



THE PRESIDENT  
OF THE  
GENERAL ASSEMBLY

15 April 2015

Excellency

I have the honour to transmit a letter dated 14 April from the Chair of the Intergovernmental Negotiations on Security Council reform H.E. Mr. Courtenay Rattray, Permanent Representative of Jamaica in which he provides further clarification to the questions raised after the briefing session held on 26 March in relation to the approach presented for the Intergovernmental Negotiations process.

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

A handwritten signature in black ink, appearing to read 'Sam K. Kutesa', with a large, stylized flourish above the name.

Sam K. Kutesa

All Permanent Representatives  
to the United Nations  
New York



OUR REF. NO. *SC/6*

YOUR REF. NO.

14<sup>th</sup> April 2015

Excellency,

Since the interactive briefing session held on the 26<sup>th</sup> of March 2015 I have received further questions and requests for clarification from some Member States. I welcome this continuing bilateral dialogue. However, in the interest of transparency and clarity I wish to ensure that answers to these queries are received by all delegations. Therefore, I am pleased to provide herein further clarification in regards to the approach I have presented for the Intergovernmental Negotiations.

A number of enquiries have been made as to how submissions from Member States will be reflected in the framework document. Following the 16<sup>th</sup> of April deadline, I will place all submissions received into a single, comprehensive, master framework document. All positions and proposals of Member States will be reflected in this document using the precise language contained in their submissions. Additionally, I will place the complete submissions from Member States, in an annex to ensure full transparency and for reference purposes.

Following the circulation of the populated framework document, we will have a number of interactive dialogue sessions in May to explore the positions submitted by Member States. These discussions are intended to allow Member States to pose questions about the practicalities and modalities of each other's positions, rather than to deliver the usual prepared statements. I will guide these discussions, which will be structured in the format of questions and answers between delegations. I may also engage with Member States by enquiring on points of clarification if the need arises. I reiterate that these sessions are not intended to pit one proposal against another in an adversarial manner. Rather, they should provide us with an opportunity to better illuminate our positions and engage in dynamic exchanges based on the range of proposals that exist.

In reference to the interlinkages of the five key issues, as was discussed at the briefing, I am of the view that in order to fulfil the mandate of 62/557, all the topics which fall under the five key issues must be fully discussed and considered.

However, this does not mean that following the exact sequencing as listed in General Assembly Decision 62/557 is the most logical or coherent way to proceed. The framework document is designed to reflect the positions of Member States on the five key issues in an order that better represents the linkages between them. For example, Regional Representation directly follows Categories of Membership, in recognition of their clear interrelation. While this approach may result in some overlap, it is important at this stage to ensure that all positions and nuances are recorded correctly. As we enter the phase of narrowing down the document to make it more workable, there will be further opportunity to highlight the linkages between the key issues displayed in Member States' positions.

Questions have been posed concerning the governing principles that will undergird our negotiations. Through our many years of discussions on this subject I am confident that we all have a clear vision of the principles we envision for Security Council reform. For example, at the World Summit in 2005 our Heads of State and Government committed their support for early reform in order to make the Security Council "more broadly representative, efficient and transparent and thus to further enhance its effectiveness and the legitimacy and implementation of its decisions". Furthermore, the title of the IGN itself states that we are discussing the "equitable representation on and increase in the membership of the Security Council and other matters related to the Council". These two agreed documents make very clear the basic tenets for reform. As for the IGN itself, in Decision 62/557 we all committed to participate in the process "based on the proposals by Member States, in good faith, with mutual respect and in an open, inclusive and transparent manner". I consider these to be solid bases upon which we can seek to begin our negotiations.

Some Member States have raised questions about the mandate and authority of the Chair. As I stated at the briefing on the 26<sup>th</sup> of March, General Assembly Decision 62/557 at no point mentions the existence of a Chairperson and, therefore, neither prescribes nor proscribes the appointment, role or mandate of the Chair. Instead, it has been the decision of successive PGAs to appoint a Chairperson to guide this process. For the 69<sup>th</sup> session of the General Assembly I was appointed by President Kutesa to Chair the IGN, and in so doing am mindful of the encouragement he gave to Member States to begin text-based negotiations. It is my strong belief that we cannot begin negotiations in any meaningful way without a workable text, one which at its outset includes all positions and proposals. It is my intention to guide Member States to create a working text through the use of the framework document.

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As is the case with Chairpersons in other UN processes, it is my responsibility to outline an approach and to help procedurally to set this process on a path toward progress. It is certainly not my intention to make substantive proposals, or alter the proposals of Member States without their consent. However, in order for us to arrive at a concise text that is fit for negotiations, I will require operational flexibility to guide this process on behalf of Member States. This does not negate the central role of Member States and, as has been my practice thus far, I assure you that every phase of the process will be marked by intensive consultations. Indeed, the identification of areas of convergence can only be achieved through such a consultative and deliberative process.

Concerning Rev. 2, as I clarified at our briefing, my consultations have highlighted the significant divisions that exist between Member States on both Rev.2 and Rev.3. When combined with their unwieldy and dense nature this renders them unsuitable and impractical starting points for arriving at a concise and workable negotiation text. The framework document will instead enable Member States to present their positions fully and in a format that leads to the creation of a working text that is best suited to the commencement of real give and take negotiations. This will allow us, for the first time, to have more focused engagement with the positions of Member States at the core of our negotiations.

Queries have been made regarding some of the terminology used during my briefing, in particular in relation to my use of the phrase "Member-centric approach" as opposed to "membership-driven" process, which I consider to be a false distinction. While I am happy to provide clarification, I remain concerned that over the past years in the IGN we have become too bogged down by pedantic interpretations of certain words and phrases. Such discussions have contributed to our talking past each other, thereby preventing us from having genuine conversations about the substance of the issues. I wish to assure you that regardless of what terminology is used, it is one of my own overarching principles as Chair that I will consult intensively and ensure that Member States are at the very heart and centre of this process. The framework document has been designed to guarantee such an outcome, by ensuring that discussions will be focused on the tangible positions and proposals of Member States and not on abstract concepts or terms.

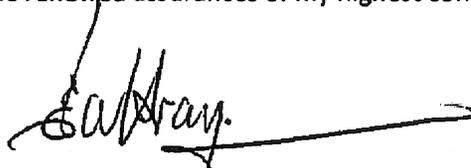
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A question has also been raised about the Chair's interpretation of the concepts of "widest possible political acceptance" and "general agreement" in relation to procedural steps in the IGN process. However, these terms refer to a final decision on Security Council reform and therefore have no bearing on the organisational aspects of our work. As we reach the final stage of deliberations it will be necessary to move into a formal plenary where relevant decisions of the General Assembly, its Rules of Procedure and relevant articles of the Charter will guide us.

I trust that I have addressed the questions raised and hope that this has helped to provide further clarity to the process. I look forward to receiving all submissions by the 16<sup>th</sup> of April and to continuing our close engagement on this issue.

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



E. Courtenay Rattray  
Ambassador/Permanent Representative  
Chair of the Intergovernmental Negotiations on  
Security Council Reform

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