the representation of unrepresented and underrepresented regions and groups.
- b) Ensuring a fair equitable geographical distribution should be reflected in an expanded Council's membership.
- c) Member States consider that expansion of the Security Council shall ensure the balance between the principles of accountability, democracy, transparency, representativeness, efficiency and effectiveness in the Council's activity.
- d) There is a common understanding that developing countries, mainly African countries, should be better represented in the Security Council.
- e) Equal attention has to be paid to the equitable representation of small states, including SIDS.

II. Issues for further consideration

1. General

A large variety of opinions on the Council's reform persist particularly in relation to the following three clusters: categories of membership; the question of the veto; regional representation.

2. The relationship between the Security Council and the General Assembly

Further ways to enhance the Council's accountability to the UN membership and to increase the transparency of the SC work in relation to the General Assembly need to be explored.

3. Size of an enlarged Council

- a) One element of convergence identified by IGN GA70 under the "Size of an enlarged Council and Working methods", in the "Working methods" section, refers to: *"Ensuring the holding of the Presidency of the enlarged Council by non-permanent members (NPM) at least once during their tenure"*. Member States should clarify whether the issues of "size of the SC" and "working methods of the SC" are indivisible, or they might be discussed separately, while keeping in mind that "nothing is agreed until everything is agreed".
- b) When discussing the size of the Security Council, Member States expressed different views on how to ensure the balance between efficiency and representativeness of the Council.
- c) A significant number of Member States favor a "mid-20s" size enlargement of the Security Council, whereas other Member States expressed the firm request for a "low-20s" or a "modest" enlargement.

4. Categories of membership

- a) The UN Charter mentions only two categories (permanent and non-permanent), but the GA decision 62/557 refers to *"categories of membership"* without specifying them, which leaves to the member states to decide if additional categories may be created.
- b) Member States expressed preference for one or more of the following options:
 - Enlargement of the SC with both permanent and 2 year term non-permanent members;
 - Enlargement of the SC with 2 year term non-permanent members and create a new category of longer-term members with possibility of re-election;

- The option for “de facto” permanent seats, should a member state continuously be re-elected by its peers;
 - The “transitional option” (review clause).
- c) While bearing in mind the close connections between all five clusters, categories of membership might be discussed in parallel with regional representation and the size of the SC.

5. The question of veto

- a) More in-depth discussions are needed to clarify with how many rights of veto the SC might remain functional.
- b) During previous IGN sessions, the following ideas were raised :
- If new permanent members are approved:
 - the veto right might be expanded to all permanent members; or
 - new permanent members might not benefit from the veto right, which will be kept only by the current P5; or
 - the veto right might be extended to new permanent members after a reviewing period.
 - Progressive restrain / abolition of veto.
 - Voluntarily refrain to use the veto right in cases of mass atrocities, crimes against humanity or genocide.
 - Not altering or extending the right of veto.

6. Regional representation

- a) How to ensure an appropriate ratio between the number of SC members and GA members? The ratio was 1:8 in 1945, and is 1:19 in 2017 (P5 excluded).
- b) How to ensure an appropriate ratio between the number of SC non-permanent members and number of countries in regional groups (P5 excluded)? Currently, the ratio is 1:27 for Asia-Pacific, 1:22 for EEG, 1:18 for Africa, 1:17 for GRULAC and 1:13 for WEOG.
- c) How to ensure an appropriate ratio between the number of SC non-permanent members and the number of permanent members? (the current ratio is 1 :2).
- d) The question of whether a country represents only itself in the SC, or its region, or the whole of UN membership needs further clarifications. UN Charter, Article 24, para 1: *“In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace*

and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.”

- e) While bearing in mind the close connections between all five clusters, regional representation might be discussed in parallel with the size of the SC and categories of membership.
- f) In seeking a solution that can garner the widest possible political acceptance by Member States for an enlarged Security Council, how to make consistent the principles listed in paragraph 6.c. of section I with an equitable geographical distribution of the SC seats?